

COLLEGE OF SOUTHERN IDAHO
BOARD OF TRUSTEES MEETING

JULY 17, 1995

PRESIDENT'S BOARD ROOM

5:30 p.m.

AGENDA

MINUTES

TREASURER'S REPORT:

Bid: Video Commander Graphical Routing System

OLD AND NEW BUSINESS:

Review Bid Preference Law: *Bob Alexander*

Campus Paving--Water: *Dale Riedesel*

Summer School: *Ron Shopbell*

CSI Foundation Update: *President Larry Cope*

COLLEGE OF SOUTHERN IDAHO
COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES MEETING
JULY 17, 1995

CALL TO ORDER: 5:30 p.m. PRESIDING: LeRoy Craig

ATTENDING: Trustees: LeRoy Craig, Dr. Thad Scholes, Dr.
Charles Lehrman and Donna Brizee

College Administration: Gerald Meyerhoeffer, President
John M. Mason, Secretary/Treasurer
Robert Alexander, College Attorney
Dr. Joan Edwards, Vice President of Planning,
Research and Development
Dr. John Martin, Registrar
Ron Shopbell, Director of Continuing Education
Dick Sterling, Physical Plant Director
Annette Jenkins, Public Information Director

Visitors: CSI Staff: None

Times News: Karen Tolkkinen

Visitors: None

MINUTES OF JUNE 19, 1995 were approved as written on MOTION
by Dr. Thad Scholes. Affirmative vote was unanimous.

TREASURERS REPORT: Acceptance of the Treasurer's report was
approved on MOTION by Donna Brizee. Affirmative vote was
unanimous.

BIDS:

1. The Board approved the bid of Iris Technologies of Greensburg, Pennsylvania in the amount of \$20,790 for a Video Commander Graphical Routing System on MOTION by Dr. Thad Scholes. Affirmative vote was unanimous.
Funding for this equipment is from the R.E.A. grant.

PRESIDENT'S REPORT:

1. Dale Riedesel, Division of Public Works contract engineer, made a presentation to the Board on the status of campus pavement and the water drainage system.

1. (continued) Mr. Riedesel advised the Board, that due to supply and price, the future use of Twin Falls city water would be limited. He suggested looking at alternative sources such as geothermal flow through as a secondary source for irrigation.

The President directed Robert Alexander to contact John Roshalt concerning the possible use of geothermal water for irrigation.

2. Larry Cope, President of the College of Southern Idaho Foundation, reported on activities and highlights of the past year. He noted that:

a. \$268,000 in scholarships were given to 475 students last year.

b. The capital campaign for the Herrett Center raised a total of \$3,288,000 with most of the contributions last year. Dan Looney, Earl Faulkner and Donna Brizee were recognized for their efforts on the capital campaign.

c. The annual campaign for scholarships will be low key this year due to the significant contributions given to the capital campaign last year.

d. Foundation fund raising will focus on planned giving this year.

e. The Foundation will continue to work for a balance of involvement and representation from the surrounding communities.

LeRoy Craig thanked Donna Brizee and Larry Cope for their involvement in the Foundation and commitment to the College.

3. Ron Shopbell reported on summer school enrollment and the classes being offered.

4. John Martin reported that, as a result of open registration, we have registered approximately half of the estimated students that we will be enrolling this fall. We have been enrolling approximately one hundred per week and expect this pace to increase as the summer continues.

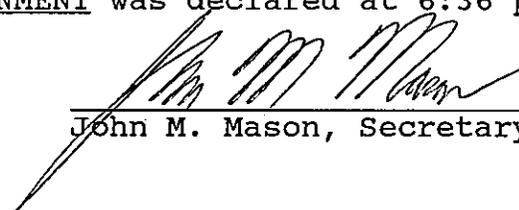
5. Robert Alexander is reviewing the legality of a bid preference policy.

6. The City of Twin Falls will be paying for the construction of five new tennis courts on campus next spring. The installation of lights and restrooms will be a cooperative effort between the City and the College.

7. The annual CSI Security Policy and Fiscal Crime Report was presented to the Board. The President noted recent thefts in the Vocational Division car storage area. He stated that we would be erecting a security fence around this area in the near future.

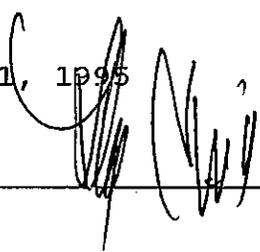
8. The President discussed the make up of the Idaho Board of Education and the issues they would be confronting this year.

ADJOURNMENT was declared at 6:36 p.m.



John M. Mason, Secretary-Treasurer

APPROVED August 21, 1995



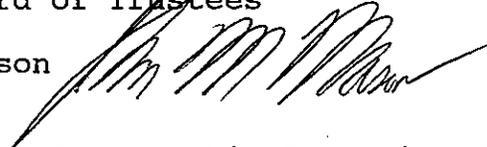
Chairman



COLLEGE OF
SOUTHERN
IDAHO
BUSINESS OFFICE

July 7, 1995

To: President Meyerhoeffer and the College of Southern
Idaho Board of Trustees

From: Mike Mason 

Re: Video Commander Graphical Routing System Bid

We received one bid for the specified equipment. Based upon a review of the bid by Dr. Ken Campbell, I recommend we accept the bid of Iris Technologies of Greensburg, Pennsylvania in the amount of \$20,790.

Funding for this equipment is from the R.E.A. grant.

LAW OFFICES
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HARWOOD & HIGH**

HARRY BENOT 1893 - 1968

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June 27, 1995

Mr. John M. Mason
College of Southern Idaho
P.O. Box 1238
Twin Falls, ID 83303-1238

RE: Purchasing Preference

Dear Mike:

Per our discussion at the June Board of Trustees meeting concerning the possibility of the Board adopting a policy which would give district resident bidders some preference when competing with non-district bidders. My charge was to complete the research necessary to make a recommendation to you and the Board.

As you know, I.C. § 33-601 (2) provides that a school district must advertize and bid all contracts and purchases over \$15,000.00 and either award the bid to the lowest responsible bidder or reject all bids and readvertize. There is another statute on the books that speaks to the issue of preference for local bidders. That is I.C. § 67-2348 which provides as follows:

"Preference for Idaho domiciled contractors public works.
- To the extent permitted by federal laws and regulations, whenever the State of Idaho, or any department, division, bureau or agency thereof, or any city, county, SCHOOL DISTRICT, district, good road district, fire district, irrigation district, drainage district, sewer district, highway district, or other public body, SHALL LET FOR BID ANY CONTRACT TO A CONTRACTOR FOR ANY PUBLIC WORKS THE CONTRACTOR DOMICILED OUTSIDE THE BOUNDARIES OF IDAHO SHALL BE REQUIRED, IN ORDER TO BE SUCCESSFUL, TO SUBMIT A BID THE SAME PERCENT LESS THAN THE LOWEST BID SUBMITTED BY A RESPONSIBLE CONTRACTOR DOMICILED IN IDAHO AS WOULD BE REQUIRED FOR SUCH AN IDAHO DOMICILED CONTRACTOR TO SUCCEED OVER THE BIDDING CONTRACTOR DOMICILED OUTSIDE IDAHO ON A LIKE CONTRACT BEING LET IN HIS DOMICILIARY STATE."

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Most states have statutes which provide for a preference for contractors domiciled in that state. What this statute means is that if CSI received a bid from a California supplier or contractor and California has a statute which gives California bidders a 5% preference over non California bidders, then CSI could add 5% to the California bid before comparing it to district resident bidders.

The problem I see in approaching the issue as prescribed by the above statute is that we would have to know what each state's preference statute provides before applying the formula. The Moscow policy obviously sets a formula without reference to what may be provided by those statutes. The Moscow policy limits the local preference to bidders resident in the school district. Should CSI decide to adopt such a policy, it should likewise define a local bidder as a tax paying business resident within the college district. In otherwords, a bidder resident in Jerome or Twin Falls Counties would have a preference over a bidder resident in Cassia County.

The case law raises the concern I voiced at the meeting. The case of Scott v Buhl Joint School District No. 412, a 1993 case found at 123 Idaho 779, 852 P2d 1376, illustrates the problem. The Court states that:

"It is clear that in Idaho, and under a competitive bidding statutes providing for the award of the contract to the lowest responsible bidder, THE LOWEST BIDDER HAS A PROPERTY INTEREST IN THE AWARD OF THE CONTRACT. Further, in order to justifiably award the contract to a bidder other than the lowest bidder, the governmental entity must afford the lowest bidder due process, i.e., notice and an opportunity to be heard at a meaningful time."

I believe that means that unless CSI could defend a preference policy on the basis of 67-2348, that is a non-Idaho bidder from a state which has a preference statute, CSI would face the possibility of a hearing and lawsuit from any "lowest responsible bidder" who was not awarded the contract. When the Court goes so far as to announce that the lowest responsible bidder has a property right in the award of the contract, CSI would be required to justify the failure to award that contract.

It is likely that the Moscow Board, fully aware of the above, simply decided that it could justify the "Purchasing Preference" policy with the argument that local bidders pay taxes and therefore are entitled to a preference. That argument may be successful but

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"lowest responsible bidder" who is not awarded the contract because of application of the policy.

When you have had a chance to think about this report, give me a call and we can discuss the pros and cons. I hesitate to recommend that we put such a policy in writing and later have to eat our own policy.

Best regards,



J. Robert Alexander

JRA/ka
(C-45\Mason.ltr)

pc: President Meyerhoeffer

CSI Security Policy and Fiscal Crime Report

The College of Southern Idaho is a student-centered institution designed to provide a complete educational experience for all students. The goal of the College Security Staff is to assist in that process to make sure that the campus is a safe and orderly environment. To provide service, we staff the department 24 hours per day, seven days per week and we can be reached at all times by telephone. Our number when calling from on campus is Extension 2600, **Emergency 2222**, and from off campus the number is 734-0353. The Security Office is located in the Maintenance Building just north of the Dormitory on the campus loop road.

The College Campus is considered a pedestrian campus; therefore, people on foot always have the right of way and vehicle traffic is expected to yield. For pedestrian safety we have established campus driving regulations that are more restrictive than those for the public city streets. Driving limitations are published under a separate cover and we encourage you to familiarize yourself with the limits. Driving and parking regulations are strictly enforced because of our concern for pedestrian safety and citations are issued. Your observance of these regulations will be appreciated.

College policy as established and approved by the student body and the Board of Trustees prohibits the sale, use or possession of alcohol or illegal drugs of any kind on campus or at college functions. Incidents involving alcohol or drugs will be reported to the Student Activities Director and to appropriate law enforcement authorities if a violation of the law has occurred.

To assist us with parking and traffic we ask that each vehicle being operated by students, faculty or staff display a current CSI decal. The first decal is free and will be available during registration or any other time at the Maintenance Building. Additional decals for other vehicles may be purchased for \$2.50 each. Restricted parking is for

handicapped students and visitors, so please do not use these areas unless you have a proper permit. Because we strongly believe that these special parking areas are important we will issue citations to people parking improperly.

We have the ability to offer assistance with stalled vehicles as the result of bad batteries and vehicles with the keys locked inside. We also maintain a lost and found reporting log at the Information Desk in the Taylor Building and the Security Office in the Maintenance Building.

The Security Department reports all felony and serious crimes to the appropriate police agency. We request that students, faculty, staff, and visitors report all crimes that occur on the CSI campus or property to the Security Department. Security patrols the campus and checks all buildings including the dorm residence on a regular basis, logging each entry. Security does not carry fire arms and have limited police powers.

The following is a list of incidents reported on CSI property during the school year from July 1, 1994 through June 30, 1995.

Grand Theft	8	Murder	0
Burglary Building	8	Rape	0
Burglary Auto	3	Robbery	0
Auto Theft	2	Aggravated Assault	0
Alcohol Arrests	2	Illegal Drug Arrests	0
Weapons Arrests	0		

If you have any questions about parking, traffic or other items, please feel free to call us.

College of Southern Idaho
Division of Continuing Education
Summer School 1995

Academic Classes	981	31% increase over 1994
Vocational Classes	307	22% increase over 1994
Microwave Students	268	
Oregon Coast Biology Trip	20	
Shakespearean Festival Trip	15	
Multi-Media Workshop	13	
Internet Workshop	15	
Interpreter Training Workshop	21	
College for Kids		
All Continuing Ed Centers	1208	
Dance Camp	153	
Music Camp	103	
Science Camp	26	
Adult Enrichment	135	