

Additional Information
October 8, 2019 Board Meeting

The following additional information was provided regarding the October 8 Board agenda:

Item 3.a, Purchase Orders and Checks:

1. P0135055: Please contextualize this Fullerton College purchase. **This purchase was for Associated Press newswire service via the internet for students to use for news reporting purposes. Both Fullerton College Radio and TV programs have news reporting as part of their curriculum.**

Item 3.g, Agreement with Twining Consulting for Fullerton College Instructional Building and Central Plant:

1. In comparing this item with Item 3.f, questions regarding 3. g are: Item 3.f for Inspector of Record lists 7 criteria, but Item 3.g list 5 "factors." Please explain the difference, since materials testing need special sophistication. **Although each of these recommendations are related to professional roles in the inspection process, they are for two different roles. The Inspector of Record has oversight of the entire project, including the work of the Lab of Records (LOR) and the criteria that are reflected include the key items associated with this specific role. Both the Inspector of Record and the LOR firms under consideration were pulled from a prequalified list of vendors. There are fewer factors associated with the selection of the firm for the LOR role as the work of the LOR is largely outlined and defined by the DSA requirements that must be met.**
2. Was the recommendation unanimous as was the recommendation on Item 3.f.? **Yes, Twining Consulting was unanimously recommended to the Board.**

Item 6.c, Revised Board Policies:

1. Revised BP 3050, Section 2.1: This prohibits all District employees from having any financial interest in any contract made by the Board of Trustees. Are all contracts "made by the Board"? If so, is this prohibition really what was intended, and if so, why, if the employee has no role in selecting or managing the contract? **Not all contracts are "made by the Board." Contracts under the \$92,600 threshold and construction services contracts under the \$200,000 threshold do not require initial Board approval. Those contracts can be signed by the District's authorized signers, and are later ratified by the Board via the purchase order listing. Additionally, certain designated employees, as outlined in AP 2710, Conflict of Interest, shall not be financially interested in any contract made either by the Board or in their capacity as a District employee.**
2. Revised BP 3050, Section 2.1: Does "financial interest" extend to spouses? For example, say a security guard's wife owns a printing business and the guard has no role at all in selecting printing contractors; is the wife barred from competing for District business? **A spouse or family member is not barred from competing for District business, however, the District employee (or trustee) must disclose the relationship to the Board as outlined in AP 2710, Conflict of Interest.**
3. Revised BP 3050, Section 2.2: This prohibits employees from being involved in contracts if they have a conflict of interest, but only if federal money is involved. Was this specifically limited in that way? **The proposed language in Section 2.2 was recommended by the CCLC Policy and Procedure Service, and it mirrors language contained in AP 2710, Conflict of Interest, which is based on federal regulations.**