



BOARD OF TRUSTEES
MONTGOMERY COLLEGE

RECORD OF RESOLUTIONS

Central Services Building • Room CT S109 • 9221 Corporate Blvd, Rockville, MD 20850

This meeting was held via teleconference
Call-in: 1-301-715-8592 • Meeting ID: 927 0816 2641

May 18, 2020, 6:30 p.m.

<u>Resolution Number</u>		<u>Pages</u>
20-05-036	Personnel Actions Confirmation	2-5
20-05-037	Board Support of Temporary Authority for the President to Respond to the COVID-19 Emergency	6-9
20-05-038	Award of Contract, Mannakee Center for Training Excellence, Second Floor Renovation, Rockville Campus, Bid 620-009	10-13
20-05-039	Award of Contract, Repairs to the Physical Education Center Exterior Stair, Paul Peck Art Building Structural Deck, and Gordon and Marilyn Macklin Tower Concrete, Rockville Campus, Bid 620-010	14-17
20-05-040	Award of Contract, Macklin Business Institute Finance Lab 100 in the Gordon and Marilyn Macklin Tower, Rockville Campus, Bid 620-011	18-21
20-05-041	Sole Source Award of Contract, Continuation of Interim Information Technology Leadership Services	22-24
20-05-042	New Policy 11006-Presidential Transition and Succession	25-29
20-05-043	Collective Bargaining Agreement between Montgomery College and Service Employees International Union, Local 500	30-31
20-05-044	Supplemental Appropriation Request for FY20 Current Fund Budget	32-35

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 7A
May 18, 2020

PERSONNEL ACTIONS CONFIRMATION REPORT

BACKGROUND

The Board of Trustees by state law has the authority and the responsibility for appointments to the College. Each month the Board receives a summary of personnel actions from the Office of Human Resources and Strategic Talent Management on new hires and employees who have separated from the College.

RECOMMENDATION

It is recommended that the Board adopt the attached report.

BACKUP INFORMATION

Board Resolution
Personnel Actions Confirmation Report
Policy 34001–Changes in Employee Status

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Schena

RESOURCE PERSON

Ms. Leitch Walker

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **20-05-036**

Agenda Item Number: 7A
May 18, 2020

Adopted on: **5/18/2020**

Subject: Personnel Actions Confirmation

WHEREAS, By state law the Board of Trustees has the authority and responsibility for appointments to the College; and

WHEREAS, The attached summary indicates related personnel actions taken by the College during the period March 1, 2020, through March 31, 2020; and

WHEREAS, The president of the College recommends that the Board adopt the following resolution; now therefore, be it

Resolved, That the Board of Trustees accepts the attached reports and confirms the actions of the president.

Attachments

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From March 1, 2020, through March 31, 2020

STAFF

STAFF EMPLOYMENTS

Effective

Date	Name	Position Title	Grade	Department
03/23/2020	Bonilla, Santiago E	Financial Aid Assistant	21	Financial Aid
03/23/2020	Converse, John N	Campus Police Officer	19	Facilities Security – RV
03/23/2020	Felder, Tanesha I	Financial Aid Assistant	21	Financial Aid
03/23/2020	Fishbein, Justin M	Public Safety Dispatcher Lead	17	Facilities Security – RV
03/09/2020	French, Andrew B	Grounds Maintenance Worker	15	Facilities Operations - RV
03/23/2020	Hoang, Thi M	Financial Aid Assistant	21	Financial Aid
03/23/2020	Holland, Wanda	Administrative Aide I	15	Facilities Security - TP/SS

STAFF SEPARATIONS

Effective

Date	Name	Position Title	Grade	YOS	Department
03/11/2020	Bare, Jeffrey N	Constr Trades Worker	25	9	Facilities Operations - CT
03/20/2020	Brazil, Nicolle R	Admission & Reg Asst	23	6	Admission Services
03/13/2020	Coveney-Smith, Jennifer M	Fin Aid Outreach Cnslr	27	0	Financial Aid
03/16/2020	Crosby-Black, Nykolle M	Executive Associate I	25	7	Facilities Operations - GT
03/02/2020	Dowery, Aaron	Grounds Maint. Wrkr	15	0	Facilities Operations - GT
03/20/2020	Pan, Dansui ¹	Research Analyst	29	18	Institutional Research & Analysis
03/30/2020	Serrano-Solano, Antonio ¹	Building Services Wrkr	11	17	Facilities - Central Admin

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	Haw-PI	TOTAL
Female	0	2	0	1	0	0	3
Male	3	0	1	0	0	0	4
TOTAL	3	2	1	1	0	0	7

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	Haw-PI	TOTAL
Female	1	2	0	1	0	0	4
Male	1	2	0	0	0	0	3
TOTAL	2	4	0	1	0	0	7

¹ Retirement

**MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From March 1, 2020, through March 31, 2020**

FACULTY

FACULTY EMPLOYMENTS:

Effective

Date	Name	Position Title	Grade	Department
03/07/2020	Crist, Brenda M	Associate Professor - N/T	T	CW Dean Stu Access-GT Stu Svs

FACULTY EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	1	0	0	0	0	1
Male	0	0	0	0	0	0
TOTAL	1	0	0	0	0	1

FACULTY SEPARATIONS - NONE

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 7B
May 18, 2020

**BOARD SUPPORT OF TEMPORARY AUTHORITY FOR THE PRESIDENT TO
RESPOND TO THE COVID-19 EMERGENCY**

BACKGROUND

The world is in the midst of a declared global pandemic virus, COVID-19. A state of emergency was declared by the Governor of Maryland on March 5, 2020, and emergency actions were subsequently taken by the Montgomery County Government. In response, Montgomery College, through its president, and with strong support of the Board, has been taking steps to protect students and employees from the spread of the virus, while maintaining the continuity of educational services while under the new conditions required by the pandemic.

Pursuant to College Policy 11005–Formulation and Issuance of College Policies and Procedures, the Board of Trustees, in consultation with the president of the College, develops and establishes policies that serve as the general principles for operations and decision-making, and, where appropriate, for delegating authority to the president. However, neither Policy 11005 nor any other College policy specifically address policy and procedural issues that arise when educational services are intended to continue during a declared emergency. In addition, due to the quickly evolving nature of the emergency, guidance from federal, state, and local officials changes almost daily.

With frequent updates, as summarized in this month’s President’s Report, there has been an extensive and timely response from Montgomery College’s leadership to transform and continue educational and support operations in support of our students, teaching faculty, and support staff, consistent with the College’s mission, vision and values. In this process, the president and senior leadership have found that the Board’s current policies and supporting College procedures have created unnecessary barriers that would have interfered with continuity of operations and educational support needed by our students, teaching faculty, and support staff. Critical problems have been identified related to educational and non-educational barriers that must be addressed and supported within current and revised policy and procedures that will support our educational mission, vision, and values. Within this time, it has become clear that current policies need to be re-evaluated and updated to support the ability of the College to react quickly to educational changes meeting student needs, addressing student barriers to learning, support service needs, and the ongoing educational needs of a skilled and educated workforce.

RECOMMENDATION

It is recommended that the Board of Trustees approve the resolution to grant the president the authority to respond to the COVID-19 emergency and to identify current policies and procedures that should be deleted, revised, or created.

BACKUP INFORMATION

Board Resolution

Policy 11005–Formulation and Issuance of College Policies and Procedures

RESPONSIBLE SENIOR ADMINSTRATOR

Mr. Dietz

RESOURCE PERSON

Dr. Cain

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **20-05-037**
Adopted on: **5/18/2020**

Agenda Item Number: 7B
May 18, 2020

Subject: Board Support of Temporary Authority for the President To Respond To The Covid-19 Emergency

WHEREAS, On January 30, 2020, the coronavirus outbreak was declared a Public Health Emergency of International Concern by the World Health Organization; and

WHEREAS, On March 5, 2020, Governor Larry Hogan announced a Declaration of State Emergency and Existence of Catastrophic Health Emergency—COVID-19; and

WHEREAS, The Montgomery County Government and the County Public Health Department have taken specific action to reduce the spread of the virus, identify individuals possibly infected by the virus, and treat individuals who have become ill, with identifiable risk to individuals who support the essential infrastructure needed by the community, which has led the College to the rapid conversion to remote teaching, learning, and working; and

WHEREAS, Dr. Pollard and College faculty and staff are making extraordinary efforts to prevent and mitigate the effects of COVID-19 in the College community, while at the same time maintaining the continuity of operations and educational services during this health emergency; and

WHEREAS, The Board of Trustees believes that strict compliance with various existing College policies and procedures could prevent, hinder, or delay these efforts; and

WHEREAS, Pursuant to Policy 11005–Formulation and Issuance of College Policies and Procedures, the Board of Trustees, in consultation with the president of the College, develops and establishes policies that serve as the general principles for operations and decision-making, and, where appropriate, for delegating authority to the president; and

WHEREAS, The Board recognizes that flexibility is imperative in adapting to this public health emergency and therefore wishes to temporarily delegate to the president or designee during this declared state of emergency, broad authority to take any and all actions necessary to help ensure the continuation of operations and educational services, and the health and safety of students and employees, even if such actions contradict currently established policies and procedures as set forth in the Collegewide Policy and Procedures manual; now therefore be it

Resolved, That the President or designee has the authority to evaluate and to place into immediate effect, on a temporary basis, any lawful policies, procedures, or other measures, which are deemed necessary and appropriate to meet restrictions placed on students, teaching faculty, and support staff by the public health emergency in order to maintain the continuity of College operations and educational services, and safeguard persons and property; and be it further

Resolved, That the president or designee is authorized to apply to the Maryland Higher Education Commission, the United States Department of Education, the Middle States Commission on Higher Education, or any other regulatory body for waivers of regulations or requirements, the compliance of which is impacted by COVID-19; and be it further

Resolved, That the president or designee, with the agreement of the Board Chair, is authorized to cancel and to reschedule regular Board meetings, to convene Special Meetings of the Board, and to develop the agendas for Board meetings; and be it further

Resolved, That the president or designee is directed to inform the Board of Trustees within two weeks of any actions taken under this emergency authority; and be it further

Resolved, That the authorizations reflected in this resolution remain in effect until rescinded by majority vote of the Board of Trustees, or until the termination of all applicable national, state, or local emergency declarations regarding COVID-19; whichever is first.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 8A
May 18, 2020

**AWARD OF CONTRACT,
MANNAKEE CENTER FOR TRAINING EXCELLENCE, SECOND FLOOR RENOVATION,
ROCKVILLE CAMPUS, BID 620-009**

BACKGROUND

Request:	Contract award for the second-floor renovation of the Mannakee Center for Training Excellence on the Rockville Campus
Office/SVP Originating Request:	Senior Vice President for Administrative and Fiscal Services and the Vice President of Facilities
Award Type:	Competitive
Bid Number:	620-009
Explanation of Request:	The senior vice president for administrative and fiscal services and the vice president of facilities are requesting an award of contract for the renovation of a portion of the second floor of the Mannakee Center for Training Excellence. This renovation project will include a new certified nursing assistant lab, a new clinical medical assistant lab, along with two corresponding classrooms for each lab, for a total of four classrooms dedicated to the Workforce Development and Continuing Education Health Sciences Institute. Included within this project is the creation of an office for the department chair, a staff workroom, and upgrade of the existing HVAC system for the south side of the Mannakee building. It will also include replacing one roof top air handling unit, which is undersized.
Reason Being Brought to Board:	Board approval is required for bid awards valued over \$250,000.
Certification:	The director of procurement certifies that specifications and contract documents were developed by appropriate College staff and the chief business/financial strategy officer certifies that planned expenditures are available in the FY20 capital budget.
Dollar Amount:	\$1,670,740
Vendor Name:	Oakmont Contracting LLC
Vendor Address:	Baltimore, Maryland
Minority Status	Yes
Term of Contract:	One-time purchase

RECOMMENDATION

It is recommended that the Board of Trustees approve an award of contract to Oakmont Contracting LLC, of Baltimore, Maryland, including all necessary materials, labor, equipment, supervision, bonds and insurance, for the second-floor renovation of the Mannakee Center for Training Excellence project on the Rockville Campus, for a one-time purchase in the amount of \$1,670,740.

BACKUP INFORMATION

Board Resolution
Bid Summary (Board Members Only)
Bidders List (Board Members Only)

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Schena

RESOURCE PERSONS

Mr. Mills
Mr. Johnson

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **20-05-038**
Adopted on: **5/18/2020**

Agenda Item Number: 8A
May 18, 2020

Subject: Award of Contract, Mannakee Center for Training Excellence, Second Floor Renovation, Rockville Campus, Bid 620-009

WHEREAS, The senior vice president for administrative and fiscal services and the vice president of facilities are requesting an award of contract for the second floor renovation of the Mannakee Center for Training Excellence on the Rockville Campus; and

WHEREAS, This renovation project will include a new certified nursing assistant lab, a new clinical medical assistant lab, along with two corresponding classrooms for each lab, for a total of four classrooms dedicated to the Workforce Development and Continuing Education Health Sciences Institute; and

WHEREAS, Included within this project is the creation of an office for the department chair, a staff workroom, and upgrade of the existing HVAC system for the south side of the Mannakee building, which includes replacing one roof top air handling unit; and

WHEREAS, The director of procurement certifies that project specifications and drawings were developed by appropriate College staff and the chief business/financial strategy officer certifies that planned expenditures are available in the FY20 capital budget; and

WHEREAS, Pursuant to Md. (Educ.) Code Ann. Sec. 16-311 (c), a Request for Proposal, Part A–Contractor Qualifications and Part B–Price Proposals, were publicly advertised on February 19, 2020, on the Montgomery College Procurement and eMaryland Marketplace websites; and

WHEREAS, 93 companies downloaded the solicitation from the Procurement website; and on April 30, 2020, eight responses were received at the Montgomery College Central Receiving warehouse by 2:00 p.m. local time, including one vendor who was deemed as non-responsive because they did not submit the Revised Price Proposal required, and submitted an incomplete base price included in the Price Exclusion and Clarifications; and

WHEREAS, An evaluation committee comprised of Office of Facilities staff completed the review and evaluation of all technical proposal submissions, and all eight contractors submitting proposals were deemed qualified in Part A–Contractor Qualification process, and had their Part B–Price Proposals opened; and

WHEREAS, Following the evaluation of Part B–Price Proposals, it was determined that Oakmont Contracting LLC, of Baltimore, Maryland, submitted the lowest base-bid price of \$1,670,740, and met all College specifications; and

WHEREAS, Awards resulting from competitive sealed proposals valued above \$250,000 require approval of the Board of Trustees; and

WHEREAS, The president of the College recommends the following action; now therefore be it

Resolved, That the Board of Trustees approve an award of contract to Oakmont Contracting LLC, of Baltimore, Maryland, including all necessary materials, labor, equipment, supervision, bonds and insurance, for the second-floor renovation of the Mannakee Center for Training Excellence on the Rockville Campus, for a one-time purchase in the amount of \$1,670,740; and be it further

Resolved, That the president is authorized to sign the contract on behalf of the Board of Trustees.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 8B
May 18, 2020

**AWARD OF CONTRACT,
REPAIRS TO THE PHYSICAL EDUCATION CENTER EXTERIOR STAIR,
PAUL PECK ART BUILDING STRUCTURAL DECK, AND
GORDON AND MARILYN MACKLIN TOWER CONCRETE,
ROCKVILLE CAMPUS, BID 620-010**

BACKGROUND

Request:	Contract award for repairs to the Physical Education Center exterior stair, Paul Peck Art Building structural deck, and Gordon and Marilyn Macklin Tower concrete on the Rockville Campus
Office/SVP Originating Request:	Senior Vice President for Administrative and Fiscal Services and the Vice President of Facilities
Award Type:	Competitive
Bid Number:	620-010
Explanation of Request:	<p>The senior vice president for administrative and fiscal services and the vice president of facilities are requesting an award of contract for repairs to the Physical Education Center exterior stair, Paul Peck Art Building structural deck, and Gordon and Marilyn Macklin Tower concrete on the Rockville Campus.</p> <p>These repairs are requested because critical structural elements of the Physical Education Center exterior exit stair, Paul Peck Art Building structural decking, and Gordon and Marilyn Macklin Tower concrete foundation wall, plaza decking, and stairs have all deteriorated.</p> <p>Repairs must be made in order to maintain the structural integrity of these sites. If the work is not completed, deterioration will accelerate and result in further damage and collapse. Repairs will ensure safe occupancy for students, faculty, and staff and reduce the College's liability in the event of structural failure.</p> <p>The repairs are considered routine maintenance upkeep of existing facilities, for continued use under the current Facilities Master Plan, and will be funded out of the Planned Lifecycle Asset Replacement (PLAR) budget.</p>
Reason Being Brought to Board:	Board approval is required for bid awards valued over \$250,000.

Certification:	The director of procurement certifies that specifications were developed by appropriate College staff and the chief business/financial strategy officer certifies that planned expenditures are available in the Planned Lifecycle Asset Replacement FY20 capital budget.
Total Dollar Amount:	\$364,273
Vendor Name:	Eastern Waterproofing & Restoration of Virginia, LLC
Vendor Address	Toano, Virginia
Minority Status:	NA
Term of Current Contract:	One-time purchase

RECOMMENDATION

It is recommended that the Board of Trustees approve an award of contract to Eastern Waterproofing & Restoration of Virginia, LLC of Toano, Virginia, including all necessary materials, labor, equipment, supervision, bonds and insurance, for the Physical Education Center exterior stair, Paul Peck Art Building structural deck, and Gordon and Marilyn Macklin Tower concrete repairs on the Rockville Campus, for a one-time purchase in the amount of \$364,273.

BACKUP INFORMATION

Board Resolution
 Bid Summary (Board Members Only)
 Bidders List (Board Members Only)

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Schena

RESOURCE PERSONS

Mr. Mills
 Mr. Johnson

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **20-05-039**
Adopted on: **5/18/2020**

Agenda Item Number: 8B
May 18, 2020

Subject: Award of Contract, Physical Education Exterior Stair, Paul Peck Art Building Structural Deck Repair, and Gordon and Marilyn Macklin Tower Concrete Repair, Rockville Campus, Bid 620-010

WHEREAS, The senior vice president for administrative and fiscal services and the vice president of facilities are requesting an award of contract for repairs to the Physical Education Center exterior stair, Paul Peck Art Building structural deck, and Gordon and Marilyn Macklin Tower concrete on the Rockville Campus; and

WHEREAS, Repairs are being requested because critical structural elements of the Physical Education Center exterior exit stair, Paul Peck Art Building structural decking, and Gordon and Marilyn Macklin Tower concrete foundation wall, plaza decking, and stairs have all deteriorated; and

WHEREAS, Repairs must be made in order to maintain the structural integrity of these sites; and

WHEREAS, The director of procurement certifies that project specifications and drawings were developed by appropriate College staff and the chief business/financial strategy officer certifies that planned lifecycle asset replacement expenditures are available in the FY20 capital budget; and

WHEREAS, Pursuant to Md. (Educ.) Code Ann. Sec. 16-311 (c), a Request for Proposal, Part A—Contractor Qualifications and Part B—Price Proposals, were publicly advertised on March 5, 2020, on the Montgomery College Procurement and eMaryland Marketplace websites; and

WHEREAS, 47 companies downloaded the solicitation from the Procurement website; and on April 30, 2020, four responses were received in the Montgomery College Central Receiving warehouse by 2:00 p.m. local time; and

WHEREAS, An evaluation committee comprised of Office of Facilities staff completed the review and evaluation of all technical proposal submissions; three contractors submitting proposals were deemed qualified in Part A—Contractor Qualification process, and had their Part B—Price Proposals opened; and

WHEREAS, Following the evaluation of Part B—Price Proposals, it was determined that Eastern Waterproofing & Restoration of Virginia, LLC of Toano, Virginia, submitted the lowest base-bid price of \$364,273, and met all College specifications; and

WHEREAS, Awards resulting from competitive, sealed proposals valued above \$250,000 require approval of the Board of Trustees; and

WHEREAS, The president of the College recommends the following action; now therefore be it

Resolved, That the Board of Trustees approves an award of contract to Eastern Waterproofing & Restoration of Virginia, LLC of Toano, Virginia, including all necessary materials, labor, equipment, supervision, bonds and insurance, for the Physical Education Center exterior stair repair, Paul Peck Art Building structural deck repair, and Gordon and Marilyn Macklin Tower concrete repair on the Rockville Campus, for a one-time purchase in the amount of \$364,273; and be it further

Resolved, That the president is authorized to sign the contract on behalf of the Board of Trustees.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 8C
May 18, 2020

**AWARD OF CONTRACT,
MACKLIN BUSINESS INSTITUTE FINANCE LAB 100 IN THE
GORDON AND MARILYN MACKLIN TOWER,
ROCKVILLE CAMPUS, BID 620-011**

BACKGROUND

Request:	Contract award for the conversion of the existing Rockville Campus Gordon and Marilyn Macklin Tower vice President and provost suite, to the Macklin Business Institute Finance Lab 100
Office/SVP Originating Request:	Senior Vice President for Administrative and Fiscal Services and the Vice President of Facilities
Award Type:	Competitive
Bid Number:	620-011
Explanation of Request:	<p>The senior vice president for administrative and fiscal services and the vice president of facilities are requesting an award of contract to convert the existing Rockville Campus Gordon and Marilyn Macklin Tower vice president and provost suite, to the Macklin Business Institute Finance Lab 100, for use as a new finance lab classroom with associated administrative offices.</p> <p>The project scope includes the installation of a stock market ticker board around two exterior sides of the building and the replacement of an existing air handling unit with a more efficient unit. The new finance lab classroom will seat 30 students, and include specialized equipment, and displays, providing instruction and hands-on experience in finance and trading. In addition, the new administrative suite will house the dean of business, an administrative assistant, the Macklin Business Institute's director, and a hoteling station for the business faculty.</p> <p>Affected staff will be relocated to the new Long Nguyen and Kimmy Duong Student Services Center.</p>
Reason Being Brought to Board:	Board approval is required for bid awards valued over \$250,000.
Certification:	The director of procurement certifies that specifications and contract documents were developed by appropriate College staff and the chief

	business/financial strategy officer certifies that planned expenditures are available in the FY20 capital budget.
Dollar Amount:	\$1,079,000
Vendor Name:	Baltimore Contractors, Inc.
Vendor Address:	Glen Burnie, Maryland
Minority Status	NA
Term of Contract:	One-time purchase

RECOMMENDATION

It is recommended that the Board of Trustees approve an award of contract to Baltimore Contractors, Inc. of Glen Burnie, Maryland, including all necessary materials, labor, equipment, supervision, bonds and insurance, to convert the existing Rockville Campus Macklin Tower vice president and provost suite to the Macklin Business Institute Finance Lab 100, for a one-time purchase in the amount of \$1,079,000.

BACKUP INFORMATION

- Board Resolution
- Bid Summary (Board Members Only)
- Bidders List (Board Members Only)

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Schena

RESOURCE PERSONS

- Mr. Mills
- Mr. Johnson

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **20-05-040**
Adopted on: **5/18/2020**

Agenda Item Number: 8C
May 18, 2020

Subject: Award of Contract, Macklin Business Institute Finance Lab 100 In The Gordon and Marilyn Macklin Tower, Rockville Campus, Bid 620-011

WHEREAS, The senior vice president for administrative and fiscal services and the vice president of facilities are requesting an award of contract to convert the existing Rockville Campus Macklin Tower vice president and provost suite to the Macklin Business Institute Finance Lab 100; and

WHEREAS, The project scope includes the installation of a stock market ticker board around two exterior sides of the building, and the replacement of an existing air handling unit with a more efficient unit; and

WHEREAS, The new finance lab classroom will seat 30 students, and include specialized equipment, and displays, providing instruction and hands-on experience in finance and trading; and

WHEREAS, The new administrative suite will house the dean of business, an administrative assistant, the Macklin Business Institute's director, and a hoteling station for the business faculty; and

WHEREAS, The director of procurement certifies that project specifications and drawings were developed by appropriate College staff and the chief business/financial strategy officer certifies that planned expenditures are available in the FY20 capital budget; and

WHEREAS, Pursuant to Md. (Educ.) Code Ann. Sec. 16—311 (c), a Request for Proposal, Part A—Contractor Qualifications and Part B—Price Proposals, were publicly advertised on March 6, 2020, on the Montgomery College Procurement and eMaryland Marketplace websites; and

WHEREAS, 63 companies downloaded the solicitation from the Procurement website; and on April 30, 2020, three responses were received in the Central Receiving warehouse by 2:00 p.m. local time; and

WHEREAS, An evaluation committee comprised of Office of Facilities staff completed the review and evaluation of all technical proposal submissions, and all three contractors submitting proposals were deemed qualified in Part A—Contractor Qualification process, and had their Part B—Price Proposals opened; and

WHEREAS, Following the evaluation of Part B—Price Proposals, it was determined that Baltimore Contractors, Inc. of Glen Burnie, Maryland, submitted the lowest base-bid price of \$1,079,000 and met all College specifications; and

WHEREAS, Awards resulting from competitive sealed proposals valued above \$250,000 require approval of the Board of Trustees; and

WHEREAS, The president of the College recommends the following action; now therefore be it

Resolved, That the Board of Trustees approve an award of contract to Baltimore Contractors, Inc. of Glen Burnie, Maryland, including all necessary materials, labor, equipment, supervision, bonds and insurance, to convert the existing Rockville Campus Gordon and Marilyn Macklin Tower vice president and provost suite to the Macklin Business Institute Finance Lab 100, for a one-time purchase in the amount of \$1,079,000; and be it further

Resolved, That the president is authorized to sign the contract on behalf of the Board of Trustees.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 9
May 18, 2020

**SOLE SOURCE AWARD OF CONTRACT,
CONTINUATION OF INTERIM INFORMATION TECHNOLOGY LEADERSHIP SERVICES**

BACKGROUND

Request:	Continuation for interim information technology leadership services
Office/SVP Originating Request:	Senior Vice President for Administrative and Fiscal Services
Award Type:	Sole Source
Bid Number:	Not applicable
Explanation of Request:	<p>In February of 2018, the Board of Trustees approved an 18-month sole source purchase for interim information technology leadership services to CampusWorks, Inc. of Bradenton, Florida, under resolution 18-02-016. Due to the re-launch of the Workday ERP implementation project, interim information technology leadership consultant services were extended through June 30, 2020, under resolution 19-06-084. This service was needed to continue progress and completion of mission-critical projects and address organizational issues that will enable the office to perform at its best going forward.</p> <p>The pandemic has imposed several unforeseeable challenges into the work environment, slowing down the forward progress of several projects, including the Workday ERP system implementation. Furthermore, it has hindered the ability to conduct a robust national recruitment for a new chief information officer.</p> <p>It is requested that the current contract remain in place through June 30, 2021.</p>
Reason Being Brought to Board:	Board approval is required for sole source awards valued over \$100,000.
Certification:	CampusWorks, Inc. has provided leadership within the Office of Information Technology for the past 26 months and is knowledgeable of the College's information technology environment. The director of procurement affirms that this company is best suited to continue in this capacity, and the chief business/financial strategy officer certifies that funds are available in the FY20 capital and operating budgets.

Total Dollar Amount:	\$487,560
Vendor Name:	CampusWorks, Inc.
Vendor Address:	Bradenton, Florida
Minority Status:	Not applicable
Term of Contract:	July 1, 2020 through June 30, 2021

RECOMMENDATION

It is recommended that the Board of Trustees approve a sole source award of contract for the continuation of interim information technology leadership services to CampusWorks, Inc., of Bradenton, Florida, through June 30, 2021, for a not-to-exceed total amount of \$487,560.

BACKUP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Schena

RESOURCE PERSON

Mr. Johnson

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **20-05-041**
Adopted on: **5/18/2020**

Agenda Item Number: 9
May 18, 2020

Subject: Sole Source Award of Contract for the Continuation of Interim Information Technology Leadership Services

WHEREAS, The senior vice president for administrative and fiscal services is requesting the continuation of interim information technology leadership services; and

WHEREAS, On February 28, 2018, the Board of Trustees approved an 18-month sole source award of contract to CampusWorks, Inc., of Bradenton, Florida, for interim information technology leadership services, under resolution 18-02-016, and due to the re-launch of the Workday ERP implementation project, interim information technology leadership consultant services were extended through June 30, 2020, under resolution 19-06-084; and

WHEREAS, The College has a need for continued leadership to administer the Office of Information Technology, continue progress and completion of mission-critical projects, and address organizational issues that will enable the office to perform efficiently and effectively; and

WHEREAS, In light of CampusWorks, Inc. knowledge of the College's information technology environment over the past 26 months, the director of procurement affirms that this company is best suited to continue in this capacity, and the chief business/financial strategy officer certifies that funds are available in the FY20 capital and operating budgets; and

WHEREAS, Sole source procurement contracts valued above \$100,000 require Board approval; and

WHEREAS, College policy states that the formal bidding process may be dispensed in the event of a warranted sole source procurement; and

WHEREAS, The president of the College recommends the following action; now therefore be it

Resolved, That the Board of Trustees approve a sole source award of contract for the continuation of interim information technology leadership services to CampusWorks, Inc., of Bradenton, Florida, through June 30, 2021, for a total not-to-exceed amount of \$487,560; and be it further

Resolved, That the president is authorized to sign the contract on behalf of the Board of Trustees.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 10
May 18, 2020

NEW POLICY 11006–PRESIDENTIAL TRANSITION AND SUCCESSION

General Information

Policy Number:	11006
Contained in Chapter:	Chapter One
Policy Title:	Presidential Transition and Succession
Policy Creation Date:	April 20, 2020

Reason for Policy

This proposed policy articulates the processes that will be utilized by the Board of Trustees to facilitate the continuity of operations due in the event of the planned or unplanned departure or temporary unavailability of the president. The potential loss of a chief executive is inevitable in any organization. Good stewardship requires that the Board of Trustees have a transition or succession plan in place to mitigate against this risk. This policy will ensure the seamless transition of executive power and continuity of operations should the president be unable to exercise the duties and functions as required by law and as noted in College Policy 24101–President.

Purpose of Each Policy Element

Section	Purpose
I.	College’s commitment to ensuring the continuity of operations and recognition that executive leadership is critical to the College’s mission.
II.	Statement of legal authority that establishes the Board of Trustees and authorizes the Board to select and appoint the president.
III.	Statement that the purpose of the policy is to ensure continued stability and accountability through developing a clear plan for presidential transition and succession.
IV.	Articulates the process the Board will utilize to hire or replace the president when the departure of the president is planned and known in advance.
V.	Articulates the process the Board will utilize when there is an unplanned departure of the president or the president is temporarily unavailable and duties need to be transitioned to ensure continuity of operations.

Section	Purpose
VI.	Authorizes the president to appoint an individual or individuals to act on the president's behalf during any short-term absence of the president that does not exceed thirty-one (31) days.

RECOMMENDATION

It is recommended that the Board of Trustees adopt Policy 11006–Presidential Transition and Succession.

BACKUP INFORMATION

Resolution
Policy 11006–Presidential Transition and Succession

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Pollard

RESOURCE PERSON

Mr. Dietz

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **20-05-042**
Adopted on: **5/18/2020**

Agenda Item Number: 10
May 18, 2020

Subject: New Policy 11006–Presidential Transition and Succession

WHEREAS, The Board of Trustees and the president have identified the need for a policy to articulate and establish clear guidelines on presidential transition and succession to ensure the continuity of College operations; and

WHEREAS, The issues related to presidential transition and succession processes and the continuity of operations have been researched under the direction of the president; and

WHEREAS, A draft policy statement was reviewed by the appropriate College community stakeholders for their feedback; and

WHEREAS, The president recommends that the Board adopt the policy; now therefore be it

Resolved, That Policy 11006–Presidential Transition and Succession be adopted as indicated in the attachment; and be it further

Resolved, That the president is authorized to implement this policy.

Chapter: Board of Trustees

Modification No. 001

Subject: **Presidential Transition and Succession**

- 1 I. The Board of Trustees is committed to ensuring continuity and high quality of operations
2 and services at the College. The Board also recognizes that a change in executive
3 leadership is inevitable and that providing continuous coverage of leadership duties is
4 critical to the mission of the College and its commitment to its students, employees, and
5 the county.
6
- 7 II. The Education Article of the Annotated Code of Maryland (the "Education Code")
8 establishes the Board of Trustees of Montgomery College and authorizes the operation of
9 Montgomery College, including the selection and appointment of the president by the
10 Board of Trustees.
11
- 12 III. The purpose of this policy is to ensure the continued stability and accountability of
13 College operations and to ensure a clear plan for delegation of management authority in
14 an efficient and legally responsible manner until such time that the president can
15 reassume duties or new permanent leadership is identified.
16
- 17 IV. Planned Departure of the President
18
- 19 A. To ensure an orderly transition of leadership, the president's contract shall
20 contain a provision requiring notice of no less than 60 days prior to departure, not
21 to include the use of any accumulated leave.
22
- 23 B. A presidential search may be conducted using the services of a firm or
24 professional organization specializing in presidential searches. These services
25 would include advertising, screening, verifying credentials, reference checks,
26 conducting preliminary interviews and narrowing the list to a group of finalists.
27 The finalists will then be interviewed by the Board and other members of the
28 College community, as determined by the Board.
29
- 30 C. In the event that the presidential search is not completed prior to the departure of
31 the current president, the Board of Trustees may grant a temporary contract
32 extension to the current president or may appoint interim leadership who will
33 serve until the search and selection of a new president is completed or until
34 further action of the Board.
35
- 36 D. In all cases, the selection of a new or interim president will be done in a closed
37 session of the Board and require a majority vote.
38
- 39 V. Temporary Unavailability or Unplanned Departure of the President
40
- 41 A. The Board will be notified immediately when the president is unexpectedly
42 unavailable or absent (ex., illness, sudden disability, emergency leave, death)
43 and the Board chair will affirm that section VI, B should be put into effect.
44
- 45 B. Duties of the president devolve automatically to an acting president selected by
46 the Board.
47

- 48 C. Within a set period of time (e.g., two weeks), if the current president has not
- 49 returned to duty, the Board chair in consultation with the acting president will
- 50 determine whether to plan for the extended or permanent absence of the current
- 51 president (i.e., decide whether to put section VI, D into effect).
- 52
- 53 D. If it is determined that the current president's absence will exceed 31 days from
- 54 its onset, or that the president cannot return, the Board will then name an interim
- 55 president.
- 56

57 VI. Short-Term Absence of the President

58
59 The current president is authorized to appoint an individual(s) to act on behalf of the
60 president or to appoint an acting president from senior staff for shorter periods of leave
61 (ex., sick, personal, bereavement, or other leave) not to exceed thirty-one (31) days.
62

63 _____
64 Board Approval: _____, 2020

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 11
May 18, 2019

**COLLECTIVE BARGAINING AGREEMENT BETWEEN MONTGOMERY COLLEGE AND
THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 500**

BACKGROUND

Representatives of Local 500, Service Employees International Union (SEIU) have negotiated in good faith with representatives of the Board of Trustees on a new Collective Bargaining Agreement. Members of SEIU ratified the agreement on May 12, 2020. The agreement replaces the existing Collective Bargaining Agreement on July 1, 2020, and will expire on June 30, 2023. This new agreement includes substantive changes to the following five articles:

- Article 7: Assignments
- Article 8: Workload
- Article 9: Compensation and Benefits
- Article 10: Leave
- Article 11: Union Rights

RECOMMENDATION

It is recommended that the Board of Trustees adopt the attached resolution approving the new Collective Bargaining Agreement with SEIU, including the modifications ratified by SEIU; authorizing the Board Chair to execute the ratified Collective Bargaining Agreement; and delegating to the president the authority and responsibility to implement and administer the agreement.

BACKUP INFORMATION

Resolution
Collective Bargaining Agreement for July 1, 2020 through June 30, 2023

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Schena

RESOURCE PERSONS

Ms. Walker
Mr. Scrimenti

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **20-05-043**
Adopted on: **5/18/2020**

Agenda Item Number: 11
May 18, 2020

Subject: Approval of Collective Bargaining Agreement between Montgomery College and the Service Employees International Union, Local 500

WHEREAS, Local 500, Service Employees International Union (SEIU Local 500), is the exclusive representative authorized to negotiate on behalf of certain faculty members at Montgomery College; and

WHEREAS, The current collective bargaining agreement between Montgomery College and SEIU Local 500 expires on June 30, 2020; and

WHEREAS, A collective bargaining agreement has been negotiated by teams representing the Board of Trustees and SEIU Local 500 to replace the expiring agreement; and

WHEREAS, Within the collective bargaining agreement there are a total of five (5) articles that will have substantive changes, articulated in Article 7: Assignments; Article 8: Workload; Article 9: Compensation and Benefits; Article 10: Leave; and Article 11: Union Rights; and

WHEREAS, The Board negotiating team recommends approval of the tentative collective bargaining agreement by the Board; and

WHEREAS, The Members of SIEU Local 500 have ratified the collective bargaining agreement on May 12, 2020; and

WHEREAS, The president recommends that the Board take the following action; now therefore be it

Resolved, That the Board of Trustees approves the collective bargaining agreement with SEIU Local 500 set forth in the attached; and be it further

Resolved, That the Board of Trustees authorizes the Board Chair to execute the collective bargaining agreement between the Board of Trustees of Montgomery Community College and Local 500, Service Employees International Union; and be it further

Resolved, That the Board of Trustees delegates to the president the responsibility and authority to implement and administer the collective bargaining agreement.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 12
May 18, 2020

SUPPLEMENTAL APPROPRIATION REQUEST FOR THE FY20 CURRENT FUND BUDGET

BACKGROUND

On March 5, 2020, the governor of the state of Maryland proclaimed a state of emergency and health emergency to control and prevent the spread of the COVID-19 virus within the state. To reduce the spread of COVID-19, the US Centers for Disease Control and Prevention and the Maryland Department of Health began recommending corrective actions such as canceling large gatherings, practicing safe social distancing, and wearing of face masks and other protective measures. On March 11, 2020, the president of the College issued a memorandum detailing the College's response plan to the COVID-19 virus. The plan called for the College to begin providing instruction, including counseling and support services, remotely as well as to require all non-essential employees to work remotely. Effective March 30, 2020, a stay-at-home order was proclaimed for all residents within the state of Maryland.

Montgomery College has closely monitored and complied with all orders set forth by Governor Larry Hogan and effective March 23, 2020, transitioned all courses to emergency remote instruction, and remote counseling and student support services. During this transition, the College has incurred expenses and may incur additional expenses associated with significant changes to the delivery of instruction due to the coronavirus. In addition, issues have emerged for our students including housing, technology, and childcare. Congress passed the Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act, to address the economic and financial burden for students and educational institutions due to the COVID-19 pandemic in the United States. The US Department of Education notified Montgomery College that the total funds available to the College is \$10,995,749. Of that amount, not less than 50 percent, or \$5,497,875, must be expended for emergency student assistance. The College has completed the certification process for these student emergency funds and began awarding the funds the first week of May. The College has one year from the date of certification to award these funds.

The balance of the funds, or \$5,497,874, are available to the College through a similar certification process for the institutional costs borne by the College or to be incurred by the College from March 13, 2020, for significant changes to the delivery of instruction due to the coronavirus. The College has one year to expend these funds.

The College has identified \$1,000,000 of allowable expenditures pursuant to the institutional portion of the CARES Act. However, in order to pursue these CARES Act institutional funds, the College has to request a supplemental appropriation to the county council to address the increase in expenditures due to significant changes to the delivery of instruction because of the coronavirus.

RECOMMENDATION

It is recommended that the Board approve and support a supplemental appropriation request to the Montgomery County Council in the amount of \$1,000,000 for the FY20 current fund. This action will increase the FY20 current fund appropriation to \$265,768,350. The funding for this request will be the **Institutional Portion of the Higher Education Emergency Relief Fund Formula Grants Authorized by Section 18004(a)(1) of the Coronavirus Aid, Relief, and Economic Security (CARES) Act**

BACKUP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Schena

Mr. Sears

RESOURCE PERSON

Ms. Greaney

Ms. Garvin Aquilino

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **20-05-044**
Adopted on: **5/18/2020**

Agenda Item Number: 12
May 18, 2020

Subject: Supplemental Appropriation Request for the FY20 Current Fund Budget

WHEREAS, On March 5, 2020, the governor of the state of Maryland proclaimed a state of emergency and health emergency to control and prevent the spread of the COVID-19 virus within the state; and

WHEREAS, COVID-19, is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, To reduce the spread of COVID-19, the US Centers for Disease Control and Prevention and the Maryland Department of Health have recommended corrective actions such as canceling large gatherings and practicing social distancing; and

WHEREAS, On March 11, 2020, the president of the College issued a memorandum detailing the College's response plan to the COVID-19 virus; and

WHEREAS, The plan called for the College to begin providing instruction, including counseling and support services, remotely, as well as to require all non-essential employees to work remotely; and

WHEREAS, Congress passed the Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act, to address the economic and financial burden for student and educational institutions due to the COVID-19 pandemic in the United States; and

WHEREAS, The US Department of Education notified Montgomery College that the total funds available to the College are \$10,995,749; and

WHEREAS, Not less than 50 percent, or \$5,497,875, must be expended for emergency student assistance and the balance of the funds, or \$5,497,874, are available to the College for the institutional costs borne by the College or to be incurred by the College from March 13, 2020, and up until one year from the date of certification for significant changes to the delivery of instruction due to the coronavirus; and

Resolved, That the Board approve and support a supplemental appropriation request to the Montgomery County Council pursuant to the CARES Act in the amount of \$1,000,000 for the FY20 current fund; and be it further

Resolved, That this action will increase the FY20 current fund appropriation to \$265,768,350; and be it further

Resolved, That the functional totals for the FY20 operating budget will be in the amounts listed in the following table;

		Current Fund	Supplemental	Current Fund
10	Instruction	\$ 89,168,743	\$ 30,000	\$ 89,198,743
40	Academic Support	\$ 44,112,498	\$ 600,000	\$ 44,712,498
50	Student Services	\$ 33,523,280		\$ 33,523,280
60	Operations/Maintenance of Plant	\$ 43,811,794		\$ 43,811,794
70	Institutional Support	\$ 48,268,489		\$ 48,268,489
80	Scholarships & Fellowships	\$ 5,883,546	\$ 370,000	\$ 6,253,546
	TOTAL	\$ 264,768,350	\$ 1,000,000	\$ 265,768,350

and be it further

Resolved, That the estimated budgeted source of funds projected by the Board of Trustees to fund the College's operating budget during FY20 are in the amounts listed in the table below, subject to county council action in June 2020.

	Current Fund	Supplemental	Current Fund
County Contribution	\$ 145,149,696		\$ 145,149,696
State Aid	\$ 37,213,559		\$ 37,213,559
CARES Federal grant		\$ 1,000,000	\$ 1 000,000
Tuition and Fees	\$ 75,860,647		\$ 75,860,647
Miscellaneous	\$ 2,074,000		\$ 2,074,000
Fund Balance	\$ 2,970,448		\$ 2,970,448
Net Transfers	\$ 1 500,000		\$ 1 500,000
Total	\$ 264,768,350	\$ 1,000,000	\$ 265,768,350