

AGENDA

for the

Special Meeting

of the

Board of Trustees



**Administration Building, Rm. B-1, 1319 New Sunnybrook Dr.,
Tyler, TX**

Tyler Independent School District

**February 10, 2009
3:00 PM**

**NOTICE OF SPECIAL MEETING OF THE
TYLER INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Notice is hereby given that on Tuesday, February 10, 2009, the Board of Trustees of the Tyler Independent School District will hold a Special meeting at 3:00 PM at the Administration Building, Rm. B-1, 1319 New Sunnybrook Dr., Tyler, TX. The subjects to be discussed are listed on the agenda which is attached to and made a part of this Notice.

Individuals with disabilities are entitled to have access to and participate in public meetings. An individual requiring an accommodation for access to the meeting must notify the Tyler Independent School District by informing Dr. Karen Raney, the district's ADA coordinator, in writing 24 hours prior to the scheduled meeting of the necessity of an accommodation. Upon receipt of this request, the district will furnish appropriate auxiliary aides and services when necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of the board meeting as nonhandicapped individuals enjoy.

If, during the course of the meeting covered by this Notice, the Board of Trustees should determine that a closed or executive meeting or session of the Board of Trustees is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., will be held by the School Board at the date, hour, and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the School Board may conveniently meet in such closed or executive meeting or session concerning any and all purposes permitted by the Act.

Texas Government Code Section:

551.071	Private consultation with the board's attorney.
551.072	Discussing purchase, exchange, lease, or value of real property.
551.073	Discussing negotiated contracts for prospective gifts or donations.
551.074	Discussing personnel or to hear complaints against personnel.
551.076	Considering the deployment, specific occasions for, or implementation of, security personnel or devices.
551.082	Considering discipline of a public school child, or complaint or charge against personnel.
551.083	Considering the standards, guidelines, terms, or conditions the board will follow, or will instruct its representatives to follow, in consultation with representatives of employee groups.
551.084	Excluding witnesses from a hearing.

Should any final action, final decision, or final vote be required in the opinion of the School Board with regard to any matter considered in such closed or executive meeting, then the final action, final decision, or final vote shall be either:

- (a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
- (b) at a subsequent public meeting of the School Board upon notice thereof; as the School Board shall determine.

**TYLER INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES SPECIAL BOARD MEETING**

Tuesday, February 10, 2009 3:00 PM

Administration Building, Rm. B-1, 1319 New Sunnybrook Dr., Tyler, TX

AGENDA

- I. Call to Order
- II. First Order of Business -- Announcement by the Chairman as to the presence of a quorum, that the meeting has been duly called and that notice of the meeting has been posted in the time and manner required.
- III. Executive Session will be held for the purposes authorized by the Texas Open Meetings Act, Texas Government Code Section 551.071 et seq. concerning any and all purposes permitted by the Act.
 - A. Texas Government Code Section 551.071 For the purpose of a private consultation with the board's attorney on all subjects or matter authorized by law.
 - I. When the governmental body seeks the advice of its attorney about pending or contemplated litigation or a settlement offer or
 - II. On a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
 - III. Consider legal advice regarding personnel and related action items.
 - IV. Consider legal advice regarding the purchase and sale agreement for the purchase of land and related action items.
 - B. Texas Government Code Section 551.074 For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.
 - I. Consider hiring and accepting resignations of professional personnel.
 - a. Acceptance of Resignation of W. Wesley. Approve dismissal of federal lawsuit and grievance.
 - b. Construction Manager
 - II. Consider renewals, non-renewals and terminations of contracts for professional personnel. (To deliberate the appointment, employment, evaluation, reassignment, duties, and contracts of employees.)
- IV. Reconvene from Executive Session
- V. Consider action on items discussed in Executive Session
 - A. Consider board approval of hiring, accepting resignations and/or terminations of professional personnel.
 - I. Acceptance of Resignation of W. Wesley. Approve dismissal of federal lawsuit and grievance. 5
 - II. Construction Manager
 - B. Consider renewals, non-renewals and terminations of contracts for professional personnel.
- VI. Business/Legal/Finance Consent Agenda
 - A. Consider approval of LAN Infrastructure Electronics for Clarkston, Griffin, Jones/Boshears, Orr and Woods Elementary Schools 6

B.	Consider approval of Fiber Optic Wide Area Network Lease	8
C.	Consider approval of Streaming Video for Clarkston, Griffin, Jones/Boshears, Orr and Woods Elementary Schools	9
D.	Consider approval of Communication Cable Infrastructure for Clarkston, Griffin, Jones/Boshears, Orr and Woods Elementary Schools	10
E.	Consider approval of Guaranteed Maximum Price (GMP) Building Package for Andy Woods Elementary School	11
F.	Consider approval of Guaranteed Maximum Price (GMP) Building Package for Clarkston Elementary School	13
G.	Consider approval of Guaranteed Maximum Price (GMP) Building Package for Orr Elementary School	15

VII. Adjournment

Subject: Personnel Actions

BACKGROUND

Personnel actions are as indicated.

ADMINISTRATION CONSIDERATION

Personnel appointments recommended for confirmation have met the employment prerequisites of the Tyler Independent School District. The candidates either hold valid certificates or such alternatives as specified by the Board. Proposed contract renewals for one year term contracts and one year non-certified contracts for administrators are also considered.

Recommendations for new appointments are based on interviews, references, adequacy of preparation, performance records and the Superintendent's approval.

The appointments, resignations, retirements, and non-renewals are subject to the approval of the Board of Trustees.

RECOMMENDATION

The confirmation of personnel actions as indicated.

ACTION REQUIRED

Board approval

CONTACT PERSON

Randy Reid, Ed. D.
Sharon Roy

02-10-09

Subject: LAN Infrastructure Electronics for Clarkston, Griffin,
Jones/Boshears, Orr and Woods Elementary Schools

BACKGROUND INFORMATION

RFPs to provide for the network electronics (Ethernet switches, wireless access points, and etc.) for the campuses included in the 2008 bond issue were posted on the TISD website on December 23, 2008. The proper forms were filed the same day with the Schools and Libraries Division of the Universal Service Administrative Company who is the administrator of the E-rate fund. In order to be eligible for E-rate discounts twenty-eight days must elapse before bids are considered.

ADMINISTRATIVE CONSIDERATION

Two vendors responded to the RFPs and were evaluated on the basis of price, geographic presence, quality, resources, K-12 experience, and experience with the E-rate program. TISD staff and Stravis Technologies, the district's technology consulting firm, reviewed the proposals.

AT&T	\$561,278.20
Xeta Technologies	\$746,385.00

ADMINISTRATIVE RECOMMENDATION

The administration recommends that the Board approve a contract for the LAN Electronics Infrastructure for Clarkston, Griffin, Jones/Boshears, Orr and Woods Elementary Schools with AT&T in the amount of \$561,278.20.

ACTION REQUIRED

Board Approval

CONTACT PERSONS

John Orbaugh

02-10-09

Subject: LAN Infrastructure Electronics for Clarkston, Griffin,
Jones/Boshears, Orr and Woods Elementary Schools

BACKGROUND INFORMATION

RFPs to provide for the network electronics (Ethernet switches, wireless access points, and etc.) for the campuses included in the 2008 bond issue were posted on the TISD website on December 23, 2008. The proper forms were filed the same day with the Schools and Libraries Division of the Universal Service Administrative Company who is the administrator of the E-rate fund. In order to be eligible for E-rate discounts twenty-eight days must elapse before bids are considered.

ADMINISTRATIVE CONSIDERATION

Two vendors responded to the RFPs and were evaluated on the basis of price, geographic presence, quality, resources, K-12 experience, and experience with the E-rate program. TISD staff and Stravis Technologies, the district's technology consulting firm, reviewed the proposals.

AT&T	\$547,194.20
Xeta Technologies	\$746,385.00

ADMINISTRATIVE RECOMMENDATION

The administration recommends that the Board approve a contract for the LAN Electronics Infrastructure for Clarkston, Griffin, Jones/Boshears, Orr and Woods Elementary Schools with AT&T in the amount of \$547,194.20.

ACTION REQUIRED

Board Approval

CONTACT PERSONS

John Orbaugh

02-10-09

Subject: Fiber Optic Wide Area Network Lease

BACKGROUND INFORMATION

An RFP to provide for the district's wide area network needs was posted on the TISD website on December 23, 2008. The proper forms were filed the same day with the Schools and Libraries Division of the Universal Service Administrative Company who is the administrator of the E-rate fund. In order to be eligible for E-rate discounts twenty-eight days must elapse before bids are considered.

ADMINISTRATIVE CONSIDERATION

One proposal for wide area network was received and evaluated on the basis of price, geographic presence, quality, resources, K-12 experience, and experience with the E-rate program.

AT&T

\$292,385.28 per year

AT&T is the current provider of this service for the district. Our experience with AT&T has been extremely satisfactory. The proposed rate represents an annual cost reduction of \$98,653.20.

ADMINISTRATIVE RECOMMENDATION

The administration recommends that the Board approve a contract for the leased fiber optic wide area network with AT&T in the amount of \$292,385.00 per year for a term of 5 years. The contract will be in effect on July 1, 2009. TISD's current discount rate for this service is 73%.

ACTION REQUIRED

Board Approval

CONTACT PERSONS

John Orbaugh

02-10-09

Subject: Streaming Video for Clarkston, Griffin, Jones/Boshears, Orr and Woods Elementary Schools

BACKGROUND INFORMATION

RFPs to provide for the streaming video products and services for the campuses included in the 2008 bond issue were posted on the TISD website on December 23, 2008. The proper forms were filed the same day with the Schools and Libraries Division of the Universal Service Administrative Company who is the administrator of the E-rate fund. In order to be eligible for E-rate discounts twenty-eight days must elapse before bids are considered.

ADMINISTRATIVE CONSIDERATION

One vendor responded to the RFPs and was evaluated on the basis of price, geographic presence, quality, resources, K-12 experience, and experience with the E-rate program. TISD staff and Stravis Technologies, the district's technology consulting firm, reviewed the proposals.

Inventive Technology	\$391,705.00
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ADMINISTRATIVE RECOMMENDATION

Inventive Technology was the supplier of streaming video products for TISD since the 2004 bond issue. The administration recommends that the Board approve a contract for the streaming video products and services for Clarkston, Griffin, Jones/Boshears, Orr and Woods Elementary Schools with AT&T in the amount of \$391,705.00.

ACTION REQUIRED

Board Approval

CONTACT PERSONS

John Orbaugh

02-10-09

Subject: Communication Cable Infrastructure for Clarkston, Griffin, Jones/Boshears, Orr and Woods Elementary Schools

BACKGROUND INFORMATION

RFPs to provide for the network cable infrastructure for the campuses included in the 2008 bond issue were posted on the TISD website on December 23, 2008. The proper forms were filed the same day with the Schools and Libraries Division of the Universal Service Administrative Company who is the administrator of the E-rate fund. In order to be eligible for E-rate discounts twenty-eight days must elapse before bids are considered.

ADMINISTRATIVE CONSIDERATION

Three vendors responded to the RFPs and were evaluated on the basis of price, geographic presence, quality, resources, K-12 experience, and experience with the E-rate program. TISD staff and Stravis Technologies, the district's technology consulting firm, reviewed the proposals.

AT&T	\$2,336,422.60
ComNet Communications – Primary	\$1,662,526.82
ComNet Communications – Alternate 1	\$1,651,759.18
ComNet Communications – Alternate 2	\$1,616,389.48
Xeta Technologies	\$3,266,694.00

ADMINISTRATIVE RECOMMENDATION

The administration recommends that the Board approve a contract for the network cable infrastructure for Clarkston, Griffin, Jones/Boshears, Orr and Woods Elementary Schools with ComNet Communications in the amount of \$1,662,526.82.

The ComNet Communications alternate proposals featured a slightly lower quality product, however due to the long term nature of the infrastructure and continually growing technology demands the higher quality product was preferred.

ACTION REQUIRED

Board Approval

CONTACT PERSONS

John Orbaugh

02-10-09

Subject: Guaranteed Maximum Price (GMP) Building Package for Andy Woods Elementary School

BACKGROUND INFORMATION

Proposals were advertised by the local newspaper within time requirements. Plans and specifications were made available through the Dodge Plan Room in Dallas/Ft. Worth; Reed Construction Data Plan Rooms in Tyler/Dallas; Minority Business Council Plan Room in Dallas; Offices of Denson Construction Co. and Eubanks Harris Roberts Craig Architects, Inc.

ADMINISTRATIVE CONSIDERATION

Denson Construction Company's GMP, including all work categories for the building package is as follows:

Andy Woods Elementary \$ 15,190,760

ADMINISTRATIVE RECOMMENDATION

The Administration recommends approval of the GMP to Denson Construction Company, Inc. for the GMP Building Package for Andy Woods Elementary School. This amount \$ 15,190,760 reflects a total within the budget.

ACTION REQUIRED

Board Approval

CONTACT PERSONS

Tim Loper

02-10-09

Subject: Guaranteed Maximum Price (GMP) Building Package for Andy Woods Elementary School

BACKGROUND INFORMATION

Proposals were advertised by the local newspaper within time requirements. Plans and specifications were made available through the Dodge Plan Room in Dallas/Ft. Worth; Reed Construction Data Plan Rooms in Tyler/Dallas; Minority Business Council Plan Room in Dallas; Offices of Denson Construction Co. and Eubanks Harris Roberts Craig Architects, Inc.

ADMINISTRATIVE CONSIDERATION

Denson Construction Company's GMP, including all work categories for the building package is as follows:

Andy Woods Elementary (to be presented as a walk-in item)

ADMINISTRATIVE RECOMMENDATION

The Administration recommends approval of the GMP to Denson Construction Company, Inc. for the GMP Building Package for Andy Woods Elementary School. This amount (to be provided as a walk-in item) reflects a total within the budget.

ACTION REQUIRED

Board Approval

CONTACT PERSONS

Tim Loper

Subject: Guaranteed Maximum Price (GMP) Building Package for Clarkston Elementary School

BACKGROUND INFORMATION

Proposals were advertised by the local newspaper within time requirements. Plans and specifications were made available through the Dodge Plan Room in Dallas/Ft. Worth; Reed Construction Data Plan Rooms in Tyler/Dallas; Minority Business Council Plan Room in Dallas; Offices of RPR Construction Co. and Eubanks Harris Roberts Craig Architects, Inc.

ADMINISTRATIVE CONSIDERATION

RPR Construction Company's GMP, including all work categories for the building package is as follows:

Clarkston Elementary School \$14,088,879

ADMINISTRATIVE RECOMMENDATION

The Administration recommends approval of the GMP to RPR Construction Company, Inc. for the GMP Building Package for Clarkston Elementary School. This amount \$ 14,088,879 reflects a total within the budget.

ACTION REQUIRED

Board Approval

CONTACT PERSONS

Tim Loper

02-10-09

Subject: Guaranteed Maximum Price (GMP) Building Package for Clarkston Elementary School

BACKGROUND INFORMATION

Proposals were advertised by the local newspaper within time requirements. Plans and specifications were made available through the Dodge Plan Room in Dallas/Ft. Worth; Reed Construction Data Plan Rooms in Tyler/Dallas; Minority Business Council Plan Room in Dallas; Offices of RPR Construction Co. and Eubanks Harris Roberts Craig Architects, Inc.

ADMINISTRATIVE CONSIDERATION

RPR Construction Company's GMP, including all work categories for the building package is as follows:

Clarkston Elementary School (to be presented as a walk-in item)

ADMINISTRATIVE RECOMMENDATION

The Administration recommends approval of the GMP to RPR Construction Company, Inc. for the GMP Building Package for Clarkston Elementary School. This amount (to be presented as a walk-in item) reflects a total within the budget.

ACTION REQUIRED

Board Approval

CONTACT PERSONS

Tim Loper

02-10-09

Subject: Guaranteed Maximum Price (GMP) Building Package for Orr Elementary School

BACKGROUND INFORMATION

Proposals were advertised by the local newspaper within time requirements. Plans and specifications were made available through the Dodge Plan Room in Dallas/Ft. Worth; Reed Construction Data Plan Rooms in Tyler/Dallas; Minority Business Council Plan Room in Dallas; Offices of Denson Construction Co. and Eubanks Harris Roberts Craig Architects, Inc.

ADMINISTRATIVE CONSIDERATION

Denson Construction Company's GMP, including all work categories for the building package is as follows:

Orr Elementary School \$ 15,790,297

ADMINISTRATIVE RECOMMENDATION

The Administration recommends approval of the GMP to Denson Construction Company, Inc. for the GMP Building Package for Orr Elementary School. This amount \$ 15,790,297 reflects a total within the budget.

ACTION REQUIRED

Board Approval

CONTACT PERSONS

Tim Loper

Subject: Guaranteed Maximum Price (GMP) Building Package for Orr Elementary School

BACKGROUND INFORMATION

Proposals were advertised by the local newspaper within time requirements. Plans and specifications were made available through the Dodge Plan Room in Dallas/Ft. Worth; Reed Construction Data Plan Rooms in Tyler/Dallas; Minority Business Council Plan Room in Dallas; Offices of Denson Construction Co. and Eubanks Harris Roberts Craig Architects, Inc.

ADMINISTRATIVE CONSIDERATION

Denson Construction Company's GMP, including all work categories for the building package is as follows:

Orr Elementary School (to be presented as a walk-in item)

ADMINISTRATIVE RECOMMENDATION

The Administration recommends approval of the GMP to Denson Construction Company, Inc. for the GMP Building Package for Orr Elementary School. This amount (to be presented as a walk-in item) reflects a total within the budget.

ACTION REQUIRED

Board Approval

CONTACT PERSONS

Tim Loper