



# BERKELEY PUBLIC LIBRARY BOARD OF LIBRARY TRUSTEES

REGULAR MEETING  
FEBRUARY 8, 2012

AGENDA  
6:30 PM

SOUTH BRANCH  
2090 KITTREDGE STREET

The Board of Library Trustees may act on any item on this agenda.

## I. PRELIMINARY MATTERS

- A. Call to Order
- B. Public Comments (6:30 – 7:00 PM)  
*(Proposed 30-minute time limit, with speakers allowed 3 minutes each)*
- C. Report from library employees and unions, discussion of staff issues  
Comments / responses to reports and issues addressed in packet.
- D. Report from Board of Library Trustees

## II. CONSENT CALENDAR

*The Board will consider removal and addition of items to the Consent Calendar prior to voting on the Consent Calendar. All items remaining on the Consent Calendar will be approved in one motion.*

- A. [Approve minutes of Regular Meeting of January 11, 2012](#)  
Recommendation: Approve the minutes of the January 11, 2012 regular meeting of the Board of Library Trustees.
- B. [Accept Gift Funds from the Library Foundation in the amount of \\$204,750](#)  
Recommendation: Adopt a resolution authorizing the acceptance and allocation of gift funds from the Berkeley Public Library Foundation constituting payment toward the Foundation's branch library capital campaign pledge and other purposes.
- C. [Administrative Regulations](#)  
Recommendation: Adopt a resolution adopting Berkeley Public Library Administrative Regulations as presented effective February 16, 2012.
- D. [Bay-Friendly Landscaping Grant](#)  
Recommendation: Adopt a resolution accepting and appropriating Stopwaste.org managed Bay-Friendly grant funds for the North Branch Improvement Project in an amount not to exceed \$15,000.

## III. ACTION CALENDAR

- A. [South Branch Construction Contract](#)  
Recommendation: Adopt a resolution to recommend City Council approve execution of a contract and any amendments with Gonsalves & Stronck Construction Inc. to provide construction related services for the South Branch Library project in an amount not to exceed \$4,963,000.
- B. [Temporary closure of the South Branch Library and Relocation of the Tool Lending Library; re-opening the North Branch Library; and reopening the Claremont Branch Library](#)  
Recommendation: Adopt a resolution authorizing the Director of Library Services to close the South Branch Library effective Sunday, March 17, 2012 for approximately 15 months for replacement and new construction; select a start date for temporary operation of the Tool Lending Library at an alternative location to begin prior to March 19, 2012; and re-open the North Branch Library on Saturday April 7, 2012 in order to complete Measure FF branch library authorized improvements.

**IV. INFORMATION REPORTS**

- A. [Update on the Branch Bond Program](#)**  
Discussion of staff report on status of implementation of the Measure FF branch improvement program, to include update on Request for Proposals, schedule, and budget.
- B. [January 2012 Monthly Report from Library Director](#)**
  - i. Library Development
  - ii. Professional Activities
  - iii. Programs, Services and Collections
  - iv. Personnel
- C. [Library Work Plan FY2012 and FY2013](#)**
- D. [Library events](#): Calendar of events and press releases for various Library programs are posted at <http://www.berkeleypubliclibrary.org>**

**V. AGENDA BUILDING**

The next meeting will be a Regular Meeting held at 6:30 PM on Wednesday, March 14, 2012 at the **West Branch Library, 1125 University Avenue, Berkeley.**

**VI. ADJOURNMENT**

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Written materials may be viewed in advance of the meeting at the Central Library Reference Desk (2090 Kittredge Street), or any of the branches, during regular library hours.



**Wheelchair accessible. To request a sign language interpreter, real-time captioning, materials in large print or Braille, or other accommodations for this event, please call (510) 981-6107 (voice) or (510) 548-1240 (TTY); at least three working days will help ensure availability.**

**Please refrain from wearing scented products to public programs.**

I hereby certify that the agenda for this regular meeting of the Board of Library Trustees of the City of Berkeley was posted in the display cases located at 2134 Martin Luther King, Jr. Way and in front of the Central Public Library at 2090 Kittredge Street, as well as on the Berkeley Public Library's website on February 2, 2012.

//s//

\_\_\_\_\_  
Donna Corbeil, Director of Library Services  
Serving as Secretary to the Board of Library Trustees

For further information, please call (510) 981-6195.

**COMMUNICATIONS**

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

None.

II Consent, Item A

**MINUTES**  
**BERKELEY PUBLIC LIBRARY**  
**BOARD OF LIBRARY TRUSTEES REGULAR MEETING**  
**Wednesday, January 11, 2012, 6:30 P.M.**

SOUTH BRANCH LIBRARY – 1901 RUSSELL STREET

Board of Library Trustees:

Chair Darryl Moore  
Vice Chair Winston Burton

Abigail Franklin  
Julie Holcomb  
Jim Novosel

**I. PRELIMINARY MATTERS**

*A copy of the agenda packet and a digital recording of the meeting is accessible at [http://www.berkeleypubliclibrary.org/about\\_the\\_library/bolt/bolt.php](http://www.berkeleypubliclibrary.org/about_the_library/bolt/bolt.php)*

**A. Call to Order: 6:41 p.m.**

Present: Trustees Burton, Franklin, Holcomb and Novosel

Absent: Trustee Moore.

Also Present: Donna Corbeil, Director of Library Services; Douglas Smith; Deputy Director; Sarah Dentan, Neighborhood and Children's Services Manager; Eve Franklin, Administrative Secretary.

Steve Dewan – Kitchell CEM

**B. Public Comments:** none

**C. Report from library employees and unions, discussion of staff issues:** None.

**D. Report from Board of Library Trustees:**

1. Trustee Novosel – Reported he had attended e-books training at Central. It was very good, hope they have more.
2. Trustee Holcomb – Reported she had attended a fund-raising part at Terry Powell's home. Has been watching the progress on North Branch. Attended 4x2 meeting.
3. Trustee Franklin – Reported she had attended the recent 4x2 committee meeting.
4. Trustee Moore – Reported he had attended a fund raiser for the West Branch. Also reported passing of City Clerk Deanna Despain and former school board president Terry Doran. They're going to set up a trust fund for her child, once I have more details I'll pass that on to the Trustees.
5. Chair Burton – Reported he spoken with Delfina Geiken about how the Project Labor Agreement is going, plans to report to the City Council in May.

**II. PRESENTATIONS**

- A. Kitchell CEM Quarterly Update** – Steve Dewan provided an update on the Branch Improvement Project (Attachment #1)

### III. CONSENT CALENDAR

Action: M/S/C (Trustee Franklin / Trustee Holcomb to adopt Resolution# R12-001 to adopt the Consent Calendar as presented.

Vote: Ayes: Trustees Burton, Franklin, Holcomb Novosel and Moore. Noes: None. Absent: None. Abstentions: Trustee Moore (item A only).

#### A. Approve minutes of December 14, 2011 Regular Meeting

From: Director of Library Services

Recommendation: Approve the minutes of the December 14, 2011 regular meeting of the Board of Library Trustees.

Financial Implications: None.

Contact: Donna Corbeil, Director of Library Services

Action: Adopted Resolution# R12-002.

#### B. Authorization to Accept Recommendation of Selection Panel and Execute Contract for Measure FF Funded Public Art for South and West Branch Libraries

From: Director of Library Services

Recommendation: Adopt a resolution authorizing the Director of Library Services to execute a contract and any amendments with Gina Dominguez for South Branch and Ene Osteraas Constable for West Branch for the provision of art commissioning, production and services related to design and installation of selected art for a term of 18 months in an amount not to exceed \$35,000 for the South project and \$49,000 for the West branch for the period from January 13, 2012 through July 13, 2013.

Financial Implications: See report.

Contact: Donna Corbeil, Director of Library Services

Action: Adopted Resolution# R12-003.

### IV. ACTION CALENDAR

#### A. Naming of Branch Libraries

From: Deputy Director of Library Services

Recommendation: Adopt a resolution approving the policy for naming library facilities.

Financial Implications: none.

Contact: Douglas Smith, Deputy Director of Library Services.

Action: M/S/C (Trustee Novosel / Trustee Moore to adopt Resolution # R12-004 approving the policy for naming library facilities.

Vote: Ayes: Trustees Burton, Franklin, Holcomb, and Novosel. Noes: None. Absent: Moore.

Abstentions: None.

#### B. FY 2012 Mid-year Budget Review

From: Deputy Director of Library Services

Recommendation: Adopt a resolution amending the FY 2012 budget as presented.

Financial Implications: see report.

Contact: Douglas Smith, Deputy Director of Library Services.

Action: M/S/C (Trustee Franklin / Trustee Moore to adopt Resolution # R12-005 amending the FY 2012 budget as presented.

Vote: Ayes: Trustees Burton, Franklin, Holcomb, and Novosel. Noes: None. Absent: Moore.

Abstentions: None.

## **V. INFORMATION REPORTS**

### **A. Update on the Branch Bond Program**

From: Director of Library Services  
Contact: Donna Corbeil, Library Director  
Action: Received.

### **B. January 2012 Monthly Report from Library Director**

From: Director of Library Services  
Contact: Donna Corbeil, Library Director  
Action: Received.

### **C. Library events**

From: Director of Library Services  
Contact: Donna Corbeil, Library Director  
Action: None.

## **VI. AGENDA BUILDING**

The next meeting will be a Regular Meeting held at 6:30 PM on Wednesday, February 8, 2012 at the South Branch Library, 1901 Russell Street, Berkeley.

- Budget goals update
- Amnesty for book fines
- Look at canned food drive for fines for next December

## **VII. ADJOURNMENT**

Adjourned at 8:15 p.m.

**COMMUNICATIONS:** None.

### **SUPPLEMENTAL COMMUNICATIONS AND REPORTS:**

1. Kitchell CEM Quarterly Report





**Agenda**

BOLT Progress Report  
Branch Library Improvement Project

- **General Program Update**
  - Progress Since 09/14/11
    - Design Progress, Milestones
    - Permitting Milestones
    - Construction
- **Schedule Update**
- **Budget & Cost Control Update**

General Program Update – Progress Since 09/14/11

BOLT Progress Report  
Branch Library Improvement Project

• **DESIGN PROGRESS, MILESTONES**

- Design Process:
  - Conceptual Design
  - Schematic Design
  - Design Development
  - Construction Documents

- WEST - 90% Construction Document level



January 11, 2012

General Program Update – Progress Since 09/14/11

BOLT Progress Report  
Branch Library Improvement Project

• **PERMITTING MILESTONES**

- SOUTH:
  - Submitted for **Building Permit** on 09/08/11
  - 2 outstanding issues to be resolved for Permit – Permit to be picked up by selected Contractor
- WEST:
  - Submitted for **Building Permit** on 12/22/11
  - First review comments due 01/25/12
  - Approximately 2 revised applications anticipated
  - Final presentation to **Design Review Committee** 01/19/12



January 11, 2012



**General Program Update – Progress Since 09/14/11**

BOLT Progress Report  
Branch Library Improvement Project

• **CLAREMONT CONSTRUCTION - MILESTONES**

- Construction Start: April 25, 2011
- Contractual Substantial Completion: November 25, 2011
- Contractual Final Completion: December 26, 2011

• As of December 31, 2011:

- Contract Duration: 100% complete (*duration exceeded*)
- Current Billing: 61%

• **Project approximately 3 months behind schedule**



January 11, 2012

**General Program Update – Progress Since 09/14/11**




BOLT Progress Report  
Branch Library Improvement Project

• **CLAREMONT CONSTRUCTION ACTIVITIES**

- Window installation
- Trim for mechanical, electrical, plumbing and fire sprinkler
- Switchgear set, waiting for PG&E
- Interior and exterior painting
- Bathroom tile



January 11, 2012

  **Claremont Branch Improvement Project** 

**WEEKLY CONSTRUCTION UPDATE**

**Work scheduled to be performed the week of January 9, 2011:**

- Drywall
- Cabinets
- Paint
- Plumbing fixture installation
- Lighting fixture installation
- Operable partition installation
- Exterior concrete – ramp
- Fabricate canopy steel
- Switchgear installation
- Domestic water for backflow preventer

**Work scheduled to be performed the week of January 16, 2011:**

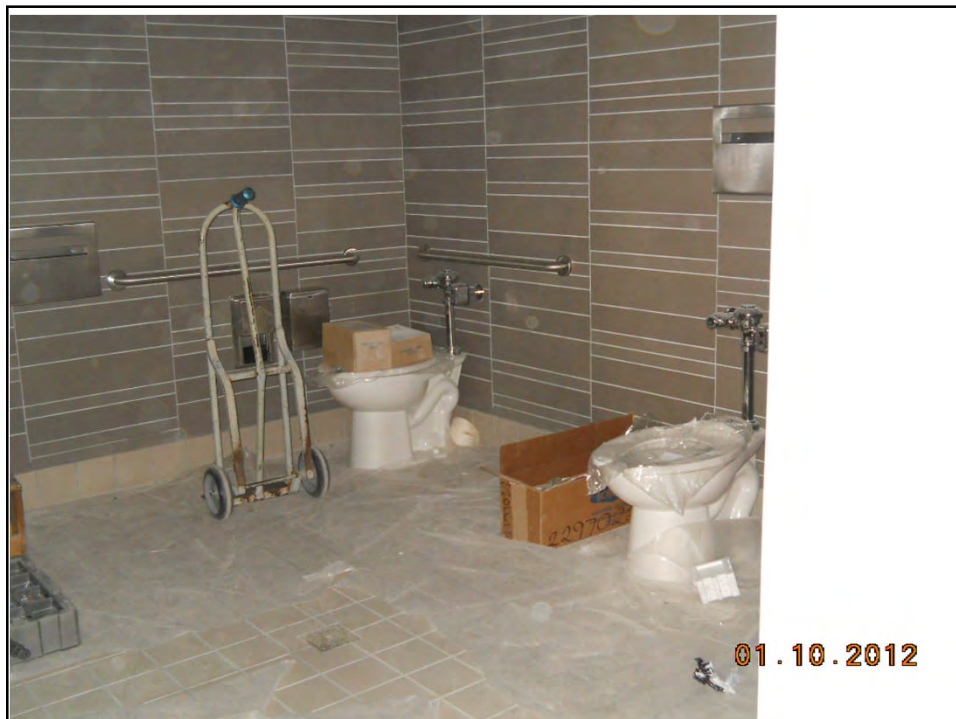
- Drywall
- Cabinets
- Paint
- Lighting fixture installation
- Door hardware
- Windows
- Acoustical tile
- Metal shelves
- Exterior concrete – ramp
- Fabricate canopy steel
- Switchgear installation
- Subgrade for pavers
- Domestic water for backflow preventer
- Stucco
- Metal siding



 For any concerns related to construction activities, please contact the Construction Manager, Kitchell CEM, at (510) 292-8983 or [modern@kitchell.com](mailto:modern@kitchell.com).











**General Program Update – Progress Since 09/14/11**

BOLT Progress Report  
Branch Library Improvement Project

• **NORTH CONSTRUCTION - MILESTONES**

- Construction Start: May 16, 2011
- Contractual Substantial Completion: February 15, 2012
- Contractual Final Completion: March 17, 2012

• As of December 31, 2011:

- Contract Duration: 75% complete
- Current Billing: 70%

• **Project approximately 1 week behind schedule**



January 11, 2012

**General Program Update – Progress Since 09/14/11**




BOLT Progress Report  
Branch Library Improvement Project

• **NORTH CONSTRUCTION ACTIVITIES**

- Exterior painting mostly complete
- Bathroom tile
- Interior painting
- Electrical trim
- Boiler & floor vector installation



January 11, 2012

  **North Branch Improvement Project** 


**WEEKLY CONSTRUCTION UPDATE**


**Work scheduled to be performed the week of January 9, 2012:**

- Paint at interior of addition
- Remove exterior scaffolding at addition
- Installation of elevator cab and controls
- Installation of interior wood trim
- Installation of new boiler
- Ceramic tile installation in restrooms
- Trim installation for electrical devices
- Re-installation of clay roof tiles at renovation
- Re-installation of wood windows at renovation
- Paint exterior of renovation (continued)
- Install floor vector heaters
- Remove and re-install front entry
- Grading at landscape areas

**Work scheduled to be performed the week of January 16, 2012:**

- Installation of elevator cab and controls (continued)
- Installation of new boiler (continued)
- Ceramic tile installation in restrooms (continued)
- Trim installation for electrical devices (continued)
- Installation of mechanical registers and plumbing fixtures
- Install floor vector heaters (continued)
- Remove and re-install front entry (continued)
- Install light fixtures at renovation
- Miscellaneous site improvements



 For any concerns related to construction activities, please contact the Construction Manager, Kitchell CEM, at (650) 393-3656 or [srlewan@kitchell.com](mailto:srlewan@kitchell.com)

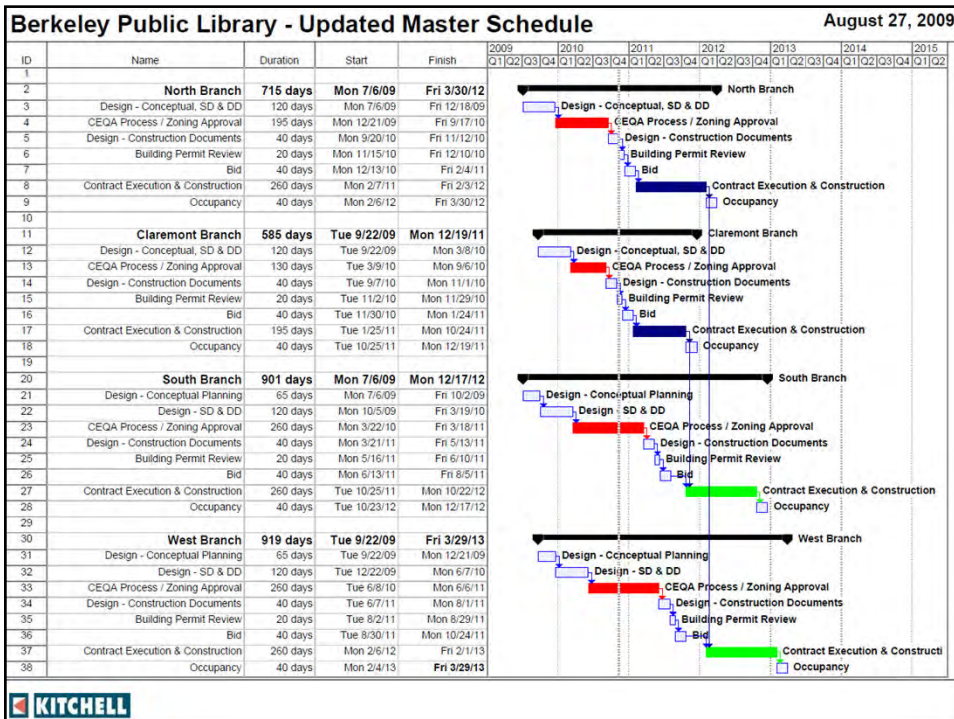


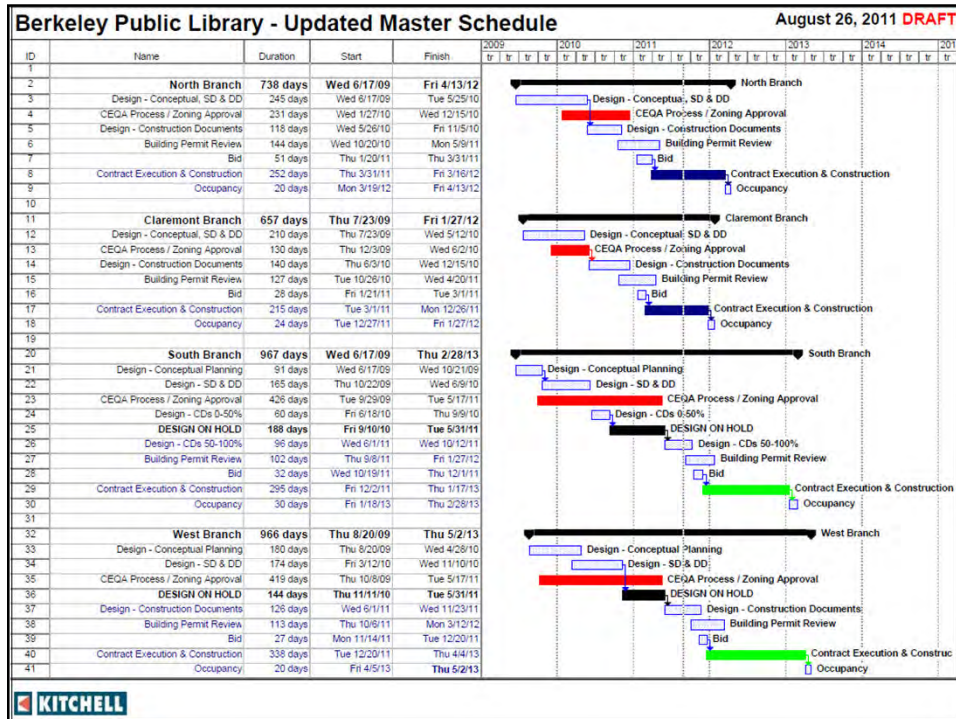












**Schedule Update**

BOLT Progress Report  
Branch Library Improvement Project

- **Impacted Master Schedule**
  - Program Completion date extended from 03/29/13 to 05/02/13
  - Delays to completion of Claremont and start of South not reflected
  - Update pending, but extension likely
- **Unanticipated delays experienced to date:**
  - Bid protest for Claremont project
  - Re-bid of North project
  - Extended EIR process & lawsuit, Suspension of design activities
  - **Delays on Claremont project**

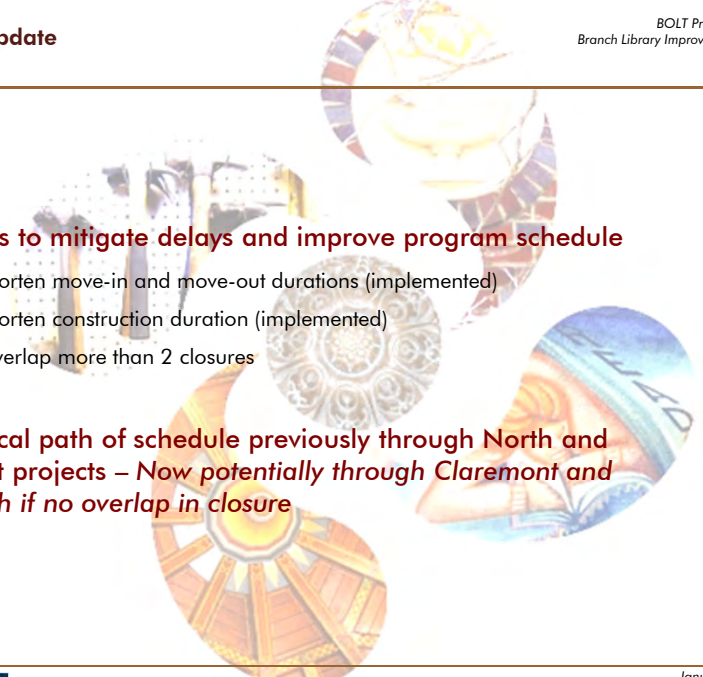
**KITCHELL** January 11, 2012

**Schedule Update**

BOLT Progress Report  
Branch Library Improvement Project

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- **Ideas to mitigate delays and improve program schedule**
  - Shorten move-in and move-out durations (implemented)
  - Shorten construction duration (implemented)
  - Overlap more than 2 closures
- **Critical path of schedule previously through North and West projects – Now potentially through Claremont and South if no overlap in closure**



**KITCHELL** January 11, 2012

**Schedule Update**

BOLT Progress Report  
Branch Library Improvement Project

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- **Claremont Branch**
  - Projected Opening March/April 2012
- **North Branch**
  - Projected Opening April/May 2012
  - No change in projection since 09/14/11 report




**KITCHELL** January 11, 2012

**Schedule Update**

BOLT Progress Report  
Branch Library Improvement Project

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- **South Branch**
  - Bid opening scheduled for January 17, 2012
  - Scenario #1 – Start When Claremont or North Opens
    - Delay start of construction and maintain original logic – Closure of only 2 branches at a time
    - Close mid-April, start construction May 2012 & open June 2013
  - Scenario #2 – Start As Soon As Possible
    - 3 branches closed at the same time – Approximately 2 months overlap in closure
    - Close mid-February, start construction March 2012 & open April 2013
  - Tool Lending Library can be relocated at any time


 January 11, 2012

**Schedule Update**

BOLT Progress Report  
Branch Library Improvement Project

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- **West Branch**
  - Branch to close when North opens
  - Anticipated Closure – May 2012 to June 2013
  - Anticipated construction duration – 1 year

 January 11, 2012

Budget & Cost Control Update

BOLT Progress Report  
Branch Library Improvement Project

- **As of 11/31/11 - \$7,096,604 of the \$26.2M Bond Fund Expended – 27.0%**
- Current major expenses – Building permit fees & construction
- Current budget assumes keeping to Master Schedule - **Schedule changes directly impact budget**



January 11, 2012



Period Ending 11/31/11

PROGRAM COST CONTROL REPORT

BERKELEY PUBLIC LIBRARY Branch Library Improvement Program	Revised Budget - April 4, 2011	Current Committed Costs	Expended to Date
<b>NORTH BRANCH</b>			
Hard Costs	\$ 4,282,000	\$ 4,815,000	\$ 1,714,355
Soft Costs	\$ 1,263,531	\$ 1,142,081	\$ 879,320
Project Contingency	\$ 418,939	\$ 7,389	\$ -
<b>Branch Total</b>	<b>\$ 5,964,470</b>	<b>\$ 5,964,470</b>	<b>\$ 2,593,675</b>
<b>SOUTH BRANCH / TOOL LENDING</b>			
Hard Costs	\$ 4,844,500	\$ 4,809,500	\$ 2,000
Soft Costs	\$ 1,437,046	\$ 1,492,128	\$ 806,531
Project Contingency	\$ 47,074	\$ 27,862	\$ -
<b>Branch Total</b>	<b>\$ 6,329,520</b>	<b>\$ 6,329,520</b>	<b>\$ 811,531</b>
<b>WEST BRANCH</b>			
Hard Costs	\$ 5,518,500	\$ 5,478,500	\$ 2,000
Soft Costs	\$ 1,371,183	\$ 1,431,118	\$ 553,227
Project Contingency	\$ 249,772	\$ 229,839	\$ -
<b>Branch Total</b>	<b>\$ 7,139,455</b>	<b>\$ 7,139,455</b>	<b>\$ 555,227</b>
<b>CLAREMONT BRANCH</b>			
Hard Costs	\$ 3,268,500	\$ 3,348,500	\$ 1,279,814
Soft Costs	\$ 1,038,577	\$ 1,043,572	\$ 816,558
Project Contingency	\$ 87,163	\$ 2,168	\$ -
<b>Branch Total</b>	<b>\$ 4,394,240</b>	<b>\$ 4,394,240</b>	<b>\$ 2,096,372</b>
<b>TOTAL SITE COSTS</b>	<b>\$ 23,827,685</b>	<b>\$ 23,827,685</b>	<b>\$ 6,056,805</b>
<b>GENERAL PROGRAM SOFT COSTS</b>			
Consultants	\$ 486,000	\$ 486,000	\$ 286,541
Construction Management	\$ 996,990	\$ 1,062,990	\$ 601,188
Fees & Miscellaneous	\$ 503,982	\$ 407,662	\$ 152,069
<b>TOTAL GENERAL PROGRAM COSTS</b>	<b>\$ 1,986,972</b>	<b>\$ 1,986,972</b>	<b>\$ 1,039,799</b>
<b>TOTAL PROGRAM &amp; SITE COSTS</b>	<b>\$ 25,814,637</b>	<b>\$ 25,814,637</b>	<b>\$ 7,096,604</b>
<b>PROGRAM CONTINGENCY</b>	<b>\$ 245,363</b>	<b>\$ 445,363</b>	<b>\$ -</b>
<b>ADDITIONAL REVENUE - ALTERNATE FUNDING</b>	<b>\$ 200,000</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL PROGRAM BUDGET</b>	<b>\$ 26,260,000</b>	<b>\$ 26,260,000</b>	<b>\$ 7,096,604</b>



QUESTIONS?

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BOLT Progress Report  
Branch Library Improvement Project



January 11, 2012





## BERKELEY PUBLIC LIBRARY

### CONSENT CALENDAR

February 8, 2012

**TO:** Board of Library Trustees

**FROM:** Donna Corbeil, Director of Library Services

**SUBJECT:** ACCEPT GIFT FUNDS FROM THE BERKELEY PUBLIC LIBRARY FOUNDATION IN THE AMOUNT OF \$204,750 EARMARKED TOWARDS THE FOUNDATION'S BRANCH LIBRARY CAPITAL CAMPAIGN PLEDGE AND OTHER SPECIFIED PROGRAMS

### RECOMMENDATION

Adopt a resolution authorizing the acceptance and allocation of gift funds from the Berkeley Public Library Foundation in receipt towards the Foundation's branch library capital campaign pledge, and pass-through funds for targeted library programs.

### FISCAL IMPACTS OF RECOMMENDATION

The acceptance of these gifts will have no negative impact on the Library budget. Gift funds will be allocated to contracts and purchasing associated with the procurement of equipment, furniture, and other items directed to the branch renovation projects, and for services and goods of specified library programs.

### BACKGROUND

The Berkeley Public Library Foundation has demonstrated a strong history of support for the Library, particularly raising capital funds to support facility improvements. At the April 14, 2010, BOLT meeting Resolution No. 10-028 was approved, accepting the Berkeley Public Library Foundation Board of Directors' resolution to undertake a major multi-year capital campaign for the Measure FF bond program in the amount of \$3.5 million to fund the furniture, fixtures, equipment, and other expenses associated with the Branch Library Improvement Program. As of February 2012 (excluding gifts under consideration in this report), the Foundation has disbursed \$550,000 to the Library specifically purposed towards this endeavor and made available through the Foundation FF&E Fund (307) .

The Board of Library Trustees has in the past managed the acceptance and appropriation of all gifts, including substantial gifts, donations, and monetary awards designated for use by the Library. These practices are part of the regular budget management process, including quarterly budget reports, the annual budget appropriation, and are consistent with the Library's gift policy and the directives that the Board of Library Trustees approves the disposition of Library funds.

At the September 20, 2011 regular meeting of the City Council, the council by Resolution No. 65, 444-N.S. delegated to the board acceptance authority for all gifts to the Library in excess of \$1,000 aggregate value. Additionally, the council delegated authority to accept any gifts of funds, goods, or services made to the Library up to \$200,000 that do not include unduly restrictive conditions on their use and authority to



accept all gifts from the Library Foundation constituting payments toward the Foundation's branch library capital campaign pledge.

CURRENT SITUATION AND ITS EFFECTS

The Berkeley Public Library Foundation has indicated that they are prepared to make regular periodic gifts to the Library in association with the capital campaign through the fiscal year. The current gift of \$200,000 will be allocated to contribute to the Measure FF renovations.

<b>Amount</b>	<b>Fund</b>	<b>Source / Purpose</b>
\$200,000	307	Library Foundation - Neighborhood Libraries FF&E Capital Campaign
\$3,500	306	Library Foundation (pass-thru) – Raymond Family Foundation for the Berkeley READS, Family & Adult Literacy Program
\$1,000	306	Library Foundation (pass-thru) – Fidelity Charitable / Anonymous Donor for Central Library Play-Reading Program
\$250	306	Library Foundation (pass-thru) – Fidelity Charitable / Bill Newton & Carol Lashof for the Central Library, Art & Music Department Program

RATIONALE FOR RECOMMENDATION

By accepting and appropriating the gift funds specified herein, the Library will be able to honor the intent and wishes of the grantor/donor and fulfill identified community needs.

Attachments

1. Resolution



**RESOLUTION NO.: R12-\_\_\_**

**ACCEPT GIFT FUNDS FROM THE BERKELEY PUBLIC LIBRARY FOUNDATION IN THE AMOUNT OF \$204,750 EARMARKED TOWARDS THE FOUNDATION'S BRANCH LIBRARY CAPITAL CAMPAIGN PLEDGE AND OTHER SPECIFIED PROGRAMS**

WHEREAS, the Berkeley Public Library regularly receives gifts from two support organizations: the Berkeley Public Library Foundation and the Friends of the Berkeley Public Library; as well as many individuals and groups; and

WHEREAS, at the regular BOLT meeting of April 14, 2010, by a vote of five ayes and zero nays, Resolution No. 10-028 was approved accepting the Foundation's commitment to raise \$3.5 Million to fund expenses associated with the branch library bond projects (Measure FF); and

WHEREAS, the Foundation has donated to date a total of \$550,000 toward the Branch Library FF&E Capital Campaign; and

WHEREAS, gift funds received from the Foundation for the purpose of the Branch Library FF&E Capital Campaign, once accepted by the board will be allocated towards the procurement of furniture, computers, equipment, and services from vendors as appropriate to the outfitting of the renovated branch facilities, and consistent with the Library's purchasing policy; and

WHEREAS, donors periodically approach the Foundation to make a cash gift in support of a particular library program, collection, or service; and

WHEREAS, the City Council has delegated to the Library Board of Trustees the authority to accept any gift of funds, goods, or services made to the Library up to \$200,000 that do not include unduly restrictive conditions on their use, and all gifts from the Berkeley Public Library Foundation constituting payments toward the Foundation's Branch Library FF&E Capital Campaign.

BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley hereby authorizes the acceptance of \$204,750 from the Berkeley Public Library Foundation and the allocation of these funds to procure needed furnishings and equipment for the branch library Measure FF projects and for other programs as designated by the donor.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on February 8, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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Winston Burton, Chairperson

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Donna Corbeil, Director of Library Services  
Serving as Secretary to the Board of Library Trustees





## BERKELEY PUBLIC LIBRARY

### CONSENT CALENDAR

February 8, 2012

**TO:** Board of Library Trustees  
**FROM:** Douglas Smith, Deputy Director of Library Services  
**SUBJECT:** ADMINISTRATIVE REGULATIONS

#### RECOMMENDATION

Adopt a Resolution adopting Berkeley Public Library Administrative Regulations as presented effective February 13, 2012.

#### FISCAL IMPACT

This report will have no fiscal impacts.

#### BACKGROUND

Certain policies and procedures that affect all City of Berkeley employees and/or departments may be written as an Administrative Regulation (AR). ARs are generally written under the auspices of City department heads and approved by the City Manager, who in so doing establishes policy and procedures to exercise control over all departments and divisions of the City government, and over all appointive officers and employees.

Additionally, under the City of Berkeley Charter, the Board is the governing body for the Library, and as such has the authority to independently approve and publish Administrative Regulations affecting the Library. The Board has a long established practice of approving ARs which relate directly to Library services and operations, for example AR 1.3 *Staff Support to Board and Related Committees*, AR 1.15 *Posting and Enforcing Rules of Conduct for Visitors to All Library Buildings*, and all of the ARs in the 10.0 *Library Services* series. A chart showing all ARs, including those approved independently by the Board, is attached as Attachment 2.

#### CURRENT SITUATION AND ITS EFFECTS

The Office of the City Manager maintains the current list of City ARs, which is available on iCoBWEB, the City of Berkeley's internal web site. At its regular meeting on November 9, 2005, the Board of Library Trustees approved a resolution officially accepting the City of Berkeley Administrative Regulations as those which control the Library. Since that date, the Board has from time to time approved new Library-specific ARs and, in attempting to make Library



policies clear and explicit, also approved some ARs which duplicate City Manager-approved ARs. The chart in Attachment 1 shows all ARs, with recommendations regarding retention or repeal. As Library staff have monitored new ARs being issued by the City Manager's Office, it has become evident that the need to duplicate these involves unnecessary redundancy. Certain Board-approved ARs so closely mirror, in language, purpose, and impact, those issued by the City Manager that, under the advice of the Office of City Attorney, staff are recommending that these duplicative ARs (see Attachment 1) be repealed in favor of permitting the City ARs to serve as the ruling regulation. This recommendation is based on the City's AR 1.1 *Control and Updating of Administrative Regulations*, which states that ARs approved and published by the City Manager "affect all City employees and/or departments," and "exercise control over all departments and divisions of the City government and over all appointive officers and employees."

#### FUTURE ACTION

On an as-needed basis, Library staff will bring before the Board for approval new Administrative Regulations that relate specifically to Library services and operations.

Attachments:

1. Resolution
2. AR Chart





**RESOLUTION NO.: 12-\_\_\_**

**ADOPT BERKELEY PUBLIC LIBRARY ADMINISTRATIVE REGULATIONS AS PRESENTED  
EFFECTIVE FEBRUARY 13, 2012**

WHEREAS, THE Library strives to conform to city developed regulations and best practices; and

WHEREAS, the Board, as the governing body for the Berkeley Public Library has the authority, by city charter to manage the Library; and

WHEREAS, City of Berkeley Administrative Regulations, pertaining to employees, practices and general policies have been duplicated in library created ARs; and

WHEREAS, Greater efficiency and clarity would be achieved by eliminating redundant regulations; and

WHEREAS, Staff has carefully reviewed existing Library ARs and City ARs and identified those that affect all city employees and / or departments, so that redundancies could be reduced with the elimination of appropriate Library ARs; and

WHEREAS, No changes would be made to Library Administrative Regulations that are specific to the library's operations and functions and in those areas that fall under the auspices of the Board's management.

NOW THEREFORE, BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley hereby adopts a resolution to repeal ARs 1.1, 1.13, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.11, 2.12, 2.14, 2.15, 3.2, 3.3, 3.8, 3.9, 3.10, 3.12, 3.14, 3.15, 3.17, 3.18, 3.20, 3.21, 7.4, 7.5 and that all other adopted regulations will remain unchanged.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a special meeting held on February 8, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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Winston Burton, Chairperson

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Donna Corbeil, Director of Library Services  
Serving as Secretary to the Board of Library Trustees



<b>A.R. Number</b>	<b>Subject</b>	<b>Date Adopted by CoB</b>	<b>Date Adopted by BOLT</b>	<b>Recommendation</b>
	<b>1.0 GENERAL</b>			
<a href="#"><u>1.1</u></a>	Control and Updating of Administrative Regulations	5/12/10	10/18/06	Repeal
<a href="#"><u>1.2</u></a>	Conflict of Interest Statements	9/9/05		n/a
<a href="#"><u>1.3</u></a>	Staff Support to Board and Related Committees		9/14/05	Retain
<a href="#"><u>1.4</u></a>	Contact with City Council Members and Their Staff	5/12/10		n/a
<a href="#"><u>1.5</u></a>	Reproduction Services	5/5/06		n/a
<a href="#"><u>1.6</u></a>	City Mail Services	5/5/06		n/a
<a href="#"><u>1.7</u></a>	Inter-Departmental Communications	5/12/10		n/a
<a href="#"><u>1.8</u></a>	Posting on Official Bulletin Boards		9/10/08	Retain
<a href="#"><u>1.9</u></a>	Telephone Usage	6/15/02		n/a
<a href="#"><u>1.11</u></a>	Rules for Half-Staffing National Flags on City Property	5/12/10		n/a
<a href="#"><u>1.12</u></a>	Communications Access Policy [title to be expanded]	6/15/02		n/a
<a href="#"><u>1.13</u></a>	ADA/Section 504 Grievance Procedures	9/6/05	11/14/07	Repeal
<a href="#"><u>1.14</u></a>	Press Relations	5/12/10		n/a
<a href="#"><u>1.15</u></a>	Posting and Enforcing Rules of Conduct for Visitors to All Library Buildings	8/25/10	12/12/07	Retain
<a href="#"><u>1.16</u></a>	Guidelines for the Review, Approval and Submission of Grant Applications	6/1/03	7/18/07	Retain
	<b>2.0 PERSONNEL AND PAYROLL</b>			
<a href="#"><u>2.2</u></a>	Temporary Employment	9/6/05		n/a
<a href="#"><u>2.3</u></a>	Performance Evaluation Program	2/17/10	1/17/07	Repeal

<a href="#">2.4</a>	Family Care Leave	11/17/10	10/18/06	Repeal
<a href="#">2.5</a>	Catastrophic Leave or Injury Leave Transfer	9/6/05	10/18/06	Repeal
<a href="#">2.6</a>	City Property - Issuance and Retrieval	9/6/05	9/9/07	Repeal
<a href="#">2.7</a>	Workers Compensation Procedures and Responsibilities	5/8/09	10/18/06	Repeal
<a href="#">2.8</a>	Administrative Leave Policy	10/14/05	1/17/07	Repeal
<a href="#">2.9</a>	Outside Employment by Deputy City Managers, Assistant City Managers and Department Directors	10/11/05	1/17/07	Repeal
<a href="#">2.10</a>	Outside Employment - All Other Employees, Except Deputy City Managers, Assistant City Managers and Department Directors	11/17/05		n/a
<a href="#">2.11</a>	Flextime Policy and Guidelines	9/6/05	10/18/06	Repeal
<a href="#">2.12</a>	Employment of Near Relatives Policy	2/17/10	10/18/06	Repeal
<a href="#">2.13</a>	Drug and Alcohol Testing Program for City Drivers with Commercial Drivers' Licenses	12/19/08		n/a
<a href="#">2.14</a>	Safe Use of Cellular and Other Wireless Telephones	2/17/10	10/18/06	Repeal
<a href="#">2.15</a>	City Issued Communication Equipment Policy	4/16/08		n/a
<a href="#">2.15[BPL]</a>	Guidelines for Vacation, Floating Holiday, Compensatory, Administrative and Other Leave Requests		9/20/06	Repeal: (superseded by internal policy)
<a href="#">2.16</a>	City Staff Directory	3/17/09		n/a
	<b>3.0 FINANCIAL AND PURCHASING</b>			
<a href="#">3.1</a>	Treasury Accommodations to City Employees	2/10/06		n/a
<a href="#">3.2</a>	Stipend and Reimbursement in Lieu of Expenses for Members of Certain Boards,	5/27/10	10/24/07	Repeal

	Commissions and Committees			
<a href="#">3.3</a>	Petty Cash Revolving Funds	8/20/07	10/18/06	Repeal
<a href="#">3.4</a>	Purchasing Manual	4/14/09	12/9/09	Retain
<a href="#">3.5</a>	Disposal of Surplus Property	6/5/02	9/19/07	Retain
<a href="#">3.6</a>	Audit Reports	6/15/02		n/a
<a href="#">3.7</a>	Audit Procedures and Requirements	6/15/02		n/a
<a href="#">3.8</a>	Charges for City Records/Publications/Meeting Tapes	9/6/05	1/17/07	Repeal
<a href="#">3.9</a>	Policies and Procedures for Payment of Conference and Meeting Attendance	9/16/10	10/18/06	Repeal
<a href="#">3.10</a>	Moving Expense Reimbursement	11/17/10	1/17/07	Repeal
<a href="#">3.11</a>	Inter-Departmental Charging of Personnel and Non-Personnel Costs	2/3/09		n/a
<a href="#">3.12</a>	Delegation of Authority to Approve Voucher Payments	8/30/07	10/18/06	Repeal
<a href="#">3.13</a>	Procedures for City Inventory	6/15/02		n/a
<a href="#">3.14</a>	Voucher Processing	8/30/07	1/17/07	Repeal
<a href="#">3.15</a>	Write-Off Policy	11/15/07	1/17/07	Repeal
<a href="#">3.17</a>	Fraud, Abuse and Misuse of City Resources	8/1/2008	10/18/06	Repeal
<a href="#">3.18</a>	Establishing and Closing Bank Accounts	5/5/06	9/19/07	Repeal
<a href="#">3.19</a>	Donations to the City from Individuals or Outside Organizations	5/9/11		n/a
<a href="#">3.20</a>	Cash Handling Policy and Guidelines	5/5/06	1/17/07	Repeal
<a href="#">3.21</a>	Policy for Hiring Employees Responsible for Cash Handling and Asset Management	5/5/06	9/19/07	Repeal
<a href="#">3.22</a>	Identity Theft Prevention Program	5/8/09		n/a

<a href="#">3.23</a>	Dismissal of Parking Citations Issued to Employees During the Regular and Authorized Performance of Assigned Duties	8/2/11		n/a
	<b>4.0 INFORMATION TECHNOLOGY</b>			
<a href="#">4.1</a>	Telephone System Changes and New Installations	6/15/02		n/a
<a href="#">4.2</a>	Computer Network Resources	9/26/11		n/a
	<b>5.0 CITY COUNCIL</b>			
<a href="#">5.1</a>	Procedures and Responsibilities for Council Agenda Material	4/29/11		n/a
<a href="#">5.2</a>	Format for City Council Workshops or Public Discussions	4/29/11		n/a
<a href="#">5.3</a>	Public Hearings Held by the City Council	6/15/02		n/a
	<b>6.0 CITY PROPERTY AND EQUIPMENT</b>			
<a href="#">6.1</a>	Civic Center Building Protocols & Security	9/6/05		n/a
<a href="#">6.3</a>	Notification of Discharge of Hazardous Wastes / Proposition 65	4/7/10		n/a
<a href="#">6.4</a>	Requests for Maintenance/Construction Work - City Property	9/6/05		n/a
<a href="#">6.5</a>	Use of Video Monitoring Equipment		2/13/08	Retain
<a href="#">6.6</a>	Real Estate Transactions: Negotiating and Preparing City Lease or License Agreements, Acquiring or Disposing of Real Property - City is Landlord or Tenant	10/14/05		n/a
<a href="#">6.7</a>	City Property - Payment of Permit Fees on City Projects	4/8/10		n/a
<a href="#">6.8</a>	Charging Electronic Equipment Policy		10/14/08	Retain

	<b>7.0 MOTOR VEHICLE USAGE AND PARKING</b>			
<a href="#">7.1</a>	Use of Fleet Vehicles	8/3/11		n/a
<a href="#">7.2</a>	Use of Private Vehicles	6/15/02		n/a
<a href="#">7.3</a>	Employee Parking Permit Regulations	9/14/10		n/a
<a href="#">7.4</a>	Lease/Rental of Vehicles	10/11/05	9/10/08	Repeal
<a href="#">7.5</a>	Use of Bicycles on City Business	4/26/06	9/10/08	Repeal
	<b>8.0 LEGAL MATTERS</b>			
<a href="#">8.1</a>	Procedures for Responding to Subpoenas for Production of Documents	9/6/05		n/a
	<b>9.0 DISASTER PREPAREDNESS</b>			
<a href="#">9.1</a>	EOC Pager Response System Procedures	10/21/05		n/a
<a href="#">9.2</a>	Disaster Service Worker	2/17/10		n/a
	<b>10.0 LIBRARY SERVICES</b>			[Retain all: no City of Berkeley equivalents]
<a href="#">10.5</a>	Unattended Children in the Library		12/6/06	Retain
<a href="#">10.11</a>	Gift and Donation Policy		7/3/11	Retain
<a href="#">10.12</a>	Library Volunteer Policy		9/9/09	Retain
<a href="#">10.14</a>	Alcohol Policy		1/12/03	Retain
<a href="#">10.16</a>	Internet Use Policy		10/24/07	Retain
<a href="#">10.17</a>	Requesting Library Materials		1/9/08	Retain
<a href="#">10.18</a>	Noncommercial Photography and Filming Policy		1/9/08	Retain
<a href="#">10.19</a>	Privacy Policy		9/29/08	Retain
<a href="#">10.20</a>	Unclaimed Property and Lost & Found Policy		9/9/09	Retain
<a href="#">10.22</a>	Policy on Use of Collections by Library Staff		4/13/11	Retain







## BERKELEY PUBLIC LIBRARY

### CONSENT CALENDAR

February 8, 2012

**TO:** Board of Library Trustees

**FROM:** Donna Corbeil, Director of Library Services

**SUBJECT:** ACCEPT AND APPROPRIATE BAY-FRIENDLY LANDSCAPING GRANT FUNDS FOR THE NORTH IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$15,000 IN FY 2012/13.

### RECOMMENDATION

Adopt a resolution authorizing the Director of Library Services to apply for, accept and appropriate to FY 2012/13 Stopwaste.org issued Bay-Friendly landscaping grant funds for the North Branch Improvement Project in an amount not to exceed \$15,000.

### FISCAL IMPACTS OF RECOMMENDATION

The North Branch improvement project is designed to achieve a City mandated Silver LEED rating. The project also provides a valuable opportunity to incorporate Bay-Friendly landscaping principles into the site renovations. The funding to cover these improvements is provided by Measure FF project funds and included in the executed construction contract. The grant award will supplement and / or offset the cost of several key features planned if received. Given the timing of the grant application and award cycle the design is fully funded by FF.

### CURRENT SITUATION AND ITS EFFECTS

The project's landscape architect, Gates + Associates under the direction of the primary design team of Architectural resources Group / Tom Elliot Fitch has completed a Bay-Friendly grant application on behalf of the library. The landscape portion of the project includes features such as permeable pavers, reuse of on-site recycled materials, replacement of small lawns with drought-tolerant natives and bio-filtration planters. In addition, some of the landscape / site related elements contribute to the general LEED checklist. Installation of the landscape and other site changes will be, according to Bay-Friendly requirements monitored as part of the construction administration phase of the project. The City is committed to the concepts and principles outlined by Bay-Friendly Landscaping Practices and is committed to implementing sustainable practices whenever possible.

The Bay-Friendly Scorecard for Commercial & Civic Landscapes for the North Branch has been completed by the design team architect and reviewed by staff. A completed application was submitted to Stopwaste.org for consideration on January 26, 2012. Award notification may take up to 12 weeks.



### BACKGROUND

The North project team met early in the design phase with staff representing Stopwaste (the Alameda County Waste Management Authority) and staff from the City of Berkeley Planning Department, Sustainability Coordinator and the Office of Energy & Sustainability Development to review the City's Green Building policies (Council Resolution NO. 62,284).

The Bay-Friendly landscaping grants program is open to local and regional governmental agencies with facilities in Alameda County and each year allocates funding for this grant program. The program is intended to assist local and regional governmental organizations and non-profits located in the county to incorporate sustainable or "green" landscape measures and materials in to public landscapes and public-benefit projects. The branch projects are excellent candidates for these grant funds, given the early involvement of the agency in providing design assistance; the implementation of the principals in the final design; the comprehensive approach; high level of points on the checklist; public accessibility to the landscape proposed; and the inclusion of a Bay-Friendly qualified landscape professional on the design team.

These grant funds are restricted to a specific use per the terms of the application and agreement upon acceptance. In order for the Library to access these funds the board 1) authorizes acceptance of these monies, and 2) approves the appropriation of these monies to the budget before any portion thereof can be expended.

### RATIONAL FOR RECOMMENDATION

By accepting and appropriating the funds received the Library will be able to honor the intent and wishes of the grantor/donor and fulfill identified community needs.

#### Attachments

1. Resolution



**RESOLUTION NO.: R12-\_\_\_**

**AUTHORIZING THE LIBRARY SERVICES DIRECTOR TO ACCEPT AND APPROPRIATE  
BAY-FRIENDLY LANDSCAPING GRANT FUNDS FOR FY 2012/13.**

WHEREAS, the Berkeley Public Library actively seeks and welcomes government and private funding support for its myriad of services; and

WHEREAS, the North Branch Library Improvement project is funded by Measure FF and a component of the project is to improve the landscaping and make site improvements in a manner consistent with Silver LEED rating; and

WHEREAS, the project's architectural design team Architectural Resources Group / Tom Elliot Fitch has engaged a landscape architect well versed in the principals of Bay-Friendly Landscaping and that this firm, Gates + Associates has completed the application; and

WHEREAS, the Bay-Friendly Landscaping Grant program, administered by the Alameda County Waste Management Authority, Stopwaste.org Office has determined that the North Branch Library project may be eligible for a grant in an amount up to or equal to \$15,000; and

WHEREAS, for the Library to access these funds the board 1) authorizes acceptance of these monies, and 2) approves the appropriation of these monies to the budget before any portion thereof can be expended; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley hereby authorizes the Director of Library Services to accept and appropriate to FY 2012/13 a Bay-Friendly Landscaping grant award from Stopwaste.org in an amount not to exceed \$15,000.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a special meeting held on February 8, 2012 by the following vote:

AYES:

NOES: ABSENT:

ABSTENTIONS:

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Winston Burton, Chairperson

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Donna Corbeil, Director of Library Services  
Serving as Secretary to the Board of Library Trustees



**BERKELEY PUBLIC LIBRARY****ACTION CALENDAR**

February 8, 2012

**TO:** Board of Library Trustees

**FROM:** Donna Corbeil, Director of Library Services

**SUBJECT:** CONTRACT: GONSALVES & STRONCK CONSTRUCTION INC. FOR CONSTRUCTION OF THE SOUTH BRANCH LIBRARY

**RECOMMENDATION**

Adopt a Resolution to recommend to City Council:

1. Approve plans and specifications for the Berkeley Public Library South Branch Improvement Project;
2. Resolution of any bid protests received;
3. Accept the bid of Gonsalves & Stronck Construction Inc.; and
4. Authorize the City Manager to execute a contract, and any amendments, extensions or change orders until completion of the project in an amount not to exceed \$4,963,000 which includes a contingency of approximately 7.5%.

**FISCAL IMPACTS OF RECOMMENDATION**

Funding for the award of this contract is in the FY 2012 budget as follows:

<b>PROJECT</b>	<b>COST</b>	<b>FUND</b>	<b>BUDGET CODE</b>
South Branch Project	\$4,763,000	Measure FF – Branch Improvement Program	308-9301-450.65-75
Branch Libraries FF&E	\$200,000	Foundation FF&E (gift funds)	307-9301-450.70-43

Assigned CMS number is GVNHA.

The bid day estimate for this project was \$4.3M. In order to accept the lowest bidder and to include a change order allowance of approximately 7.5% in the event unforeseen conditions occur, South Branch Project contingency and some soft cost funds were reallocated. The budget was developed with no adverse effect on the funding balance for the remaining project. In addition, \$200,000 from the Library Foundation FF&E Fund capital gift is allocated toward furniture, fixtures, and equipment for this project to cover the cost of shelving, the service desk and audio-visual equipment included in the construction contract.



CURRENT SITUATION AND ITS EFFECTS

The South Branch Library located at 1901 Russell Street is in need of improvements to make it seismically safe, compliant with current codes – including the ADA, and to allow it to function as a modern library. To ensure that Berkeley can serve the needs of library patrons with adequate seating, computers, and for public functions, demolition and new construction is needed.

BACKGROUND

In November 2008 City residents voted in favor of Measure FF, a Library bond measure not to exceed \$26M to renovate, expand, and make seismic and access improvements at the four branch libraries. In March 2008 the Board of Library Trustees voted to recommend to the City Council a preferred firm to complete architectural design services for the South Branch Library; in June 2008 the City Council approved the hiring of Field Paoli Architects to design and develop construction documents for the South Branch Library. Since that time community meetings were held and an extensive planning process completed. On May 17, 2011, at a regular meeting of the City Council, hearings were held on the South branch library project, at that time the FEIR were approved; and Use Permit No. 10-1000031 to allow demolition of the existing South Branch Library and construction of a new branch library was approved.

The South Branch Library Improvement Project was released for bid on December 2, 2011, and bids were opened on February 17, 2012.

Thirteen bids were received from a low of \$4,603,000 to a high of \$5,671,000 (Attachment 2). The low bidder was determined according to the instructions sent out with the request for bids. Based on these criteria the order of the five lowest bidders is as follows:

- |                                     |             |
|-------------------------------------|-------------|
| 1. Cal-Pacific Construction         | \$4,603,000 |
| 2. Gonsalves & Stronck Construction | \$4,613,000 |
| 3. Transworld Construction          | \$4,671,982 |
| 4. West Bay Builders, Inc.          | \$4,672,500 |
| 5. R.E. West Builders, Inc.         | \$4,718,649 |

However, a protest was filed by Gonsalves & Stronck Construction, Inc. alleging bidding irregularities by Cal-Pacific Construction. A copy of the bid protest was sent to Cal-Pacific to provide them an opportunity to respond to the protest issues. The City held an informal hearing on January 24, 2012, to allow both Cal-Pacific and Gonsalves & Stronck the opportunity to provide additional information before a hearing officer. The City's representative facilitating the hearing was Mr. John Rosenbrock, P.E.

Based on the information submitted orally at the hearing of January 24, 2012, and the information presented prior to and after the hearing, one protest issue (Library Shelving) has been carefully considered and denied. The issue of the missing CSI Numbers has been carefully considered and has been found to have merit and, as a result, the bid by Cal-Pacific should be deemed non responsive and its bid rejected. A copy of the decision is attached as Attachment 3.

Therefore, Gonsalves & Stronck Construction Inc. has been determined to be the lowest responsive bidder. After interviewing Gonsalves & Stronck Construction Inc. references, it was determined that it was a responsible bidder as well. Accordingly, it is recommended that a contract for this project be awarded to that firm.



Pursuant to Berkeley code section 3.04.090(E) the Library shall recommend to the City Council the execution of contracts relating to the improvements at the four branch libraries, including but not limited to, contracts for design, engineering, construction management, and construction.

The contract is subject to the Community Workforce Agreement approved by the Berkeley City Council on January 18, 2011. As a result, the successful bidder and all subcontractors will be required to sign an agreement to be bound before being eligible for award of a contract. The Living Wage Ordinance does not apply to this project since public works construction contracts are, pursuant to City policy, subject to State prevailing wage laws.

#### RATIONALE FOR RECOMMENDATION

Thirteen bids were submitted for the project and Gonsalves & Stronck Construction Inc. was the lowest responsible and responsive bidder. The City does not have the available in-house work force to perform the construction services required for this scale of a project. It is therefore necessary to execute a contract with Gonsalves & Stronck Construction Inc.

#### ALTERNATIVE ACTIONS CONSIDERED

No alternative actions have been considered.

#### CONTACT PERSON

Donna Corbeil, Berkeley Public Library, 981-6195

#### Attachments:

1. Resolution
2. Bid Results
3. Bid Resolution Letter







**RESOLUTION NO.: R12-\_\_**

**CONTRACT: GONSALVES & STRONCK CONSTRUCTION INC.  
FOR CONSTRUCTION OF THE SOUTH BRANCH LIBRARY IMPROVEMENT PROJECT**

WHEREAS, in November 2008 City residents voted in favor of Measure FF a Library bond measure not to exceed \$26M to renovate, expand, and make seismic and access improvements at the four branch libraries; and

WHEREAS, the City hired Field Paoli Architects to design and develop construction documents for improvements to the South Branch Library; and

WHEREAS, the City lacks sufficient staff and resources to complete the construction in-house; and

WHEREAS, a request for bids from contractors to renovate the library were released for bid on December 5, 2011 and Thirteen bids were opened on January 17, 2012; and

WHEREAS, a protest to the award of the contract to the apparent low bidder was received from the second lowest bidder; and

WHEREAS, on January 24, 2012, the City conducted an informal protest hearing to carefully consider the protest, all written responses, and provide an opportunity for the parties to provide additional information before the hearing officer; and

WHEREAS, the submitted protest was considered resulting in a recommendation to reject the nonresponsive bid by Cal-Pacific Construction; and

WHEREAS, Gonsalves & Stronck Construction Inc. was determined to be the lowest responsive and responsible bidder; and

WHEREAS, funding is available in FY 2012 of \$4,763,000 from the Branch Improvement Program / Measure FF Fund budget code 308-931-450.65-75 and \$200,000 is available from the Measure FF Capital Campaign gift fund budget code 307-9301-450.70-43; and

WHEREAS, Pursuant to Berkeley code section 3.04.090(E) the Library shall recommend to the City Council the execution of contracts relating to the improvements at the four branch libraries, including but not limited to contracts for design, engineering, construction management and construction.

NOW, THEREFORE, BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley adopt a resolution to recommend City Council approve execution of a contract and any amendments, extensions, or change orders until completion of the project in accordance with the approved plans and Specifications No. 12-10615-C with Gonsalves & Stronck Construction Inc., for the South Branch Improvement Project, in an amount not to exceed \$4,963,000.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on February 8, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

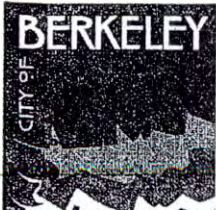
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Winston Burton, Chairperson

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Donna Corbeil, Director of Library Services  
Serving as Secretary to the Board of Library Trustees





City of Berkeley  
Abstract of Bid Worksheet

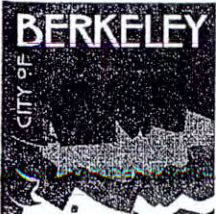
Finance Department  
General Services Division

DR: South Branch Improvement Proj, Spec. # 12-10615C Bid Date: 1/17/12

1 of 2

Bidders	Base Bid	Nuc Free	Work Force Comp	Opp. States	Living Wage	EBO	Bid Bond	Addenda
Janus World Const	4,677,987.00						/	1
W.A. THOMAS CO.	4,824,000.00						/	1
ANGIOTTI + RILEY	4,806,719.00						/	1
BOGARD CONST.	4,929,448.00						/	1
WEST BAY BUILDERS	4,672,500.00						/	1
DL FALK CONST	4,914,600.00						/	1
DMC	5,671,000.00						/	1
BEALS MARTIN	5,399,506.00						/	NO ADD
LE WEST BUILDERS	4,718,649.00						/	1
ACTEN CONST	4,835,000.00						/	1

Bid Recorder: SKD 1/17/12  
 Bid Opener: Kamreen Qureshi 1/17/12  
 Project Manager: Robert [Signature] 1/17/12



City of Berkeley  
Abstract of Bid Worksheet

Finance Department  
General Services Division

OR:

Spec. # 12-106

Bid Date:

	Bidders	Base Bid	Nuc Free	Work Force Comp	Opp. States	Living Wage	EBO	Bid Bond	Addenda
1	GRUNSAVES & STROCK	4,613,000.00						✓	✓
2	CAL PACIFIC Construction	4,663,000.00						✓	✓
3	John Plane Construction	4,994,500.00						✓	✓
4									
5									
6									
7									
8									
9									
10									

Bid Recorder: Shirley D 1/17/12  
 Bid Opener: Shirley Chen 1/17/12  
 Project Manager: John P. Rourke 1/17/12

**SOUTH BRANCH IMPROVEMENT PROJECT  
BERKELEY PUBLIC LIBRARY  
SPECIFICATION NO. 12-10615-C  
BID PROTEST**

**BACKGROUND**

On January 17, 2012, bids were opened for the South Branch Improvement Project. There were a total of 13 bids submitted and the five apparent lowest bidders in order were:

1.	Cal-Pacific Construction, Inc.	\$4,603,000
2.	Gonsalves & Stronck Const, Inc.	\$4,613,000
3.	Transworld Construction, Inc.	\$4,671,982
4.	West Bay Builders, Inc.	\$4,672,500
5.	R.E. West Builders, Inc.	\$4,718,649

Shortly after the bid opening, a protest was filed by Gonsalves & Stronck Construction, Inc. (Gonsalves & Stronck). That protest was filed against Cal-Pacific Construction (Cal-Pacific) requesting Cal-Pacific's bid be determined to be non responsive because of a series of alleged irregularities in their bid. A copy of the protest (Attachment 1) was sent to Cal-Pacific and a response as to their position was requested. Following receipt of Cal-Pacific's response (Attachment 2), it was sent to Gonsalves & Stronck and an informal hearing was held on January 24, 2012 to give Cal-Pacific and Gonsalves & Stronck an opportunity to be heard on the protest and to submit any additional information they wished to support their position(s).

**PROTEST ISSUES**

Based on the submitted protest and response the issues were distilled into the following list:

- 1) Library Shelving – Gonsalves & Stronck contended that Cal-Pacific failed to list a subcontractor for the Library Shelving and that work is in excess of one half of one percent of their bid.
- 2) Missing CSI numbers - Gonsalves & Stronck claims that Cal-Pacific did not include the CSI numbers on the sub listing and that information is required to be included.
- 3) Other listing issues – Gonsalves & Stronck expressed concern that Cal-Pacific failed to list subcontractors for Metal Soffits, Gypsum Drywall, and Ceramic Tile, all of which have a fair market value in excess of one half of one percent of their bid.

## CONSIDERATION AND DISPOSITION

An informal hearing was convened on January 24, 2012 attended by Kennedy Chang, General Manager from Cal-Pacific, William Stronck, Principal from Gonsalves & Stronck, Steven Dewan, Construction Manager from Kitchell, and John Rosenbrock, Hearing Officer for the City of Berkeley. At the hearing, the substance of this list was presented to both parties and, after some discussion and explanations, both agreed that the above distilled list noted above properly described the issues to be considered. Oral arguments were then presented by both sides further describing the issues as presented by Gonsalves & Stronck and the response forwarded by Cal-Pacific. Following the hearing, both parties were given until 5:00 PM, Thursday, January 26, 2012 to present any further arguments or evidence to support their respective positions. Both parties submitted material prior to the deadline, Attachments 3 and 4. After careful consideration of all information submitted and oral arguments presented, the following is the determination and disposition of each issue.

The first issue concerns alleged violations of the requirements contained in Public Contract Code Sections 4100-4114 (Listing Law). Gonsalves & Stronck contends that Cal-Pacific's failure to list subcontractors for certain work, by operation of law, means that Cal-Pacific must do the work themselves if the cost of the work exceeds one half of one percent of Cal-Pacific's bid amount. That premise is correct on its face because that is what the Listing Law in Section 4106 explicitly says. Gonsalves & Stronck then goes on to assert that since Cal-Pacific did not list a subcontractor for the Library Shelving their bid is defective. Cal-Pacific responded that they intended to purchase the shelving system themselves and have a subcontractor (CLW Builders, Inc.) install the material at an installation cost of less than one half of one percent of their bid amount. Gonsalves and Stronck responded with the position that Estey metal shelving can only be supplied and installed by Ross McDonald Company and their bid far exceeds the listing threshold. Cal-Pacific then indicated that they intended to supply and install an equal material. A reading of the applicable Specification section does permit an approved equal to be provided and so, as long as Cal-Pacific purchases shelving material that is an approved equal and has it installed by a subcontractor at a subcontract price that does not exceed the listing threshold, the argument by Gonsalves & Stronck on this issue does not appear to have merit and is therefore denied.

With respect to the next protest issue, the failure of Cal-Pacific to completely fill out the Subcontractors List (Document 00430) by providing CSI numbers, there is no dispute that the bid documents required submission of the CSI numbers in the bid forms and Cal-Pacific did not include that information while Gonsalves & Stronck did. On the surface then, it does appear that the bid submitted by Cal-Pacific is non responsive on that issue. The next question then is whether the failure to list the CSI numbers is an inconsequential defect that can, or should, be waived. CSI (Construction Specification Institute) numbers are those numbers included in each Specification section contained in the Construction Documents. The numbers refer to the numbering convention established by the Construction Specification Institute to organize and describe the various sections and their relationship to the Work. Gonsalves & Stronck argue that the failure by Cal-Pacific

to include those numbers as the Bid Documents required, gave Cal-Pacific an unfair advantage in the bidding process. Cal-Pacific, on the other hand, argues that the CSI numbers are duplicative to the provided description, does not allow Cal-Pacific to obtain any better bid prices and is an inconsequential variance that should be waived. Other arguments are presented by Cal-Pacific regarding whether the absence of CSI numbers may permit withdrawal of the bid, whether the City's conduct voided the need to provide CSI numbers, and whether the City has an obligation to reject all bid without CSI numbers. After reviewing those other positions, I do not consider them relevant and they do not address the issue at hand. There is no withdrawal issue here, no one has requested withdrawal and I would agree that a bidder who requested withdrawal based on the fact he did not include CSI numbers would not be able to withdraw on that fact alone. The City's conduct is not at issue here either because what was, or was not, required on other projects has no bearing on what was required by this set of bid documents. The bid form in this case is clear and specific in its requirement to provide CSI numbers. There was no evidence provided that any City representative altered the requirement, nor was there any addendum issued which deleted that requirement. The Instructions to Bidders (Document 00100) clearly states that oral interpretations are to have no legal effect. As to whether the City has an obligation to reject all bids that do not contain CSI numbers, that is neither relevant nor an obligation on the City's part. The only two bids that are at issue here is the first and second low bids. There is no logical reason for the City to take any action on the other bids since that action would be meaningless as it relates to this bid protest. The fact remains that the dispute revolves around what should be done with Cal-Pacific's bid, not the other bidder's bids. Assuming Gonsalves & Stronck is successful in their protest, what the other bidders did, or did not do, is irrelevant, Gonsalves & Stronck becomes the lowest responsive bid and they did include the CSI numbers.

The crux of the matter with respect to the CSI issue is whether or not Gonsalves & Stronck was put at a competitive disadvantage by following the rules when others, particularly the apparent low bidder, did not. If Gonsalves & Stronck was put at a competitive disadvantage by the actions (or really lack of action) by Cal-Pacific, then Cal-Pacific's bid must be rejected as non responsive. Cal-Pacific essentially agrees to that in the first numbered paragraph of their post hearing reply letter. Therefore it is most relevant to focus on that aspect of the protest, the possibility of a competitive advantage or disadvantage occasioned by Cal-Pacific's failure to include in their bid clearly required information. Gonsalves & Stronck's position is that they were at a competitive disadvantage because it takes more time to list the CSI numbers and because they had to spend that additional time listing the CSI numbers, they had to cut off receiving sub bids earlier than they would have if they did not have to list the CSI numbers. This earlier cutoff time removed their opportunity to receive possibly lower sub bids and thereby become the lowest bidder. Cal-Pacific did not really respond to this scenario and chose instead to argue that Cal-Pacific would not have received any better bids by listing the CSI numbers. This is not really responsive to Gonsalves & Stronck's position. Gonsalves & Stronck is not arguing that Cal-Pacific could have received better sub bids, it is arguing that it could have received better bids and thereby become the lowest bidder. Based on oral arguments presented at the hearing and knowledge of the hectic nature of competitive bidding under the subcontractor listing law, Gonsalves & Stronck's position

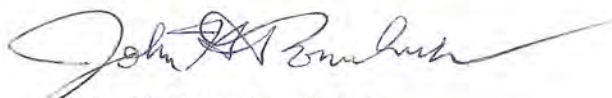
appears to be a valid one, and not one that was specifically refuted by Cal-Pacific. It is generally accepted in the industry that bid forms that require more information will take longer to fill out and are more prone to errors. The reality of bidding in the context of the subcontractor listing law is that bids often come in at the last minute, or even the last second, as subs try to protect themselves from bid shopping before the bids are opened. In such an environment, a prime bidder tries to balance the requirements for handing in his bid before the clock strikes 2:00 PM and the desire to wait as long as possible to receive the best last minute bid. Tempering that is the need to completely fill out the bid forms. The more information that is required by the bid form, the longer it will take to fill that form out. The longer it takes to fill out the form, the earlier the bidders must start to fill it out and therefore the need to set an earlier cut off time to begin that process. It stands to reason that more required information (the CSI numbers) requires an earlier cut off time and therefore increases the possibility of missing lower last minute bids received after that cut off time. In essence, it does appear that including the CSI information does result in a competitive disadvantage in relation to someone who does not provide it. That is the heart of the protest and it does appear to be valid. It is not appropriate to penalize someone who follows the rules and provides all of the requested information by awarding a contract to someone who did not follow the rules. But even if the failure to list the CSI numbers was an inconsequential defect, it is nonetheless a defect which the City is not required to waive (See *MCM Construction v. City and County of San Francisco* (1998) 66 Cal. App. 359). Accordingly, Cal-Pacific's bid should be rejected as non-responsive.

The final protest issues concern whether or not Cal-Pacific was qualified to self perform the tiling work considering that the Specifications required that the tile installer have five years of experience in the installation of similar materials on comparable projects and have the approval of the tile manufacturer. This issue goes to the bidder's responsibility. Because Cal-Pacific's bid should be rejected as non-responsive, the issue of whether it is a responsible bidder need not be decided at this time.

### CONCLUSION

Based on the information submitted in writing both prior to and after the hearing of January 24, 2012 and the information presented orally at that hearing, one protest issue (Library Shelving) has been carefully considered and is hereby denied. The issue of the missing CSI Numbers has been carefully considered and has been found to have merit and, as a result, the bid by Cal-Pacific should be deemed non responsive and its bid rejected. This determination is final and the City intends to recommend award of this contract to Gonsalves & Stronck Const, Inc. on February 28, 2012.

Respectfully submitted,



John H. Rosenbrock, P.E.  
Hearing Officer





# GONSALVES & STRONCK

Construction Company Inc.

January 18, 2012

CERTIFIED MAIL#7008 0150 0001 7760 6345

ATTN: John Rosenbrock, Project Manager  
 City of Berkeley  
 2180 Milvia Street  
 Berkeley, CA 94704

RE: Berkeley Public Library South Branch Improvement 12-10615-C bid on January 17, 2012  
 Subject: Formal Bid Protest

Dear Mr. Rosenbrock:

With this letter, Gonsalves & Stronck Construction Company, Inc. (G&S) hereby protests the bid proposal submitted by the **Cal – Pacific Construction, Inc. (Cal-Pacific)** for the above-mentioned project for various reasons stated below.

Cal – Pacific has at least two known defects in their bid proposal document 00430 aka Subcontractor List that G&S believes that Cal-Pacific bid proposal to be defective to a significant degree that these defects cannot be waived. First, they have not listed a specialty subcontractor for Library Shelving, which is in excess of one-half of 1 percent of the prime contractor's total bid. The listed product for the library shelving is Estey Corporation which sells their products ONLY through dealers to which Cal – Pacific is NOT. The sole dealer for the S.F. Bay area is Ross McDonald Co., Inc. Secondly, they have failed to list on the sub listing form, the CSI# **required by the form** which is associated with each trade listed. This failure to write in the CSI# required by the bid form give Cal-Pacific an advantage benefit not allowed other bidders, i.e. G&S whom complied, in that less information had to be conveyed to their (Cal-Pacific) bid runner thereby allowing for taking more bids in for analysis and / or listing resulting in a lower bid price.

Other listing issues of concern is they failed to list for Metal Soffits, Gypsum Drywall & Ceramic Tile all of which has a fair market value in excess of one-half of 1 percent of the prime contractor's total bid. This work is not typical work of a "B" license General Contractor, which usually lacks the request experience to meet the job specifications required of this work.

Given that G&S bid has appropriately listed subcontractors as well as the CSI#'s as required on the sub listing form, we are the lowest responsive bidder therefore should be awarded the contract. We look forward to the result of your investigation.

Respectfully,  
 Gonsalves & Stronck Const. Co., Inc.

Omar J. Adham  
 Project Estimator

cc: Mr. William Stronck  
 Mr. Steven Dewan, Kitchell CEM  
 Mr. Mark Schatz, Field Paoli  
 Mr. Chris Hersey, Miller, Morton, Caillat & Nevis, LLP





**: CAL PACIFIC**  
**: CONSTRUCTION INC. LIC. # 830908**

January 20, 2012

John Rosenbrock, PM  
 City of Berkeley  
 2080 Milvia St.  
 Berkeley, CA 94704

**Re: Bid Protest on Berkeley Public Library South Branch Improvement**

Dear Mr. Rosenbrock,

We are writing to respond to letter dated January 18, 2012 from Gonsalves & Stronck Construction Co, Inc. which we received from Steven Dewan of Kitchell on January 19, 2012. Gonzalves & Stronck states that their letter is a bid protest.

Gonzalves & Stronck's protest should be rejected. Cal Pacific Construction Inc. has fully complied with the Public Contract Code and the City's bid documents with regard to the listing of subcontractors.

We were not required to list subcontractors for the portions of work to which Gonzalves & Stronck refers to in its letter because either the value of the work is less than one half of one percent or the work will be performed by our company.

Specifically:

- 1) **Library Equipment (spec. section 115100):** Cal Pacific Construction, Inc. will purchase "Estey metal shelving" or approved equal. CLW Builders, Inc. (License #825027) will install shelving and other related work for \$21,930.00, which is less than ½ of 1% of this bid price.
- 2) **Gypsum Board and Tiling:** We will self perform Gypsum board assemblies (spec. section 092116) and Tiling (spec. section 093000). All work will be performed by skilled and qualified workers.
- 3) **Metal soffit panels (spec. section 074500):** Cal Pacific Construction, Inc. will purchase panels. Pioneer Contractors, Inc. (License #777064) will install for \$20,720.00, which is less than ½ of 1% of this bid price.

California Public Contract Code Section 4104 requires that a general contractor, for each subcontractor that will perform more than ½ than 1% of the bid price, list the name, location, and portion of work that will be performed by the subcontractor. We have provided that information. CSI section numbers are merely informational in nature, and are not required by statute. Furnishing such information at a later date to the District does not confer any economic advantage or allow a bidder to withdraw its bid. Accordingly, any failure to include such information at the time of the bid does not prevent the District from awarding the contract to Cal Pacific Construction, Inc. *Menefee v. County of Fresno*, 163C.A.3d1175,1178 (1985)



**: CAL PACIFIC**  
**• CONSTRUCTION INC. LIC.# 830908**

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**In Ghilotti Construction Co. v. City of Richmond, 45C.A.4<sup>th</sup> 897 (1996), the Court ruled that it would amount to a disservice to the public if a losing bidder were to be permitted to comb through the bid proposal or license application of a low bidder after the fact, and cancel the low bid on minor technicalities, with the hope of securing acceptance of his higher bid. Such a construction would be adverse to the best interests of the public and contrary to public policy.**

**The Court's ruling in Ghilotti is directly applicable here. In these difficult times, it is all the more important that government agencies be as cost-effective as possible in the award of contracts.**

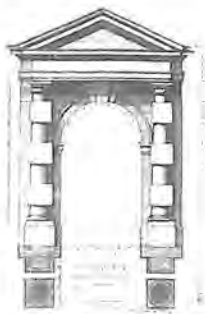
**We therefore respectfully request that the protest be overruled and the contract for the Berkeley Public Library South Branch Improvement be awarded to Cal Pacific Construction, Inc.**

**If you have any further questions, please don't hesitate to call me at (650) 557-1238 ext. 116.**

**Sincerely,**

A handwritten signature in blue ink, appearing to read "Kennedy Chan", is written over a large, stylized blue scribble.

**Kennedy Chan  
Vice President**



**GONSALVES & STRONCK**  
Construction Company, Inc.

January 26, 2012

**City of Berkeley**  
2180 Milvia Street  
Berkeley, CA 94704

ATTN: **Mr. John Rosenbrock, Project Manager**

RE: Berkeley Public Library South Branch Improvement Project (12-10615-C)

Subj: Bid Protest Follow-up Information

Dear Mr. Rosenbrock:

As a follow-up to the Bid Protest Hearing you conducted on Tuesday January 24, 2012 and in response to your request for additional information or back-up related to our bid protest of Cal-Pacific's bid, we offer the following additional information:

1. **Library Shelving System:** Cal-Pacific did not list a specialty subcontractor for the library shelving system. Cal-Pacific's written response states that they intend to purchase the Estey shelving (the specified manufacturer) and have CLW install the system. Enclosed, please find a letter from Tensco (parent company of Estey) that states "Ross McDonald Company located in Livermore, CA is the only factory authorized Estey Dealer and installer in Northern California".
2. **Library Shelving End Panels:** In addition to the above letter from Estey, we have enclosed a letter from The Worden Company (the specified manufacturer of the end panels for the library shelving system) stating again that Ross McDonald "is the exclusive dealer for the Worden Company in Northern California".
3. **CSI#'s Missing:** Cal-Pacific's failure to include CSI #'s on the subcontractor listing form as required by the bid form gave, in our opinion, Cal-Pacific an unfair time advantage over our responsive bid that included all of the required information. At the protest hearing, I spoke of another project in which we were the low bidder but was deemed non responsive by the State of California Department of Corrections due to the fact that we did not complete and submit all of the DVBE confirmation paperwork at the time of the bid and that by failing to do so "would allow for an unfair time advantage". Enclosed, we have included the letter from the State of California dated January 11, 2012 with the statement highlighted.

4. **Listing of subcontractor's who did not bid.** Although not a part of our original bid protest, I mentioned at the hearing that we were aware of at least two subcontractor listings by Cal-Pacific of subcontractors who did not actually bid the project. I explained the sensitivity of the issue and the fact that the subcontractors involved (Joseph J. Albanese Inc. and Mastria Painting) would be reluctant to expose Cal-Pacific's scheme due to the threat of loss of future work. Enclosed, we have included an internal email that describes the conversation between our office and Mr. Nello Mastria (owner of Mastria Painting).

We hope that the additional information supplied herein helps to shed light on what we contend is a blatant attempt by Cal-Pacific to circumvent California's subcontractor listing laws and their strategy to gain an unfair advantage over other responsive bidders. We hope that you continue your due diligence effort of seeking detailed project history and experience related to Cal-Pacific's claim of self-performing the exterior and interior tile work.

Sincerely,

**Gonsalves & Stronck Construction Company, Inc.**

  
William Stronck  
President

Cc: Omar Adham, G&S  
Keith Gonsalves, G&S  
Steve Dewan, Kitchell CEM  
Mark Schatz, Field Paoli  
Chris Hersey, Miller, Morton, Caillat & Nevis, LLP

Encl:



January 25, 2012

RE: **Estey Dealer / Installer**

To Whom It May Concern:

The Ross McDonald Company located in Livermore, CA is the only factory authorized Estey Dealer and installer in Northern California.

Should you require further information, please contact me at 866-385-7391.

Sincerely,

**Tennsco Corp.**

A handwritten signature in blue ink, appearing to read "Chris Blankenship".

Chris Blankenship  
Estey Sales Manager

TENNESCO CORP \* P.O. BOX 1888 \* DICKSON, IN 37056-1888 \* TEL: (615) 446-8000 FAX (615) 446-7224 \* WEBSITE: WWW.TENNESCO.COM



January 25, 2012

To whom it may concern:

Please be advised that the Ross McDonald Company, Inc., located at 1154 Stealth Street, Livermore, CA 94551 is the exclusive dealer for the Worden Company in Northern California.

Regards,

Jim Slager  
Manager, Order Fulfillment  
The Worden Company



DIVISION OF ADMINISTRATIVE SERVICES  
OFFICE OF BUSINESS SERVICES10000 Goethe Road, Suite C1  
Sacramento, CA 95827

January 11, 2012

Keith Gonsalves  
Gonsalves & Stronck Construction Company, Inc.  
1000 Washington Street  
San Carlos, CA 94070**INVITATION FOR BID NUMBER 600000700, PROTEST OF AWARD RESPONSE**

This letter is response to your Protest of Award, which was received on December 23, 2011 for the Salinas Valley State Prison (SVSP) Enhanced Outpatient Program General Population Treatment and Office Space Project. We regret to inform you that your bid for the above referenced project has been rejected due to the following:

- The Department has determined that your bid did not meet the Disabled Veteran Business Enterprises (DVBE) participation requirement. Specifically, section 00 21 13, Instructions to Bidders, Item # 9, DVBE Program identified the need to submit all your DVBE paperwork by bid submission deadline of November 21, 2011, 2:00 p.m. Therefore, pursuant to the Public Contract Code 10115, your bid is considered nonresponsive and ineligible for a contract award.
- In section 00 41 01, Bid Submittal Checklist, the third sentence of the opening paragraph states, "Failure to submit required documents may be cause for rejection of your bid." Your bid was determined to be nonresponsive due to failure to submit required bid documents referenced on the Bid Submittal Checklist, prior to the bid opening date and time of November 21, 2011, 2:00 p.m. The required documents, identified as section 00 45 42, DVBE Bid Incentive Request and Acknowledgement (OBS 554) and section 00 43 40, DVBE Declarations (STD 843), were not received until November 21, 2011, 4:39 p.m.
- Acceptance of the late submitted DVBE Bid Incentive Request and Acknowledgment (OBS 554), and DVBE Declarations (STD 843), would allow for an unfair time advantage for your company over the responsive bids submitted by the other bidders. Additionally, absence of these forms would not allow for the acknowledgement of the DVBE subcontractors to accept the types of subcontracted services and dollar amounts they are identified to perform in the project. To ensure a fair bidding platform, the late submittal of required bid documents is deemed an unfair advantage. This is a brief summary only of the most obvious defects and this letter is not to be read as an exhaustive or final analysis of all reasons for this determination.



If you have any questions or need assistance from this office, please do not hesitate to contact me at (916) 255-6165.

Sincerely,

A handwritten signature in black ink, appearing to read 'Xavier Contreras', written in a cursive style.

Xavier Contreras  
Construction Contracts Analyst  
Construction Contracts Unit  
Contracts Management Branch

## Bill Stronck

**From:** Bill Hutchinson  
**Sent:** Thursday, January 26, 2012 11:20 AM  
**To:** Bill Stronck  
**Cc:** Omar Adham  
**Subject:** Painting Listing by Cal Pacific for Berkeley Library

Bill,

I spoke with the Owner of Mastria Painting this morning. He did confirm that they did not bid the Berkeley Library project. They did not bid to Cal Pacific, or ANY other general contractor. I asked him to write a letter stating that fact. He was afraid that the letter would harm his long standing relationship (15 years) with Cal Pacific. He declined to write the letter, citing it may cost him future work with Cal Pacific.

William Hutchinson  
Gonsalves & Stronck Const. Co., Inc.  
1000 Washington Street  
San Carlos, CA 94070-5319  
(650) 802-2960 Voice (650) 802-2970 Fax (650) 642-4945 Mobile.

Note: The information contained in this message may be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer. Thank you.



**LEONIDOU & ROSIN**  
PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

777 CUESTA DRIVE  
SUITE 200  
MOUNTAIN VIEW, CA 94040

(650) 691-2888  
FACSIMILE (650) 691-2889

January 26, 2012

By Email & U.S. Mail

Mr. John Rosenbrock  
Project Manager  
City of Berkeley  
2080 Milvia St.  
Berkeley, CA 94704

Re: Berkeley Public Library South Branch Improvement Project

Dear Ms. Rosenrock:

Our office represents Cal Pacific Construction, Inc., which submitted the lowest responsive bid in connection with the Berkeley Public Library South Branch Improvement.

During your meeting with Cal Pacific on Tuesday, January 24, 2012, in connection with this project, you had asked for information indicating that omission of CSI numbers from a subcontractor list is an inconsequential variance, as well as for certain information with respect to library equipment, gypsum board and tiling work and soffit panel installation. I am writing to provide you with authorities demonstrating that any alleged variance with regard to CSI numbers is inconsequential and to furnish you with the information that you had requested.

1. **A Bid Variance Is Inconsequential Unless It Provides A Competitive Advantage In Pricing Or The Ability To Withdraw The Bid For Mistake**

California precedent establishes that a variance in a bid is inconsequential if it does not provide a competitive advantage or benefit. MCM Construction, Inc. v. City and County of San Francisco, 66 C.A. 4th 359, 374 (1998) (bid can be accepted "if the variance cannot have affected the amount of the bid or given a bidder an advantage or benefit not allowed other bidders or, in other words, if the variance is inconsequential"); Ghilotti Construction Co. v. Richmond, 45 C.A.4th 897 (1996) (same); National Identification Systems, Inc. v. State Bd. of Control, 11 C.A.4th 1446, 1453 (1992) (same).

For example, in Ghilotti Construction Co. v. Richmond, the lowest bidder included percentages in its subcontractor list that totaled more than 50%. The Court of

John Rosenbrock, Esq.  
January 26, 2012  
Page 2 of 2

Appeal determined that this variance was inconsequential, even though the contract required that the prime contractor perform at least 50% of the work itself. The Court reasoned that the lowest bidder had not benefited financially because of the variance.

**2. The Omission Of CSI Information Is Inconsequential Because Any Such Variance Does Not Provide A Competitive Advantage And Does Not Allow A Contractor To Withdraw Its Bid.**

Cal Pacific did not obtain any competitive advantage by the way that it filled out the subcontractor listing form it submitted with its bid. In its subcontractor listing form, Cal Pacific fully complied with Public Contract Code Section 4104 by providing the name, location, and portion of the work to be performed for each subcontractor that will undertake work with a value of more than 1/2 than 1% of the bid price.

As Cal Pacific did provide a description of the portion of the work that would be performed by its subcontractors, including the CSI numbers would not have added any relevant information. CSI numbers simply are a numerical way of describing exactly the same information that Cal Pacific has already provided in words. For example, Section 02400 of under the CSI numbering system is reserved for demolition. Describing a subcontractor's scope as "demolition" says exactly the same thing as stating the subcontractor's scope is "Div 02400".

Omitting CSI numbers therefore is an inconsequential variance at most, as it does not allow Cal Pacific to obtain a better price from subcontractors, to change subcontractors, or to withdraw its bid.

A bid can be withdrawn for mistake only if the mistake made the bid "*materially*" different from what was intended. Pub. Contract Code § 5103. Because omitting CSI numbers cannot affect the amount of the bid or the identity of subcontractors listed, or their scope of work as identified in the subcontractor list, any variance with regard to inclusion of CSI numbers could not provide a ground for Cal Pacific's bid to be withdrawn. Id.

The City's own conduct establishes that the omission of CSI numbers is at most an inconsequential variance. First, on other projects, the City does not ask for CSI numbers, which underscores that this information is not needed to ensure a binding bid or compliance with the law.

Second, prior to bid, Cal Pacific contacted a representative of the City to discuss the subcontractor listing form. Although the City's representative now states that he did not intend to be understood as saying CSI numbers did not need to be included, Cal Pacific took away from the conversation that the CSI numbers were not a mandatory item as they had not been treated as such by the City in the past.

John Rosenbrock, Esq.  
January 26, 2012  
Page 2 of 2

In other instances involving very similar information in subcontractor listing forms, the City has agreed that general contractors do not have to provide data beyond what is required by Section 4104 of the Public Contract Code for the City to be able to accept a bid, even where the City's subcontractor listing form asks for additional information.

For example, the City has indicated that it will accept a bid where, instead of providing a complete address for a subcontractor, a contractor has provided only the location of the subcontractor's mill or shop. Given that all of the bidders omitted providing address information in their subcontractor lists, if the City were to require exact compliance with language on the subcontractor listing form, then all bids must be rejected as nonresponsive.<sup>1</sup> Please see the enclosed subcontractor listing form from Gonsalves & Stronck Construction Company, Inc.

Accordingly, the omission of the CSI information that the City had informed Cal Pacific would not be required is at most an inconsequential omission. The City has full authority to accept Cal Pacific's bid. As noted above, if the City were to refuse to accept Cal Pacific's bid because of the omission of CSI numbers, then it must treat all bidders the same, and reject all bids because none of the contractors bidding the project provided address information for subcontractors on the subcontractor listing form.

3. **Information Regarding Library Equipment, Gypsum Board and Tiling Work and Soffit Panel Installation**

Cal Pacific also would like to furnish the City with the following information regarding the library equipment, gypsum board and tiling work, and soffit panels.

- 1) Library Equipment (specification section 115100): Cal Pacific will purchase "Extex metal shelving" or approved equal "Demco."
  - a) Tennsco Supplier: Fastenal, 204 Michelle Court, So. San Francisco, CA  
Contact person: Lloyd Appling 650-872-3278

---

<sup>1</sup> Under California law, if in some instances the City were to waive the need to provide information called for by the subcontractor listing form, and which is not required by Section 4104 of the Public Contract, but other instances were to refuse to accept a bid because similar information had not been included on the form, the City's actions would be arbitrary and capricious. Treating similarly situated bidders differently constitutes an action by a public agency undertaken without any reason, "based on no more than the will or desire of the decision-maker," and by definition is arbitrary and capricious conduct. See D.H. Williams Construction, Inc. v. Clovis Unified School Dist., 146 C.A.4th 757, 763 (2007); Clack v. State, 275 C.A.2d 743, 747 (1969) (action based on will or desire of the public agency, and no more, is arbitrary); Verdugo Hills Hospital, Inc. v. Department of Health, 88 C.A.3d 957, 964 (1979) (action done without apparent reason is arbitrary). For this reason, please consider this letter to be a formal protest of an award to Gonsalves & Stronck Construction Company, Inc. or any other bidder than Cal Pacific.

John Rosenbrock, Esq.  
January 26, 2012  
Page 2 of 2

- b) Demco Supplier: direct line 800-462-8709 [quote@demco.com](mailto:quote@demco.com)
  
- 2) Gypsum Board and Tiling: Cal Pacific will self-perform Gypsum Board Assemblies (specification section 092116) and tiling (specification section 093000). The following are projects where Cal Pacific has self-performed this scope of work previously:
  - a) First Congregational Church, 1300 Polk St., San Francisco, CA  
Contact person: Gilbert Chan 415-309-9732
  
  - b) Aptos Middle School, 105 Aptos Ave., San Francisco, CA  
Contact person: Erin Hirst 415-241-6152 ext. 3223
  
  - c) Galileo High School, 1150 Francisco St, San Francisco, CA  
Contact person: Andrea Dawson 415-241-6152 ext 1558
  
  - d) San Francisco Zoo, 1 Zoo Road, San Francisco, CA  
Contact person: Joe Cheung 415-554-8201
  
- 3) Metal Soffit panel (specification section 074500) installation will be performed by Pioneer Contractors (license #777064). The following is a list of Pioneer's completed projects: First Congregational Church, Del Mar Middle School in Tiburon, North East Medical Center in San Francisco, Canada College Maintenance Facilities in Redwood City, and Skyline College Maintenance Facilities in San Mateo



John Rosenbrock, Esq.  
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**Conclusion**

We trust that the above information fully responds to your requests made at the Tuesday meeting. As indicated above, if this project is to be awarded at all, it must be awarded to Cal Pacific, because Cal Pacific submitted the lowest bid that substantially complied with the City's solicitation and none of the bidders provided all of the information technically required by the subcontractor bid listing forms, such as the "address of subcontractor."

Thank you for your careful review and consideration in this matter. We look forward to receiving the City's decision regarding the award of the project. Please feel free to contact me if you have any questions regarding this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "A. Rosin", with a long horizontal flourish extending to the right.

A. Robert Rosin

Enclosures

cc: Client



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SOUTH BRANCH IMPROVEMENT PROJECT

SPECIFICATION NO. 12-10615-C

DOCUMENT 00430

SUBCONTRACTORS LIST

Bidder submits the following information as to the subcontractors Bidder intends to employ if awarded the contract:

Name and Address of Subcontractor and Location of Mill or Shop	Description of Work; Reference to Contract Items (including CSI #)	Prices Under Subcontract
Allied Environmental Hayward	Hazardous Material Abatement 028000	\$ 16,000
BOY CITIES, CONCORD	Site/Bldg Demo 024000	\$ 27,500
MCR, SANTA CLARA	Concrete Reinforcing 032000	\$ 31,000
CASEY-FOSI, HAYWARD	Site Concrete 032313	\$ 77,000
R.E. MAHER, AMERICAN CANYON	Bldg Concrete 033000	\$ 182,000
NATIONAL, HAYWARD	Structural Steel/ Misc Metals 051200	\$ 117,000

(Bidder to attach additional sheets if necessary)  
END OF DOCUMENT

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Subcontractors List  
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(10-02)

Gonsalves & Stronck Construction Company Inc.

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SPECIFICATION NO. 12-10615-C

DOCUMENT 00430

SUBCONTRACTORS LIST

Bidder submits the following information as to the subcontractors Bidder intends to employ if awarded the contract.

Name and Address of Subcontractor and Location of Mill or Shop	Description of Work: Reference to Contract Items (including CSI #)	Prices Under Subcontract
( B/L G.C. )	Rough Carpentry 061000	—
NW10, Grants Pass, OR	Architectural Woodwork <sup>064000</sup>	\$120,000
Central CA Insulation, San Jose	Bldg Insulation 072300	\$13,673
Aire Sheet Metal, Redwood City	Metal Soffit Panels <sup>074500</sup>	\$55,000
P.R.S., San Jose	Single Ply Roofing <sup>075300</sup>	\$121,000
P&S Glass, American Canyon	Alum Storefronts/ Windows/Glazing <sup>085100</sup>	\$219,000

(Bidder to attach additional sheets if necessary)

END OF DOCUMENT

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Subcontractors List  
00430 - 1

(10-02)

Gonsalves & Strouck Construction Company Inc.

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SOUTH BRANCH IMPROVEMENT PROJECT

SPECIFICATION NO. 12-10615-C

DOCUMENT 00430

SUBCONTRACTORS LIST

Bidder submits the following information as to the subcontractors Bidder intends to employ if awarded the contract

Name and Address of Subcontractor and Location of Mill or Shop	Description of Work; Reference to Contract Items (including CSI #)	Prices Under Subcontract
MGM Drywall, Berkeley	Gypsum Drywall 092116	\$78,897
DC TILE, Auburn	Ceramic Tile 093000	\$123,000
Budley Acoustics, San Jose	095100 Acoustical/Wood Ceiling	\$73,000
M & J Floor Covering, West Sacramento	096500 Floor Covering 096800	\$31,900
Migale, Novato	099100 Painting	\$39,000
Vomar, Canoga Park	Signage 101400	\$40,000

(Bidder to attach additional sheets if necessary)

END OF DOCUMENT

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Gonsalves & Stronck Construction Company Inc.

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SPECIFICATION NO. 12-10615-C

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SUBCONTRACTORS LIST

Bidder submits the following information as to the subcontractors Bidder intends to employ if awarded the contract.

Name and Address of Subcontractor and Location of Mill or Shop	Description of Work: Reference to Contract Items (including CSI #)	Prices Under Subcontract
no listing read	Toilet Compartments/ Accessories 102813 ⊕ 102113	—————
Ross McDonald, Livermore	Library Equipment 115100	\$ 75,000
no listing read	Window Shades 122400	—————
Santa Rosa Bay Cities Fire Protection	Fire Sprinkler 211000	\$ 51,000
Tyrrell, Vacaville	Plumbing div. 22	\$ 123,000
Aire sheet metal, Redwood City	HVAC/Arch Sheet Metal div. 23	\$ 511,000

(Bidder to attach additional sheets if necessary)

END OF DOCUMENT

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Subcontractors List  
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Gonsalves & Strong Construction Company Inc.

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DOCUMENT 00430

SUBCONTRACTORS LIST

Bidder submits the following information as to the subcontractors Bidder intends to employ if awarded the contract.

Name and Address of Subcontractor and Location of Mill or Shop	Description of Work: Reference to Contract Items (including CSI #)	Prices Under Subcontract
Northern States, Livermore	Electrical/Fire Alarm/Communications <i>div. 26, 27, 28</i>	\$725,000
<i>(SEE ELECTRICAL)</i>	Photovoltaic	
<i>(SEE SITE BUDG. DEMO)</i>	Earthwork <i>310000</i>	
TREE TO GREEN, Brentwood	Landscaping <i>328400</i>	\$55,000
<i>(SEE SITE BUDG. DEMO)</i>	<i>div. 33</i> Underground Utilities	

(Bidder to attach additional sheets if necessary)  
END OF DOCUMENT

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 SOUTH BRANCH IMPROVEMENT PROJECT

SPECIFICATION NO. 12-10615-C

DOCUMENT 00430

SUBCONTRACTORS LIST

Bidder submits the following information as to the subcontractors Bidder intends to employ if awarded the contract

Name and Address of Subcontractor and Location of Mill or Shop	Description of Work; Reference to Contract Items (including CSI #)	Prices Under Subcontract

(Bidder to attach additional sheets if necessary)  
 END OF DOCUMENT

Subcontractors List  
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Gonsalves & Stronck Construction Company Inc.



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DOCUMENT 00430

SUBCONTRACTORS LIST

Bidder submits the following information as to the subcontractors Bidder intends to employ if awarded the contract.

Name and Address of Subcontractor and Location of Mill or Shop	Description of Work: Reference to Contract Items (including CSI #)	Prices Under Subcontract

(Bidder to attach additional sheets if necessary)  
END OF DOCUMENT

Subcontractors List  
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Gonsalves & Stronck Construction Company Inc.

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SPECIFICATION NO. 12-10615-C

DOCUMENT 00003

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00004	List of Drawings, Tables and Schedules
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00020	Invitation to Bid
00100	Instructions to Bidders
00150	Bid Contents, Evaluation, Selection and Award
00220	Geotechnical Data and Existing Conditions
00240	Hazardous Material Surveys
00300	Bid Form
00411	Bond Accompanying Bid
00430	Subcontractors List
00481	Non-collusion Affidavit
<b>CONTRACT FORMS</b>	
00510	Agreement
00520	Escrow Agreement for Security Deposits in Lieu of Retention
00530	Agreement and Release of Any and All Claims
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00620	Construction Labor and Material Payment Bond
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<b>CONDITIONS OF THE CONTRACT</b>	
00700	General Conditions
00810	Supplemental General Conditions
00811	Supplemental General Conditions- HazMat
00812	Supplemental General Conditions-City of Berkeley Contracting Policies
00822	Apprenticeship Program
00900	Addenda

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SOUTH BRANCH IMPROVEMENT PROJECT

SPECIFICATION NO. 12-10615-C

## SPECIFICATIONS

<u>Division</u>	<u>Section</u>	<u>Title</u>
1	GENERAL REQUIREMENTS	
	01000	Summary of Work
	01025	Measurement and Payment
	01035	Modification Procedures
	01036	Requests for Information
	01038	Construction Cost Reduction Incentive
	01040	Project Coordination
	01060	Regulatory Requirements
	01061	Regulatory Requirements--Hazardous Waste
	01090	References and Definitions
	01200	Project Meetings
	01300	Submittals
	01310	Progress Schedules and Reports
	01400	Testing and Inspection
	014339	Composite Mock-up Requirements
	01505	Construction Waste Management
	01510	Temporary Facilities
	01560	Noise, Dust, and Pollution Control
	01600	Product Requirements
	01630	Product Options and Substitutions
	01700	Contract Closeout
	01710	Project Cleaning
	01720	Project Record Documents
	018100	Commissioning
	018113	Sustainable Design Requirements
2	EXISTING CONDITIONS	
	024000	Demolition
	028000	Facility Remediation
3	CONCRETE	
	031000	Concrete Formwork
	032000	Concrete Reinforcement
	033000	Cast-In-Place Concrete
	033500	Concrete Finishing
4	MASONRY	
	043000	Composite Stonework
5	METALS	
	051200	Structural Steel
	055000	Metal Fabrications

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<u>Division</u>	<u>Section</u>	<u>Title</u>
6		WOOD, PLASTICS AND COMPOSITES
	061000	Rough Carpentry
	061005	Architectural Rough Carpentry
	061750	Engineered Wood I Joists
	064000	Architectural Woodwork
7		THERMAL AND MOISTURE PROTECTION
	071300	Sheet Waterproofing
	072300	Building Insulation
	072500	Weather Barriers
	072616	Concrete Vapor Treatment
	074416	Exterior Porcelain Wall Tile
	074490	Aluminum Panels
	074500	Metal Soffit Panels
	074623	Wood Siding
	075300	Single Ply Roofing
	076200	Flashing and Sheet Metal
	077000	Roof and Wall Specialties and Accessories
	078400	Firestopping
	079200	Joint Sealants
8		OPENINGS
	081113	Hollow Metal Doors And Frames
	081116	Interior Aluminum Frames
	081400	Wood Doors
	081405	Sliding Glass Doors
	083100	Access Doors and Panels
	083300	Coiling Doors and Grilles
	084200	Entrances
	084229	Automatic Entrances
	085100	Aluminum Windows
	086200	Unit Skylights
	086250	Tubular Daylighting Device
	087100	Door Hardware
	087100a	Door Schedule
	088000	Glazing
9		FINISHES
	092116	Gypsum Board Assemblies
	093000	Tiling
	095100	Acoustical Ceilings
	095600	Linear Wood Ceilings
	096500	Resilient Flooring
	096800	Carpeting
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<u>Division</u>	<u>Section</u>	<u>Title</u>
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	101100	Visual Display Surfaces
	101400	Signage
	102113	Toilet Compartments
	102600	Wall and Door Protection
	102813	Toilet and Accessories
	104400	Fire Protection Specialties
	105100	Lockers
11	EQUIPMENT	
	110500	Miscellaneous Equipment
	115100	Library Equipment
12	FURNISHINGS	
	122400	Window Shades
	124813	Entrance Mats and Frames
13	SPECIAL CONSTRUCTION – NOT USED	
14-20	NOT USED	
21	FIRE SUPPRESSION	
	211000	Fire Protection System
22	PLUMBING	
	220500	Plumbing Specialties
	220519	Meters and Gauges
	220523	Valves
	220529	Hangers, Support Mechanical Vibration & Seismic Control
	220700	Piping and Equipment Insulation
	220800	Commissioning of Water Heater
	221100	Potable Water Piping
	221123	Pumps
	221300	Drainage and Vent Piping
	221513	General Service Compressed-Air Piping
	221519	General Service Compressed-Air Equipment
	223400	Domestic Water Heater
	224000	Plumbing Fixtures
23	HVAC	
	230000	General Mechanical Provision
	230100	Basic Mechanical Materials, Methods and Identification
	230529	Hangers, Support Mechanical Vibration & Seismic Control
	230593	Testing, Adjusting, and Balancing
	230680	Packaged Rooftop Gas-Electric Cooling Units
	230713	Duct Insulation
	230800	Commissioning of HVAC

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	230913	Control Devices
	230923	Direct Digital Control Systems
	230993	Sequence of Operations
	231123	Fuel-Gas Piping
	232300	Refrigerant Piping
	233100	Ductwork and Accessories
	233400	Fans and Power Ventilators
	233700	Air Terminal Units
	235000	Hydronic Boiler Packaged Systems
	238126	Split-System Air-Conditioning
	238219	Fan Coil Units
	238316	Hydronic Radiant Heating
26	ELECTRICAL	
	260500	Basic Electrical Requirements
	260800	Testing
	260801	Commissioning of Photovoltaic Systems
	262400	Service and Distribution System
	262700	Basic Electrical Materials and Methods
	262802	Commissioning of Lighting and Lighting Controls
	263101	Photovoltaic Systems
	264300	Surge Protection Devices
	265101	Lighting
	265601	Site Lighting
	265700	Low Voltage Lighting Control System
	265701	Daylighting Control System
27	COMMUNICATIONS	
	270500	Common Work Results for Communications
	270526	Grounding and Bonding for Communications Systems
	270529	Hangers and Supports for Communications Systems
	270533	Conduits and Backboxes for Communications Systems
	270536	Cable Trays for Communications Systems
	270543	Underground Ducts and Raceways for Communications Systems
	270548	Noise and Vibration Controls for Communications Systems
	270553	Identification for Communications Systems
	271000	Structured Cabling, Basic Materials and Methods
	271116	Communications Cabinets, Racks, Frames and Enclosures
	271119	Communications Termination Blocks and Patch Panels
	271123	Communications Cable Management
	271126	Communications Rack Mounted Power Protection and Power Strips
	271300	Communications Interior Backbone Cabling
	271500	Communications Horizontal Cabling
	274116	Integrated Audio-Visual Systems and Equipment
	275116	Public Address and Mass Notification Systems
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	282300	Video Surveillance Systems
	283101	Fire Alarm System
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	310000	Earthwork
	311313	Temporary Tree Protection
	312300	Excavation and Fill
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	321313	Concrete Paving
	321419	Porous Precast Concrete Unit Paving
	321713	Parking Bumpers
	321723	Pavement Markings
	323600	Site Furnishings
	328400	Irrigation
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	329114	Planting Soil – Imported Soil
	329300	Planting – Trees Shrubs and Groundcovers
	329800	Landscape Maintenance
33		UTILITIES
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	333100	Sanitary Utility Sewage Piping
	334100	Storm Utility Drainage Piping
	334616	Subdrainage

END OF DOCUMENT







## BERKELEY PUBLIC LIBRARY

### ACTION CALENDAR

February 8, 2012

**TO:** Board of Library Trustees

**FROM:** Donna Corbeil, Director of Library Services

**SUBJECT:** TEMPORARY CLOSURE OF THE SOUTH BRANCH LIBRARY AND RELOCATION OF THE TOOL LENDING LIBRARY; RE-OPENING THE NORTH BRANCH LIBRARY; AND RE-OPENING THE CLAREMONT BRANCH LIBRARY

### RECOMMENDATION

Adopt a resolution authorizing the Director of Library Services to close the South Branch Library effective Sunday, March 18, 2012 for approximately 15 months for replacement and new construction; coordinate a start date for temporary operation of the Tool Lending Library at an alternative location to begin prior to March 19, 2012; and re-open the North Branch Library on Saturday April 7, 2012 and the Claremont Branch Library on May 5, 2012 in order to complete Measure FF branch library authorized improvements.

### FISCAL IMPACTS

There are no fiscal impacts from requested action.

### BACKGROUND

In November 2008, voters approved the sale of \$26M in bonds to renovate, expand, and make seismic and access improvements at the four neighborhood branch libraries.

In July 2009, program discussions with the board and staff had identified issues and assumptions most directly related to planning neighborhood services during the temporary branch closures, including recommending program timeline escalation yielding greater cost savings through increasing the overlap period of branch closures. At the September 2009 board meeting, the program project manager reported on the program's progress to-date and presented to the board a refined master schedule, including the option of increased overlap of branch closures with the recommendation that no more than two branches be closed concurrently. In addition, the board authorized the purchase of a BookVan in order to supplement library services by scheduling stops in effected neighborhoods. Since December 2010, the North and Claremont neighborhoods have been served by a staffed BranchVan.

### CURRENT SITUATION AND ITS EFFECTS

At the January 11, 2012 Board meeting the program manager, Steve Dewan (Kitchell CEM) reported on the status of the four projects:

1. Claremont Branch projected opening March / April 2012
2. North Branch projected opening April / May 2012



3. South branch bid opening January 17, 2012 – Projected closing scenarios reviewed (Construction commence between March and May 2012)
4. West Branch bid opening end of February 2012 (Construction commence May 2012)

The board discussed extensively the scheduling of openings and closures as they related to public service, staff workload and adherence to the master program schedule. Several themes emerged relevant to the item under consideration, to summarize:

Identify mitigations to address Claremont delay, both budget and program schedule;

Assess impact of three closures for extended period of time, particularly in the summer months if appropriate; and

Assess impact of multiple closures (3) on van schedule; consider impact of increased visitors to open locations; and need for staff re-assignments related to schedule changes.

**To limit negative impacts and to allow for the most efficient schedule implementation process we recommend the following schedule:**

- Close the South Branch effective Sunday, March 18, 2012
- Open the North Branch two weeks later, on April 7, 2012
- Between March 17 and April 7<sup>th</sup> (3 weeks) three branches will be closed –West and Central will be open
- Close the West Branch Library effective Sunday, April 15, 2012
- Open the Claremont branch Library on May 5, 2012
- Between April 15 and May 5 (3 weeks) three branches will be closed – North and Central will be open
- After May 5, 2012 the Claremont and North branches are open and the South and West branches are closed, with the Tool library operating out of a temporary facility.

Because these sites will be active construction zones, South Branch and West Branch must close temporarily for public safety to allow for seismic, code and access improvements as well as new construction.

Prior to the start of construction, each branch is scheduled for a two-three week move out period, providing time for the Library to pack and store materials, remove furniture, and clean out the facilities prior to handover to contractors. Similarly, a period of two-three weeks is needed to move back into a renovated facility.

The next major activities will be the bidding of the West Branch project and scheduling of this construction. The re-opening of the South and West branch libraries will occur in 2013.

#### RATIONALE FOR RECOMMENDATION

Staff recommends that the South Branch Library close for renovations and new construction for approximately 12 - 14 months for the period from March 18, 2012 through May 2013 and that the North Branch Library re-open April 7, 2012 and the Claremont branch re-open May 5, 2012. Closure delays may shorten the length of time needed for staff to fully close-out the branches and could negatively impact the construction schedule and budget. Determining the re-opening dates will allow staff sufficient time to plan the execution of these activities, including planning a public grand opening event, moving furnishings, equipment and material back-in, complete set-up of all operational tasks and orienting staff to new systems.



The Library Director will provide status reports during the branches' construction phases and will keep the board abreast of any project timeline changes.

FUTURE ACTION

None.

Attachments:

1. Resolution





**RESOLUTION NO.: R12-\_\_\_**

**THE BOARD OF LIBRARY TRUSTEES APPROVES THE TEMPORARY CLOSURE OF THE SOUTH BRANCH LIBRARY AND RELOCATION OF THE TOOL LENDING LIBRARY AT AN ALTERNATE LOCATION; AND RE-OPENING THE NORTH BRANCH LIBRARY AND CLAREMONT BRANCH LIBRARY**

WHEREAS, in July 2009, program discussions with the board included recommendation for program timeline escalation to result in greater cost savings; and

WHEREAS, at the September 2009 board meeting, the board was presented with a refined branch libraries improvement program master schedule, including greater overlap of branch closures with the recommendation that no more than two branches be closed at the same time; and,

WHEREAS, the North Branch and Claremont Branch projects are currently nearing the completion of construction; and

WHEREAS, the South Branch library project has been bid, with the next step to close in preparation for construction; and

WHEREAS, prior to the start of construction and at the completion of construction, each branch is scheduled for a move out / move in period of 2-3 weeks to pack and store materials, remove furniture, and clean out the facilities prior to handover to contractors and likewise to prepare for re-opening by setting up furniture, equipment and operations .

NOW, THEREFORE, BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley adopt a resolution authorizing the temporary closures of the South Branch Library effective March 18, 2012 for new construction for a term of approximately 15 months, relocation of the Tool Lending Library operation off-site prior to this closure and re-open the North Branch on April 7<sup>th</sup>, followed by the Claremont Branch on May 5, 2012.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a special meeting held on February 8, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

---

Winston Burton, Chairperson

---

Donna Corbeil, Director of Library Services  
Secretary of the Board of Library Trustees





## PROJECT COST CONTROL REPORT

South & Tool Lending Branch Renovation and Expansion		Revised Budget - April 4, 2011	Previous Month's Committed Costs	Current Committed Costs	Notes - Since 08/01/10
<b>SITE HARD COSTS</b>					
<b>General Contractor</b>					
	Contract / Estimate - Construction	\$ 4,250,000	\$ 4,250,000	\$ 4,563,000	10
	Contract / Estimate - Demolition	\$ 50,000	\$ 50,000	\$ 50,000	
	Approved Change Order Requests	\$ -	\$ -	\$ -	
	Pending Change Order Requests	\$ -	\$ -	\$ -	
	Change Order Contingency	\$ 430,000	\$ 430,000	\$ 350,000	
<b>Other Project Hard Costs</b>					
	Public Art	\$ 64,500	\$ 64,500	\$ 64,500	
	Miscellaneous Purchase Orders	\$ 50,000	\$ 15,000	\$ 10,000	6, 11
<b>TOTAL SITE HARD COSTS</b>		\$ 4,844,500	\$ 4,809,500	\$ 5,037,500	
<b>SITE SOFT COSTS</b>					
	Architectural and Engineering Fees	\$ 785,000	\$ 785,000	\$ 785,000	
	Executed ASAs	\$ -	\$ 69,058	\$ 69,058	4
	LEED Commissioning	\$ 31,156	\$ 31,156	\$ 31,156	
	LEED Fees	\$ 5,000	\$ 5,000	\$ 5,000	
	Special Inspections & Testing	\$ 30,000	\$ 30,000	\$ 30,000	
	Miscellaneous Consultants	\$ 15,000	\$ 5,000	\$ 5,000	6
	City Fees (Planning Studies, etc.)	\$ 20,000	\$ 26,952	\$ 26,952	5, 8
	Building Permit	\$ 226,870	\$ 150,000	\$ 150,000	7
	Inspections	\$ -	\$ 75,000	\$ 75,000	7
	Environmental Consultants & Studies (CEQA)	\$ 50,000	\$ 65,000	\$ 65,000	1, 3, 5
	Utility Fees - PG&E	\$ 37,500	\$ 37,500	\$ 37,500	
	Utility Fees - AT&T	\$ 12,500	\$ 12,500	\$ 12,500	
	Utility Fees - EBMUD	\$ 10,000	\$ 70,000	\$ 70,000	6
	Geotechnical Survey & Report	\$ 15,000	\$ 15,000	\$ 15,000	
	Survey Fees	\$ 10,000	\$ 10,000	\$ 10,000	
	Hazmat Monitoring/Testing Services	\$ 35,000	\$ 20,000	\$ 20,000	6
	Temporary Storage Costs	\$ 37,500	\$ 37,500	\$ 37,500	
	Printing/Plan Reproduction	\$ 20,000	\$ 20,000	\$ 15,000	11
	Bid Advertising	\$ 1,500	\$ 1,500	\$ 1,500	
	Moving Costs	\$ 16,520	\$ 16,520	\$ 16,520	
	Contract Authorized Contingencies	\$ 78,500	\$ 9,443	\$ 9,443	2
<b>TOTAL SITE SOFT COSTS</b>		\$ 1,437,046	\$ 1,492,128	\$ 1,487,128	
<b>TOTAL SITE COSTS</b>		\$ 6,281,546	\$ 6,301,628	\$ 6,524,628	
<b>PROJECT CONTINGENCY</b>		\$ 47,974	\$ 27,892	\$ 4,892	
<b>ADDITIONAL REVENUE - ALTERNATE FUNDING</b>				\$ 200,000	9
<b>TOTAL SITE BUDGET</b>		\$ 6,329,520	\$ 6,329,520	\$ 6,529,520	

**Notes - Since 08/01/10**

- 1 Commitment increased to reflect portion of additional cost for DC&E for Program EIR (09/30/10)
- 2 Contract amendment to Field Paoli assigning contingency - 09/15/10 BOLT, 09/21/10 City Council
- 3 Adjusting Journal to CoB to increase DC&E contract by \$6,757 (10/26/10)
- 4 **Field Paoli - Executed ASAs #1-9**
- 5 Adjusting Journal to CoB for increased time spent by CoB Planning staff on EIR (05/25/11)
- 6 Budget line item commitments reduced to offset EBMUD increase for upsized meter (09/30/11)
- 7 Inspections separated from "Building Permit, Inspection" line item to allow for management (10/31/11)
- 8 Budget line item commitment increased for Tool Library Administrative Use Permit (11/30/11)
- 9 **Additional revenue (per BPL)**
- 10 **Apparent Low (Responsive) Bid per 01/17/12 Bid Opening - Gonsalves & Stronck**
- 11 **Budget line item commitments reduced to offset increase in contractor contract value (01/31/12)**





## BERKELEY PUBLIC LIBRARY

### INFORMATION CALENDAR

February 8, 2012

**TO:** Board of Library Trustees

**FROM:** Donna Corbeil, Director of Library Services

**SUBJECT:** FEBRUARY 2012 MONTHLY REPORT FROM LIBRARY DIRECTOR

#### INTRODUCTION

Every month the Library Director gives the Board a report on Library activities and updates from the previous month.

#### FISCAL IMPACT

This report will have no fiscal impacts.

#### PROFESSIONAL ACTIVITIES

The Library Director attended a California Public Library Summit on January 17 in Sacramento, called by the California State Librarian Stacy A. Aldrich. Over 130 library jurisdictions state wide attended the all-day event. The purpose was three-fold: hear an update on last March's meeting regarding library messaging across the state; discuss recommendations from a sub-committee chaired by the State Librarian to review and make recommendations to the 2011 California Library Services Act; and lastly to develop priorities for State funding of public libraries. As funding has been eliminated for the state budget it is critical that we meet to share information regarding the state of public libraries across California.

Upcoming conferences:

The American Library Association has announced the dates for the 2012 ALA Annual Conference in Anaheim, Calif., June 21-26 to continue important conversations about the transformation of libraries, e-content and other key topics.

The Public Library Association's 2012 conference will take place from March 13-17 in Philadelphia, and registration is now open. For complete details, visit [www.placonference.org](http://www.placonference.org). You do not need to be registered to reserve housing through PLA's online Housing Bureau.



## PROGRAMS, SERVICES AND COLLECTIONS

### *Programs*

Berkeley Public Library is beginning a free drop-in service about e-books. If you have questions about e-books and e-readers, bring them to **E-Books Office Hours**. Come to one of these sessions and talk with a librarian who can help you set up your e-reader, tell you about the library's e-book collection, troubleshoot download issues and answer questions about readers, formats, digital rights and other topics. Bring your devices and your questions. No registration is required. These one-hour sessions will be held in the Electronic Classroom at Berkeley Public Library's Central Library, 2090 Kittredge Street from 10:00 - 11:00 a.m. on Friday, February 10 and Friday, March 16, and from 6:30 – 7:30 p.m. on Tuesday, February 21 and Tuesday, March 27. These are the first sessions in an ongoing series and more dates will be announced in March.

### *Technology*

In the next few weeks the library will launch a library app which will allow people to access the basic library services from their mobile device. Via an easy to navigate menu library patrons will be able to search the catalog, see what programs are scheduled, reserve a title, view their account and a few other popular services. It will be accessible for download from the library's website.

### *Annual report*

The Library staff has been working on the 2011 Library Annual Report. It will be released via paper and posted on the library's website mid-February.

## FACILITIES/ OPERATIONS & PERSONNEL

An all-staff meeting was held on January 27, 2012, as a result the library opened at 11:00 p.m. Topics covered included an update on the bond program, including an overview of tasks, schedules and other issues of relevance to staff work. New technology efforts were reviewed prior to launch. The State library grant award for early literacy was covered so that staff will be informed prior to implementation.

### Other

The City Council discussed and approved a city policy on naming facilities at the January 31, 2012 regular Council meeting:

[City of Berkeley Policy for Naming and Renaming Public Facilities \(Continued from January 17, 2012\) \(PDF\)](#)

**From: Mayor Bates and Councilmembers Maio and Worthington**

**Recommendation:** Review the current proposed naming policy and background materials, comment, and adopt a formal policy for the naming and renaming of public facilities.

**Financial Implications:** Unknown

Contact: Tom Bates, Mayor, 981-7100



## BERKELEY PUBLIC LIBRARY

### INFORMATION CALENDAR

February 8, 2012

**TO:** Board of Library Trustees

**FROM:** Donna Corbeil, Director of Library Services

**SUBJECT:** LIBRARY WORK PLAN FY2012 AND FY2013

#### INTRODUCTION

Update on the approved Library Work Plan for the biennial budget period, FY 2012 and 2013.

#### FISCAL IMPACT

There is no fiscal impact from this report.

#### BACKGROUND

The Library began the practice of developing an annual plan in June 2007 for the FY 08/09 budget period; a similar process and board adoption of the work plan for FY 2010/11 occurred in December 2008. Updates have been given regularly since this time. The last update to the board occurred at a regular meeting of the board on July 13, 2011.

Like other City agencies the vast majority of work at the Library can be described as baseline service delivery. The 90% baseline, 10% special projects composition used by the City accurately reflects library operations in most years. A Library example of a special project would be the Branch Library bond program, which represented a significant project and body of work over multiple fiscal years. Baseline work represents what we consider as basic services, such as opening the library the prescribed hours per week, providing reference services, purchasing materials for use by the public, children's programming, etc.

The City's work plan focuses on high priority time specific projects that accomplish specific goals through concentrated efforts. The city uses the following definition to categorize activities as a "project": *Projects have a desired objective, take concentrated resources and effort to achieve, and have a beginning and end.* Throughout the year as projects develop they are planned and budgeted for within the current year's budget or incorporated into future fiscal cycles, such as capital repairs. Regardless, all projects require resources; these may be within the scope of the budget and staff capacity or not, in which case additional resources may be needed to complete them.

The Library has adopted an abbreviated version of the larger City process, as we are one department versus the city's larger scale and scope of responsibilities, which includes some of the key concepts and components. The general process is as follows: identify emerging priority projects and resource needs, evaluate work load and committed resources, then revise work plan and reallocate resources.

#### CURRENT SITUATION AND ITS EFFECTS

The Board developed budget priorities for FY12/13 as part of the budget workshop process beginning in December 2010. Attached is the approved plan (Attachment 1) of projects, including Board suggested initiatives adopted in July 2011. The information presented at that time, included, for each project identified, a separate one-page project work sheet that included a brief description, comments, deliverables or the various steps required to complete the project, detailed timeline, status, budget information and the lead person and/or team.

For the purposes of a status update this month the worksheets have been updated (Attachment 2) for your review and possible discussion.

The work plan aligns the work of the Library with the priorities of the Board. It also provides a context for any new projects that come to fruition throughout the year. This process will ensure new projects are carefully considered, considering existing staffing, commitments already on the table, and adequate resources to complete the work. The next update will be brought at the end of the fiscal year.

#### **FUTURE ACTION**

None.

#### Attachments:

1. FY 12/13 Library Work Plan summary (Updated)
2. Worksheets

## Library Workplan

**LIBRARY PROJECTS**  
**FY 2012 & 2013 (UPDATED 2/2012)**

	Project Title	Priority	Lead	Budget	Timeline
1	Library Strategic Plan (2009-2012)	CI	Doug Smith	\$10,000	Begin process for updating in FY 2012
2	Implement branch library improvement program	CI	D. Corbeil, S. Dentan, D. Dang	\$26M	Ongoing 2008 - Updates given monthly in board packets
3	Consider establishing a library reserve fund	SP	D. Dang, D. Corbeil	Goal: 3-5% of library budget	FY2013-2014 biennial budget process – on hold
4	Staff Development / Training Plan & Wellness	DP	J. Shurson, A. Abramson, J. Dickinson	\$5,000 - @10,000	Focus on technology, wellness & Leadership Training FY12-13
5	Library Website Functionality	DP	A. Abramson	\$10,000 - \$14,000	FY12 User interface improvements and respond to public feedback
6	Voice over IP Phone System Conversion	DP	A. Abramson	FY12 Budget	City in process of selecting vendor
7	E-books and Electronic Resources	DP	M. McArdle	NA	FY12&13 – implications for resource allocation / material budget

**CI = Critical Initiative**

**SP = Special (Board initiated) Project**

**DP = Department (staff initiated) Project**



<b>Library Strategic Plan</b>
<b>Lead</b> Douglas Smith (Deputy Director)
<b>Description</b> Update Library's Strategic Plan: 2011-2013
<b>Comments</b> Amend and expand the current 3-year Strategic Plan, adding new initiatives conforming to the Library Service Responses in the Plan. Conduct staff workshops, community surveys and BOLT workshops to develop draft Plan.
<b>Budget</b> \$0

<b>Deliverables</b>		
<b>Step</b>	<b>Detail</b>	<b>Status</b>
BOLT workplan discussion		July 2011
Community & staff input, plan revisions / review		Summer-Fall 2011
BOLT/public workshop		October 2011
Draft plan to BOLT	(approved)	December 2011
Updates to BOLT		Semiannually

<b>Branch Improvement Program</b>
<b>Leads</b> Donna Corbeil, Sarah Dentan
<b>Description</b> In November 2008, City residents voted in favor of Measure FF, a Library bond measure not to exceed \$26 Million to renovate, expand and make seismic and access improvements at the four branch libraries.
<b>Comments</b> Ongoing / Completion estimated in 3 <sup>rd</sup> quarter 2013
<b>Budget</b> \$26 Million

**Deliverables**

Step	Detail	Status
Construction Documents	Building plans, specifications and supporting documents, providing contractor instructions	3 <sup>rd</sup> Qtr 2011 – South Branch <i>Completed</i> 1st Qtr 2012 – West Branch
Permit Review	Review of construction documents for compliance in order to issue necessary building permits	1 <sup>st</sup> Qtr 2012 – South Branch <i>Completed</i> 2 <sup>nd</sup> Qtr 2012 – West Branch
Bid Solicitation	Release of project details to solicit and obtain contractor bid proposals	1 <sup>st</sup> Qtr 2012 – South Branch <i>Completed</i> 2 <sup>nd</sup> Qtr 2012 – West Branch
Contract Execution	Bid award and contract negotiations and approvals	1 <sup>st</sup> Qtr 2012 – South Branch <i>Bids opened 1/17/12; contract to be awarded [DATE]</i> 2 <sup>nd</sup> Qtr 2012 – West Branch
Claremont Branch Occupancy and Opening	Furniture and equipment move-in and set up; building ownership turned over to City / Library from contractor; reopen for public service	2 <sup>nd</sup> Qtr 2012; <i>Construction began 5/31/11 –ongoing</i>



Step	Detail	Status
Move-Out	Branch closure and move out of furniture, fixture, equipment and collections	1 <sup>st</sup> Qtr 2012 – South Branch <i>Branch scheduled to close effective 3/18/12</i>  3 <sup>rd</sup> Qtr 2012 – West Branch <i>Branch scheduled to close effective 4/15/12</i>
North Branch Occupancy and Opening	Furniture and equipment move-in and set up; building ownership turned over to City / Library from contractor; reopen for public service	2 <sup>nd</sup> Qtr 2012 <i>Construction began 5/16/2011 – ongoing</i>  <i>Branch scheduled to open 4/7/12</i>
Construction	Building ownership turned over to contractor; demolition and new construction	2 <sup>nd</sup> Qtr 2013 – South Branch  2 <sup>nd</sup> Qtr 2013 – West Branch
Occupancy and Opening	Furniture and equipment move-in and set up; building ownership turned over to City / Library from contractor; reopen for public service	2 <sup>nd</sup> Qtr 2013 – South Branch  3 <sup>rd</sup> Qtr 2013 – West Branch



<b>Staff Development / Training Plan</b>
<b>Lead</b> Jenifer Shurson, Alicia Abramson, Doug Smith
<b>Description</b> Provides necessary base knowledge & additional fundamental knowledge essential to the tasks associated with each classification while providing a path for those members of staff interested in career growth and leadership opportunities.
<b>Comments</b>
<b>Budget</b> \$16,506

**Deliverables**

<b>Step</b>	<b>Detail</b>	<b>Status</b>
Identify Basic, Class and Specific competencies		Basic and Class completed.  Specific to be developed.
Identify Tools and Coursework linked to competencies.	<p>Basic Competencies addressed by 2 day orientation, supervisor led training and 4 core courses (Customer Svc, Privacy Policy, Library Computing, Circulation.)</p> <p>Class competencies addressed by corresponding course requirements.</p>	<p>Orientation Packet and Checklist revised. Orientation video completed. Injury Prevention incorporated into orientation.</p> <p>Core courses and trainings assoc w/ class competencies developed and will continue to offer ongoing basis.</p> <p>Customer Svc related trainings – Techniques for Helping Patrons Serve Themselves and Dealing with Difficult People.</p> <p>Circ Trainings covered Info Desk and Circ basics (3/13 and 4/18) Intermediate Millennium training on 9/29</p>

	<p>Specific Competencies</p>	<p>Privacy Training on 2/17/11</p> <p>Library Computing as needed</p> <p>To be developed by division supervisors.</p>
<p>Promotional</p>	<p>Library Trainee Program based on class competencies to be developed.</p> <p>3 part process; Coursework, Job Shadowing and Higher class opportunities.</p>	<p>Program developed and successfully implemented last yr. Will continue to offer annually depending on demand and coaches .</p> <p>Following completion of coursework and shadowing assignments higher class opps will be made available (program to resume mid 2012).</p> <p>Promotional Trainings included staff led Reader's Advisory series &amp; constructive feedback</p> <p>Addtl professional dev activities included ALA/CLA recaps (staff present on conferences attended) Also hosted webinars including the Edgy Librarian, The Hopeful Workplace and Library 2.011 a Worldwide Conference.</p>
<p>Leadership Development</p>	<p>Internal program/academy targeting current and potential future BPL leaders</p>	<p>Initial program development and testing with managers. Steps: define Library culture (in progress); identify and develop leadership competencies (to be completed); and identify</p>

		<p>coursework to build those competencies (to be completed.)</p> <p>Mgmt staff attended a weeklong virtual symposium on Leadership through ALA &amp; will be attending an emotional intelligence training (the foundation of our LDP) on 2/8. Next steps: analysis of individual leadership styles; gap analysis; individual development plans with mgmt.</p> <p>Phase 2a: Candidate Recruitment. Candidates enrolled in coursework and mentoring program.</p> <p>Phase 2b: Those who successfully complete phase 2a will take part in assisted project mgmt exercise.</p>
Library Conference Attendance	Staff submit applications for conference attendance to be reviewed with a select number approved by the Deputy Director.	Staff attendance at annual library conferences including ALA, PLA and CLA to support professional development.
Tracking System	Database merged with Personnel Database	Trainings and course evaluations being tracked by JS.
Incentive Program		Core Graduate Ceremony at All-Staff mtg. Possible luncheon for leadership program grads.

Plan Evaluation		On-going staff surveys & evaluation forms
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<b>Staff Health &amp; Wellness</b>
<b>Lead</b> Jenifer Shurson
<b>Description</b> Provides resources to support staff in areas of physical fitness, nutrition and stress management leading to overall improved staff health and morale.
<b>Comments</b>
<b>Budget</b> \$800

<b>Deliverables</b>		
<b>Step</b>	<b>Detail</b>	<b>Status</b>
Health and Wellness Program Development	Program to focus on nutrition, fitness and stress management	Offered courses/activities related to fitness, ergonomics and stress management.
Health and Wellness Program Development Year 2	Survey circulated to assess staff preferences for trainings/activity options in the areas of nutrition, fitness, stress mgmt. and ergonomics.	Survey circulated to staff mid June via Library News. Responses varied.
		Walking Program – completed. Hope to repeat annually.
Survey evaluation and training/activity coordination.	Based on survey results, arrange trainings and activities that satisfy core areas (fitness, nutrition, stress mgmt, ergo) while best matching staff preferences.	Line Dancing (Virtual Lessons) – Beginning Feb 2012 Laughter Yoga (by Rebel Librarian) – Date TBD Chi Kung - Date TBD
Develop Tracking System	Wellness Database to be merged with Personnel Database	Workplace Ergonomics with Balance and Motion- March 2012 Approx 30 participants enrolled in walking program. Staff

participated individually or in teams sometimes travelling prearranged routes and completing scavenger hunts. Some staff exceeded 11000 steps in a day.

Wellness database yet to be merged.

To be developed based on activities.

Incentive Program

Walking program – smoothie party for all participants and gift cert for highest step totals.

Plan Evaluation

On-going staff surveys & evaluation forms



<b>Library Website Functionality</b>		
<b>Lead</b>	Alicia Abramson	
<b>Description</b>	Enhance and update the library's web site for patron-friendliness, navigability, content and mobile optimization	
<b>Comments</b>		
<b>Budget</b>	\$15,000	
<b>Deliverables</b>		
<b>Step</b>	<b>Detail</b>	<b>Status</b>
Convene Website Redesign team	Website team will include Library wide representation	July 2011
Engage services of a design consultant	Consultant will assist team with analysis and create designs and layouts based on team direction	July 2011
Analyze existing site for usability, ease of use, compliance with current standards for web site development. Conduct a survey of current well designed Library and similar websites	Site traffic, use logs and use patterns will be reviewed and analyzed by staff to determine the most often used and least often used parts of the site. Staff will also assess current categories of information represented and work towards simplifying.	July – November 2011
Identify key stakeholders and solicit feedback about existing site	Information will be gathered from stakeholders in a number of ways including surveys, interviews and usability exercises with a focus on understanding users' interaction with the site to find desired content	December 2011- February 2012
Develop information architecture of site and test usability.	Create functional "wireframes" which map the site, reflect the structure and navigational model to be used and layout of information and design elements.	February – April 2012
Develop imagery and design elements for site	Design consultant will create several mockup designs for consideration by Website Committee. Feedback on design will also be solicited from key stakeholders.	April – May 2012

Solicit feedback on new design	Incorporate feedback and staff analysis of existing site into a redesigned framework	June – July 2012
Finalize design	Incorporate feedback into a finalized design; design shall be ADA accessible, cross platform compatible, offer mobile user options and adhere to current web standards.	July 2012
Soft Launch	Give stakeholders the opportunity to preview the site before “going live” in order to capture any feedback that can be used to fine tune the site	August 2012
Go Live	After fine tuning, go live with the new Web site	September 2012

<b>Voice over Internet Protocol (IP) phone system conversion</b>
<b>Lead</b> Alicia Abramson
<b>Description</b> The City of Berkeley is planning a citywide upgrade to the current PBX phone system of which the Library is a part. The upgrade will include the replacement of all desktop phones and PBX equipment.
<b>Comments</b>
<b>Budget</b> \$200,000 estimate in FY12

<b>Deliverables</b>		
<b>Step</b>	<b>Detail</b>	<b>Status</b>
Participate in City of Berkeley system selection process	System selection includes reviewing RFP responses, vendor presentations and site visits/interviews with other organizations utilizing proposed systems	July – September 2011
Contract Approval	City IT to present proposal for approval to City Council	March or April 2012
Prepare sites for new phone system	Make required and recommended preparations for new equipment installation	June – August 2012
Training	Train key staff to function as trainers for the larger staff groups; ensure all staff have basic training documents	September 2012
Install systems at all Library sites	Install and test phone systems	October – December 2012



**E-books and Electronic Resources – study impact of evolving technologies and strategies to respond to public needs and demands**

**Lead** Megan McArdle

**Description** Examine all current BPL electronic resources for their continued use and value; and explore new vendors and products that may address demand for provide electronic content.

**Comments**

**Budget** Current budget for electronic resources: \$120,000. Explore costs of downloadable media, platform fee and ongoing electronic content.

**Deliverables**

<b>Step</b>	<b>Detail</b>	<b>Status</b>
Convene staff meeting to go over current electronic resources.	We met with staff from various departments to go over our current database offerings, their costs, and their usage statistics. The group discussed new products that we wished to consider adding, as well as resources that could be cancelled due to lack of use or value. One major purchase that was requested was a new downloadable content service. Probable vendor decided.	April 2011
Explore options for downloadable content providers	Our current downloadable service has been bought out and will no longer be available after the end of our agreement June 30. We have had meetings and/or demonstrations from all of the vendors providing downloadable content to libraries. Only one vendor currently provides all the content we are looking for, although others say content is in development.	Dec 2010- May 2011
Begin negotiations with downloadable content provider	We have received a quote and license agreement from Overdrive, the content provider that best suits our needs for downloadable ebooks and audiobooks. Once BPL finance department has cleared the agreement, we will sign and begin development.	May 2011

<b>Step</b>	<b>Detail</b>	<b>Status</b>
Downloadable content service implementation	After agreement is signed, Overdrive will begin working with the library to develop our portal, by which patrons will browse and download material. The development takes 6-10 weeks. At this time we will also be selecting our titles for our opening collection. The vendor agreement includes an \$8000 credit for content, but the library will also need to budget to launch and grow this new format.	July/August 2011
Promote new downloadable service and train staff and patrons on new service	<p>To ensure a successful launch for Overdrive, we will need to train staff so they are effective in promoting it, and train patrons so that they understand how to use the service. Additionally we will want to promote Overdrive both in person with fliers, etc. and online on our website and social media outlets.</p> <p>UPDATE: As of February 2012, we have conducted formal trainings for staff and patrons on Overdrive; offered staff "petting zoos" where staff could come and try out various players, readers and other devices; have scheduled 4 upcoming office hours for patrons to come with their devices and questions to receive one-on-one help with the service.</p> <p>We have also received promotional materials from Overdrive which we continue to use to promote the service.</p>	Immediately pre- and post-launch
Respond to patron usage and experience of new downloadable service	<p>After launch, we will closely monitor usage, buying extra copies and new titles as demand indicates.</p> <p>UPDATE: As of February 2012, we have allocated additional funds to buy new Overdrive titles and extra copies of titles with holds. Our goal is to keep waiting lists below 4 holds per copy.</p>	Ongoing

<b>Step</b>	<b>Detail</b>	<b>Status</b>
Continue to explore new options for electronic resources	We will continue to work with staff and respond to patron suggestions for new electronic resources. This could include new and/or improved initiatives to provide access and wayfinding for free ebooks. We will be closely following trends and products that are occurring in the downloadable media area as well as new electronic databases that would be of use to our patrons.	Ongoing