



**MONTGOMERY COLLEGE
BOARD OF TRUSTEES**

**RECORD OF RESOLUTIONS
June 18, 2012**

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

Agenda Item Number: 7A
June 18, 2012

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, Development, and Engagement on new hires and employees who have separated from the College.

RECOMMENDATION

It is recommended that the Board adopt the attached report.

BACK-UP INFORMATION

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

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSON(S)

Ms. Espinosa

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

Resolution Number: **12-06-042**
Adopted on: **06/18/2012**

Agenda Item Number: 7A
June 18, 2012

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 from and including May 1, 2012, to and including May 31, 2012; 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 report and confirms the action of the president.

DPP:abg

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including May 1, 2012, to and Including May 31, 2012

STAFF

STAFF EMPLOYMENTS

Effective Date	Name	Position Title	Grade	Location
05/07/2012	Chaney, Sean M	Painter	F	Facilities Operations - RV
05/21/2012	Hill, M Elizabeth	Library Technical Services Mgr	L	Library - Central
05/21/2012	O'Brien, Edward C	Senior IT Project Specialist	K	Office of Info Tech
05/21/2012	Remavege, Kyla K	Swimming Pool Operator	F	Facilities Swimming Pool TP/SS

STAFF SEPARATIONS

Effective Date	Name	Position Title	Grade	Location
05/11/2012	Antelo, Regina	Instructional Assistant	G	Chemistry RV
05/18/2012	Brewer, Megan L	Administrative Aide I	F	Business/Science/Math/Tech GT
05/18/2012	Daniels, Phillip M	Human Resources Supervisor	L	Human Resources Office
05/23/2012	Fan, Simon C	Library Technical Assistant	G	Rockville Library
05/03/2012	Hartfield, Danyel D	Instructional Associate	H	Student Life TP/SS
05/18/2012	Kennedy, James W	Instructional Associate	H	Business/Science/Math/Tech GT
05/08/2012	Stascavage, James	Student Life Director	L	Student Development
05/29/2012	Stein, David A	Development Associate Director	K	Institutional Advancement
05/18/2012	Stevens, Kathryn E	Annual Fund Director	J	Institutional Advancement

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic Asian	American Indian	TOTAL
Female	1	1	0	0	2
Male	2	0	0	0	2
TOTAL	3	1	0	0	4

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic Asian	American Indian	TOTAL
Female	3	1	0	0	4
Male	3	1	0	1	5
TOTAL	6	2	0	1	9

FACULTY

FACULTY EMPLOYMENTS: None

Effective Date	Name	Position Title	Location
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FACULTY SEPARATIONS

05/26/2012	Blount, Victoria E	Professor	Health Sciences
05/18/2012	Clay, Molly C ¹	Professor	Health Sciences
05/18/2012	Dias, Maria H	Professor	Student Development TP/SS

¹ Retirement

05/18/2012	Eckert, Michael ¹	Professor	English/Lit/Prof Writing RV
05/18/2012	Friss, Evan J	Assistant Professor	Arts/Humanities/SocialSciences
05/18/2012	Komarow, Sondra E ¹	Professor	Reading, ESL & Linguistics
05/18/2012	McMurdie, Ellen S ¹	Professor	Arts/Humanities/SocialSciences
05/18/2012	Meiskey, Shirley S ¹	Professor	Health Sciences
05/18/2012	Murphy, Kimberly L	Assistant Professor	Humanities/Soc Sci/Educ GT
05/18/2012	Padgett, Mary B ¹	Professor	Health Sciences
05/18/2012	Poliszczuk, Orest ¹	Professor	Art RV
05/18/2012	Rahman, Ishrat	Associate Professor	Biology RV
05/18/2012	Rosier, Linda L	Associate Professor	Health Sciences
05/18/2012	Stretch, Anita A	Professor	WD & CE - Community Education
05/26/2012	Thomas, Wendell O	Assistant Professor	English/Lit/Prof Writing RV
05/18/2012	Waters, Kate A	Associate Professor	Reading, ESL & Linguistics
05/18/2012	White, Laurie A	Assistant Professor	Student Development

FACULTY SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic Asian	American Indian	TOTAL
Female	11	1	0	1	13
Male	3	1	0	0	4
TOTAL	14	2	0	1	17

¹ Retirement

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

Resolution Number: **12-06-043**
Adopted on: **06/18/012**

Agenda Item Number: 7B
June 18, 2012

**Subject: Retirement Recognition and Award of Emeritus Status to Professor
Daniel Davis**

WHEREAS, Professor Daniel Davis has served Montgomery College with dedication and distinction as a full-time faculty member in the Reading, English as a Second Language, and Linguistics Department for 10 years and retired as of January 15, 2012; and

WHEREAS, Professor Davis was well regarded as a dedicated, caring, friendly and supportive colleague and teacher whose classrooms were full of humor and energy; and

WHEREAS, Professor Davis consistently offered his assistance to the department and made many contributions to the department; and

WHEREAS, in the essential position of Reading 102 coordinator from 2002–2005, he developed and revised critical assessment tools for diagnostic and final exams, reviewed texts for use by the course groups, and facilitated faculty discussions in the course group; and

WHEREAS, in the role of RD 102 coordinator, he also took the initiative to mentor and support adjunct faculty by organizing orientations for new instructors, assisting with syllabus development, and conducting faculty evaluations; and

WHEREAS, he was an active participant in several departmental course groups, and participated in the development, collection, and submission of RD102 course group objectives for the College Area Review process; and

WHEREAS, Professor Davis was instrumental in the successful implementation of the highly praised Pathways Learning 100 course; and

WHEREAS, he provided valuable feedback on the ESL Accuplacer exam, a critical placement exam for the department; and

WHEREAS, he served on the grade dispute committee, and the Associate of Arts in Teaching Degree advisory/resource committee; and

WHEREAS, Professor Davis was dedicated to his professional growth as an instructor and attended several professional development activities, including the Mid-Atlantic College Reading Association Conference, the Cecil Community College online courses in Teaching Reading in the Secondary Content Area, Parts I and II, and several workshops through the Center for Teaching and Learning; and

WHEREAS, Professor Davis was a Smithsonian Fellow in 2005–2006 and developed materials and lessons about the American Indian Museum to engage his students in meaningful and exciting ways; and

WHEREAS, College policy provides that all faculty members and administrators holding faculty rank who retire with a minimum of 10 years' service with Montgomery College shall be designated faculty emeritus(a) with appropriate rank or title, subject to approval of the Board of Trustees; and

WHEREAS, the instructional dean, the Rockville Campus vice president and provost, the senior vice president for academic affairs, and the president of the College recommend this public recognition of Professor Daniel Davis on the occasion of his retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation of Professor Daniel Davis for his many contributions to the College, and extend to him their best wishes that his retirement years be fulfilling and productive; and be it further

Resolved, That Professor Daniel Davis is granted the status of Professor Emeritus, and that he be accorded such recognition and honors as may be appropriate to persons holding this rank; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy of this resolution be presented to Professor Daniel Davis.

DPP:abg

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

Resolution Number: **12-06-044**
Adopted on: **06/18/2012**

Agenda Item Number: 7C
June 18, 2012

Subject: Recognition and Award of Bronze Medallion to Trustee Jonathan Jayes-Green

WHEREAS, the Governor of the State of Maryland appointed Mr. Jonathan Jayes-Green as student member to the Board of Trustees of Montgomery College effective July 1, 2011, for a one-year term and his term of office will end June 30, 2012; and

WHEREAS, during his tenure, Mr. Jayes-Green served the Board of Trustees with distinction and dedication while also challenging himself as a Montgomery Scholar; and

WHEREAS, Mr. Jayes-Green successfully earned his associate degree in general studies and graduated during commencement ceremonies on May 18, 2012; and

WHEREAS, Mr. Jayes-Green's perspective as a student of the College, his interest in the concerns of students, and his understanding of the role of the Board as a corporate entity which must exercise sound judgment in the interest of the total College, have contributed significantly to the deliberations and effective decision-making of the Board; and

WHEREAS, he brought an energy and enthusiasm that encouraged the Board as a whole to ensure that the best interests of the College and its students were being served; and

WHEREAS, Mr. Jayes-Green led with enthusiastic, well-spoken, and heartfelt testimony, many student advocacy efforts with state and local government officials, which won not only their admiration, hearts, and respect, but helped obtain the needed public support for the College; and

WHEREAS, during his appointment to the Board, Mr. Jayes-Green was an exemplary student at Montgomery College, serving as co-founder and co-president of the Immigrants' Rights Organization and co-founder of the Do Something Now Club; and

WHEREAS, Mr. Jayes-Green is a strong community activist and volunteer, engaged in activities that have given him great leadership qualities and shaped his mind to be a caring and responsible person and leader who wants to improve his community; and

WHEREAS, Mr. Jayes-Green has conducted himself in an exemplary manner, and his demeanor, dependability, cooperation, and responsiveness to Board and College issues and events combine to make him a highly valued member of the Board; and

WHEREAS, in recognition of his distinguished service to the Board of Trustees of the College, the students, and the College community the Board recommends this recognition and tribute to Mr. Jonathan Jayes-Green; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Mr. Jonathan Jayes-Green for his conscientious and significant contributions to Montgomery College, to its Board of Trustees, to its students, and to the citizens of Montgomery County, and extend

their best wishes to him for his continued good health, happiness, and academic success and invite his continued interest in and support of the College in the years ahead; and be it further

Resolved, That in recognition of his dedication, support, and association with Montgomery College and Montgomery County, Mr. Jonathan Jayes-Green is awarded the College's bronze medallion for distinguished service; and be it further

Resolved, That this resolution becomes a part of the minutes of this Board of Trustees meeting, and a copy of this resolution and the bronze medallion be presented to Mr. Jonathan Jayes-Green.

DPP:abg

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

Resolution Number: **12-06-045**
Adopted on: **06/18/2012**

Agenda Item Number: 7D
June 18, 2012

Subject: Award of Silver Medallion and Emeritus Status to Trustee Michael C. Lin

WHEREAS, the Governor of the State of Maryland appointed Dr. Michael C. Lin to the Board of Trustees of Montgomery College on July 1, 2000, for a six-year term; and

WHEREAS, the Governor of the State of Maryland reappointed Dr. Lin for a second six-year term beginning July 1, 2006, bringing to an end an exemplary term in office as a Trustee on June 30, 2012; and

WHEREAS, Dr. Lin was brought to the Board by virtue of his career experiences, his educational background, and his leadership service at the local, state, and national levels, a depth of knowledge and expertise that served the Board well; and

WHEREAS, he has served the College well in deliberations regarding all matters, but especially those related to advocacy with the state and the county, partnerships with Montgomery County Public Schools, and supporting higher education in Montgomery County; and

WHEREAS, Dr. Lin has served the Montgomery College community with distinction and dedication, consistently demonstrating his belief in and understanding of the guiding principles of governance, scholarship, good stewardship, and a commitment to the fundamental mission of community colleges; and

WHEREAS, during his 12 years on the Board of Trustees, Dr. Lin was elected as second vice chair and first vice chair each for two years and as chair of the Board from 2009–2011; and

WHEREAS, Dr. Lin has been at the forefront of education for students at all levels, his tireless advocacy on behalf of the College has helped to enhance and stabilize local public funding for the College, especially during times of limited fiscal resources; and

WHEREAS, Dr. Lin has generously supported many Montgomery College Foundation initiatives, scholarships, and events such as the 60th Anniversary Fund, Adult ESL Initiative Fund, the Charlene Nunley Endowed Scholarship, the Connie Morella Endowed Scholarship, the Louis and Robert Grossman Memorial Endowment, the Montgomery College Alumni Association, the Montgomery College Foundation Golf Classic, the Montgomery College Fund, the Sarah A. Meehan Scholarship, and the Takoma Park Expansion Project; and

WHEREAS, Dr. Lin has demonstrated his outstanding leadership skills in the community as a scientist, educator, involved citizen, and community leader; and

WHEREAS, Dr. Lin served in various leadership capacities in many nonprofit organizations, and more specifically as the national president of the Organization of Chinese Americans, the chair of

the Governor's Commission on Asian Pacific American Affairs in Maryland, and a board member of Leadership Montgomery; and

WHEREAS, Dr. Lin's integrity, wise counsel, dependability, and devotion to and sincere concern for the welfare of all members of the College community, have immeasurably contributed to the decisions of the Board of Trustees, and these qualities displayed during 12 years of distinctive service will be sorely missed by the Board and the President of the College; and

WHEREAS, College procedures allow that all Trustees completing at least one full six-year term of service are eligible for Trustee emeritus/emerita status at the conclusion of their Board service, and such status shall be granted by a majority affirmative vote of the current Board of Trustees; and

WHEREAS, College procedures allow for the awarding of a silver medallion in recognition of documented truly outstanding service to the College, the academic profession, the county, the state, or the nation; and

WHEREAS, the members of the Board of Trustees of the College recommend this tribute on the occasion of Dr. Michael C. Lin's retirement from the Board; now therefore be it

Resolved, That the members of the Board of Trustees of Montgomery College express their sincere appreciation to Dr. Michael C. Lin for his conscientious and significant contributions to Montgomery College, its Board of Trustees, its students, faculty, staff, and alumni, its community, and the citizens of Montgomery County, and that the Board extends to him its best wishes for his continued good health, happiness, and prosperity, and invites his continued support of the College in the years ahead; and be it further

Resolved, That Dr. Michael C. Lin is granted the status of Trustee Emeritus, and that he be accorded such recognition and honors as may be appropriate to persons holding this rank; and be it further

Resolved, That in recognition of his dedicated service and association with Montgomery College and Montgomery County, Dr. Michael C. Lin is awarded the silver medallion for sustained and exemplary outstanding service; and be it further

Resolved, That this resolution becomes a part of the minutes of this Board of Trustees meeting, and a copy of this resolution be presented to Dr. Michael C. Lin.

DPP:abg

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

Agenda Item Number: 8A
June 18, 2012

**AWARD OF CONTRACT, WORKFORCE DEVELOPMENT & CONTINUING EDUCATION
HEALTHCARE RELATED PROGRAM COURSES, BID NUMBER 512-035**

BACKGROUND

Workforce Development & Continuing Education (WD&CE) provides training and instructional support services in the form of community-based programs to employees of companies and governmental agencies in the region. These training and educational opportunities, which support WD&CE's initiatives of Montgomery County, enable individuals to broaden their knowledge and skills in a variety of areas such as leadership, communications, and fundamental academic preparation. WD&CE also delivers training and instruction to prepare students for entry-level positions in the healthcare industry, seek professional certification, re-enter the workforce, or change careers.

In order to expand offerings in the fast-growing health services arena, WD&CE is seeking an award of contract for healthcare related program courses. These courses include pharmacy technician, phlebotomy technician, electronic health records management, clinical medical assistant, dental assistant, dialysis technician, EKG technician, histology assistant program, healthcare access and registration program, and pharmacy compounding and sterile program. On July 9, 2001, the Board of Trustees approved an award of contract for the purchase of training and instructional support services for the delivery of healthcare related courses, on a sole source basis, to Condensed Curriculum International, Inc., of Fairfield, New Jersey (Board Resolution # 01-118). The existing contract expires on June 30, 2012.

To determine if other sources were available to provide this service, on March 30, 2012, a request for bid was issued for healthcare related program courses. Of the 28 vendors who downloaded the bid, only one response was received on April 17, 2012. Vendors who did not respond noted that their services were only available online or that they did not offer the required courses. Condensed Curriculum International, Inc., of Fairfield, New Jersey, was deemed the highest ranked vendor meeting College requirements. Past performances have been satisfactory. Courses are offered up to seven times per semester. The annual estimated expenditure for all related instructional and training services is \$325,000, depending upon actual student participation. This is a planned expenditure in the FY13 WD&CE budget.

RECOMMENDATION

It is recommended that the Board of Trustees approve an award of contract for Workforce Development & Continuing Education healthcare related program courses to Condensed Curriculum International, Inc., of Fairfield, New Jersey, beginning July 1, 2012, for an annual estimated expenditure of \$325,000, depending upon actual student participation. It is further recommended that the contract be renewed for four additional one-year terms as needed, under the same terms and conditions, provided that funding is available, performance is satisfactory, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolution
Board Policy 63001
Bid Summary (Board Members Only)
Bidders List (Board Members Only)

SENIOR RESPONSIBLE ADMINISTRATOR

Dr. Pearl

RESOURCE PERSONS

Mr. Payne
Mr. Johnson
Ms. Sherman

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

Resolution Number: **12-06-046**
Adopted on: **06/18/2012**

Agenda Item Number: 8A
June 18, 2012

**Subject: Award of Contract, Workforce Development and Continuing Education
Healthcare Related Program Courses, Bid Number 512-035**

WHEREAS, the senior vice president for academic affairs has requested an award of contract for Workforce Development & Continuing Education healthcare related program courses; and

WHEREAS, these training and educational opportunities support the workforce development initiatives of Montgomery County through the provision of occupation-based training to enable individuals to broaden their knowledge and skills in a variety of areas, including communication, leadership, and fundamental academic preparation; and

WHEREAS, the vice president/provost of WD&CE and the acting vice president of procurement certify that specifications were developed by appropriate College staff, and the interim vice president of finance/chief financial officer certifies that planned expenditures are available the FY13 WD&CE budget; and

WHEREAS, pursuant to Md. (Educ.) Code Ann. Sec. 16-311(c), a request for bid was publicly advertised in a county newspaper on March 30, 2012, and posted on the College procurement and the state of Maryland websites, downloaded by 28 vendors; one response was received and recorded, beginning at 3:00 p.m. on April 17, 2012; and

WHEREAS, it was determined that Condensed Curriculum International, Inc., of Fairfield, New Jersey, was deemed the highest ranked vendor who met all College requirements; and

WHEREAS, awards resulting from competitive sealed bids valued above \$100,000 require the approval of the Board of Trustees; and

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

Resolved, That a contract be awarded for the Workforce Development & Continuing Education healthcare related program courses to Condensed Curriculum International, Inc., Fairfield, New Jersey, beginning July 1, 2012, for a total annual estimated expenditure of \$325,000, depending upon actual student participation; and be it further

Resolved, That the contract be renewed for four additional one-year terms, under the same terms and conditions, provided funds are available, the service is satisfactory, and it is in the best interest of the College.

DPP:abg

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

Agenda Item Number: 8B
June 18, 2012

**MULTIPLE AWARDS OF CONTRACT,
CLASSIFICATION AND CONSULTING SERVICES,
BID NUMBER 512-042**

BACKGROUND

In 2008, the Office of Human Resources, Development, and Engagement (OHRDE) recommended that a collegewide classification and compensation study of all administrative and staff positions be conducted during FY09. At its September 2008 meeting, the Board of Trustees approved an award of contract to Hendricks & Associates Inc., of Washington, District of Columbia, to recommend a classification and compensation system and to conduct a collegewide classification and compensation system study (Resolution # 08-09-095). Since the College is committed to maintaining a classification and compensation system that is relevant and equitable; that supports the College's mission and values; and that continues to attract, retain and motivate staff, OHRDE is now seeking additional support and consulting services to continue to: (a) conduct routine maintenance reviews for specific job classes; (b) evaluate selected positions as requested using the College's point factor/factor comparison classification evaluation system; (c) evaluate criteria and market data; (d) conduct job analyses as requested, including desk audits; (e) write, review, and revise job class specifications as needed, and (f) ensure legal compliance regarding all state and federal rules and regulations. External expertise in this area supports our in-house staffing and provides triangulation of data and consistency in the classification system.

On April, 20, 2012, a request for proposal was issued for classification and consulting related services. Eight responses were received, including one bid that was deemed non-responsive. An evaluation committee consisting of OHRDE staff reviewed, evaluated, and ranked all responses based on established criteria. It is recommended that multiple awards of contract be made to the following firms that were ranked the highest: CPS HR Consulting, of Bethesda, Maryland; Fox Lawson and Associates, of Phoenix, Arizona; and The Segal Company, of Washington, District of Columbia. References of the highest ranked firms were affirmed. Pricing is based on hourly rates for each service category. Additionally, these contractors will be selected to perform various activities based on their availability and price. The total estimated annual value of all consultant services is \$185,000. This is a planned expenditure in the FY13 operating budget.

RECOMMENDATIONS

It is recommended that the Board of Trustees approve multiple awards of contract for classification and consulting related services to: CPS HR Consulting, of Bethesda, Maryland; Fox Lawson and Associates, of Phoenix, Arizona; and The Segal Company, of Washington, District of Columbia, for a one-year contract term, beginning July 1, 2012, for an annual estimated **not-to-exceed** amount of \$185,000. It is further recommended that the contract be renewed for four additional one-year terms under the same terms and conditions at the sole option of the College, provided that services are satisfactory, funding is available, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolution
Board Policy 63001
Bid Summary (Board Members Only)
Bidders List (Board Members Only)

SENIOR RESPONSIBLE ADMINISTRATOR

Ms. Jones

RESOURCE PERSONS

Ms. Espinosa
Mr. Johnson
Ms. Sherman

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

Resolution Number: **12-06-047**
Adopted as Amended on: **6/18/2012**

Agenda Item Number: 8B
June 18, 2007

**Subject: Multiple Awards of Contract, Classification and Consulting Services, Bid
Number 512-042**

WHEREAS, the senior vice president for administrative and fiscal services has requested multiple awards of contract for additional classification and consulting related services to: (a) conduct routine maintenance reviews for specific job classes; (b) evaluate selected positions as requested using the College's point factor/factor comparison classification evaluation system; (c) evaluate criteria and market data; (d) conduct job analyses as requested, including desk audits; (e) write, review, and revise job class specifications as needed; and (f) ensure legal compliance with all state and federal rules and regulations; and

WHEREAS, the College is committed to maintaining a classification and compensation system that remains relevant and equitable, supports the College's mission and values, and continues to attract, retain, and motivate staff; and

WHEREAS, the vice president of human resources, development, and engagement and the acting vice president of procurement certify that specifications were developed by appropriate College staff; and

WHEREAS, the vice president of finance/chief financial officer certifies that planned expenditures are available in the FY13 operating budget; and

WHEREAS, pursuant to Md. (Educ.) Code Ann. Sec. 16-311(c), a request for proposal was publicly advertised in a county newspaper on April 20, 2012, posted on the College's procurement and state of Maryland website, downloaded by 26 vendors; eight responses, including one vendor that was deemed non-responsive were received and recorded, beginning at 3:00 p.m. on May 4, 2012; and

WHEREAS, upon evaluation it was determined that proposals submitted by CPS HR Consulting, of Bethesda, Maryland; Fox Lawson and Associates, of Phoenix, Arizona; and The Segal Company, of Washington, District of Columbia, were the highest-ranked vendors meeting College requirements; and

WHEREAS, awards resulting from competitive sealed proposals valued above \$100,000 require approval of the Board of Trustees; and

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

Resolved, That multiple awards of contract for classification and consulting related services be awarded to CPS HR Consulting, of Bethesda, Maryland; Fox Lawson and Associates, of Phoenix, Arizona; and The Segal Company, of Washington, District of Columbia, for a one-year contract term, beginning July 1, 2012, for an annual estimated **not-to-exceed** amount of \$185,000; and be it further

Resolved, That the contract be renewed for four additional one-year terms under the same terms and conditions, provided that service is satisfactory, funding is available, and it is in the best interest of the College.

DPP:abg

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

Agenda Item Number: 8C
June 18, 2012

**AWARD OF CONTRACT, STUDENT SERVICES TRACKING
SOFTWARE SOLUTION
BID NO. 512-032**

BACKGROUND

The senior vice president for student services has requested a contract for the purchase of a student service tracking software solution. The current process for tracking student progress is not uniform across all campuses. Departments on each campus have different methods for gathering student data; however those methods do not enable the College to effectively track, monitor, and evaluate that student data. Collecting and analyzing this information is critical to generating reports, conducting outcome assessments, and improving service delivery.

Due to the growing student population and challenges to effectively manage the volume of students accessing counseling and other support services, it is critical to implement a technological solution to organize and track student movement throughout the system. A student service tracking solution would enable the College to help students navigate more successfully to completion of their academic goals. For example, the use of such a system would allow for more timely and comprehensive use of academic advising services. Without the proper tools, the College falls behind other two-year institutions in the pursuit of retention and developmental advising. In addition to the ability to efficiently generate reports, students will benefit greatly from improved service delivery. During peak registration periods, the task of managing the volume of students coming in for counseling and advising services can be unwieldy. By having an effective means to process and track students through the intake and advising process, students will spend less time waiting to meet with a counselor. Also, because counselors will be able to better gauge the demand for counseling services, their ability to manage schedules will be significantly improved.

Finally, as part of the College's strategic plan, the counseling department has been reshaping its advising process and has been tasked with creating a new advising model by the beginning of FY13. A commitment has been made to put less emphasis on walk-in counseling model and invest more resources in developing an appointment-based model. A service tracking system, which would tie in to both Banner and Microsoft Outlook, will help achieve this goal.

On April 20, 2012, a solicitation was issued for a service tracking software solution. Three responses were received on May 4, 2012. An evaluation committee consisting of counseling department staff reviewed, evaluated, and ranked all responses, including product demonstrations, based on established criteria. Starfish Retention Solutions, of Arlington, Virginia, was the highest ranked vendor meeting College requirements. References of the highest ranked vendor were affirmative. Board of Trustees approval is required for awards resulting from competitive sealed proposals valued above \$25,000.

RECOMMENDATION

It is recommended that the Board of Trustees award a contract for the purchase of a service tracking software solution to Starfish Retention Solutions, of Arlington, Virginia, for a total price of \$58,000, which includes a one-year license, and one-time training and implementation fee. It is further recommended that software license be renewed, on an annual basis, for four additional one-year periods, for an annual amount of \$53,500, provided service is satisfactory, the need continues, funds are available, and it is in the best interest of the College.

BACKUP INFORMATION

Board Resolution
Bid Summary (Board Members Only)
Bidder's List (Board Members Only)

SENIOR RESPONSIBLE ADMINISTRATOR

Dr. Walker-Griffea

RESOURCE PERSONS

Dr. Brown
Mr. Johnson
Ms. Sherman

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

Resolution Number: **12-06-048**
Adopted on: **06/18/2012**

Agenda Item Number: 8C
June 18, 2012

**Subject: Award of Contract, Student Services Tracking Software Solution,
Bid No. 512-032**

WHEREAS, the senior vice president for student services has requested a contract for the purchase of a student service tracking software solution; and

WHEREAS, a uniform process for tracking student progress across all campuses is necessary to enable departments on each campus to effectively gather student data; and track, monitor, and evaluate that student data; and

WHEREAS, due to the growing student population and challenges to effectively manage the volume of students accessing counseling and other support services, it is critical to implement a technological solution to organize and track student movement through the system; and

WHEREAS, the acting vice president of procurement certifies that specifications were developed by appropriate College staff, and the acting vice president of finance/chief financial officer certifies that planned expenditures are available in the FY13 operating budget; and

WHEREAS, pursuant to Md. (Educ.) Code Ann. Sec. 16-311(c), a request for proposals was publicly advertised in a county newspaper on April 20, 2012; and posted on the College procurement and state of Maryland websites, downloaded by 46 vendors; three responses, were received, read aloud, and recorded, beginning at 3:00 p.m. on May 4, 2012; and

WHEREAS, upon evaluation it was determined that the proposal submitted by Starfish Retention Solutions, of Arlington, Virginia, was the highest evaluated vendor meeting College specifications; and

WHEREAS, awards resulting from competitive sealed proposals valued above \$25,000 require approval of the Board of Trustees; and

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

Resolved, That a contract to purchase a service tracking software solution be awarded to Starfish Retention Solutions, for one year period beginning June 18, 2012, for a total price of \$58,000, and be it further

Resolved, That the software license be renewed, on an annual basis, for four additional one-year periods, for the annual amount of \$53,500, provided service is satisfactory, the need continues, funds are available, and it is in the best interest of the College.

DPP:abg

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

Agenda Item Number: 9A
June 18, 2012

**APPROVAL OF
MONTGOMERY COLLEGE PROGRAMS OF CULTURAL DIVERSITY
ANNUAL PROGRESS REPORT**

BACKGROUND

In 2008, Maryland House Bill 905 and Senate Bill 438 Education Article, annotated code of Maryland, §11-406 (b) (1) (iii) were passed. With the passing of this legislation each public and private higher education institution in Maryland is required to develop and implement a plan for a program of cultural diversity. Accordingly, such plans “must include an implementation strategy and time line for meeting the goals;” and the plan must also include following “required elements”:

- a description of the way the institution addresses cultural diversity among its students, faculty, and staff populations;
- a description of how the institution plans to enhance cultural diversity, if improvement is needed;
- a process for reporting campus-based hate crimes;
- a summary of resources needed to effectively recruit and retain a culturally diverse student body; and
- the enhancement of cultural diversity programming and sensitivity to cultural diversity through instruction and training of the student body, faculty, and staff of the institution.

The legislation includes a proviso that, each year by May 1, each public institution must submit its plan to its governing board for review. Thereafter, the governing board must submit a progress report on the institution’s implementation of the plan to the Maryland Higher Education Commission (MHEC) by August 1. MHEC must review the progress report and monitor compliance with the diversity goals of the State Plan for Higher Education; and MHEC must report to the General Assembly on the extent to which the institutions are in compliance with the diversity goals of the State Plan for Higher Education.

Pursuant to the requirements of this legislation, Montgomery College developed a multi-year diversity plan to be implemented over a period of three years—Academic Years 2010–11 through 2012. Ensuring and sustaining institutional diversity and inclusive excellence among our faculty, staff, and students were the guiding tenets for developing the College diversity plan. The plan identifies action-oriented diversity goals and objectives in five key areas: (a) policies, procedures and practices; (b) College climate; (c) outreach and recruitment; (d) supporting student success; and (e) professional development. The goals and objectives demonstrate Montgomery College’s good faith, commitment, and intention to remove barriers for expanding and sustaining diversity and producing measurable results.

This progress report includes highlights of some of the ways Montgomery College addresses diversity among its students, faculty, and staff through programming, training, professional

development, recruitment, support, retention, financial assistance, and access. Because of the importance of implementing this plan and producing measurable results, the Board of Trustees will be provided data, information, and updates where appropriate, throughout the upcoming academic year.

RECOMMENDATION

The Board of Trustees is requested to approve the Montgomery College Programs of Cultural Diversity Annual Progress Report and request the president to forward it to the Maryland Higher Education Commission.

BACK-UP INFORMATION

Board Resolution

Montgomery College Programs of Cultural Diversity Annual Progress Report (Trustees only)

RESOURCE PERSONS

Ms. Cathy Jones

Dr. Beverly Walker-Griffea

Dr. Donald Pearl

Ms. Sarah Espinosa

Dr. Michelle T. Scott

Ms. Kathleen Wessman

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

Resolution Number: **12-06-049**
Adopted on: **06/18/2012**

Agenda Item Number: 9A
June 19, 2012

Subject: Montgomery College Programs of Cultural Diversity Annual Progress Report

WHEREAS, Maryland legislation requires that each public and private institution's governing board submit an annual progress report on the institution's implementation of a plan for a program of cultural diversity to the Maryland Higher Education Commission; and

WHEREAS, the Maryland Higher Education Commission must review the progress report and monitor compliance; and

WHEREAS, pursuant to Maryland legislation, Montgomery College has developed an annual progress report of the College's programs of cultural diversity that provides insight into the way the College addresses diversity among its students, faculty, and staff through programming, training, professional development, recruitment, support, retention, financial assistance, and access; and

WHEREAS, the annual progress report demonstrates the College's commitment and good faith efforts for removing barriers to expand and sustain diversity and producing measurable results; and

WHEREAS, the Office of Equity and Diversity has coordinated contributions from administrative offices and each campus in the development of the annual progress report; and

WHEREAS, the president recommends that the following action be taken; now therefore be it

Resolved, That the attached Montgomery College Programs of Cultural Diversity Annual Progress Report be accepted, and that the report be sent to the Maryland Higher Education Commission by August 1, 2012.

DPP:abg

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

Agenda Item Number: 9B
June 18, 2012

APPROVAL OF MONTGOMERY COLLEGE'S STRATEGIC PLAN—MC 2020

BACKGROUND

Montgomery College is committed to the development and implementation of a strategic plan that guides decision-making and budget allocations. In June 2011, the Board of Trustees produced a Board Perspectives document entitled "Strategic Thinking and Strategic Planning," which articulated a vision for a strategic plan. According to the document, the Board's role is to establish broad goals in planning, and then to charge the president with developing the plan in a collaborative and inclusive process.

Specifically, the Board charged the president to:

- anticipate, identify, and articulate future trends, challenges, and opportunities;
- lead a visionary strategic planning process;
- ensure that the plan responds to the current and future educational needs of the community;
- develop an innovative, entrepreneurial, and future-focused plan;
- ensure that College operations, priorities, and budgets are aligned with the plan; and
- keep the Board informed, through discussions at critical junctures, about institutional progress toward accomplishing the goals and objectives of the plan.

In the fall 2011 semester, the president formed a Strategic Planning Steering Committee consisting of more than 30 faculty, staff, students, and administrators, and charged the group with drafting recommendations for a strategic plan that focused on the coming decade. On August 25, 2011, a Strategic Planning Conference was held at the College and was attended by more than 200 faculty, staff, and administrators. The conference featured a keynote address by Dr. Stephen Fuller, the director of the Center for Regional Analysis at George Mason University; panel discussions by business and education leaders; and small group sessions during which participants discussed key planning issues.

The steering committee met throughout the fall and spring semesters and presented the president with recommendations regarding the goals and strategies for the College through 2020. In addition, the steering committee developed initiatives for implementation of the plan in FY13. The president reviewed the recommendations and finalized the plan and FY13 initiatives in conjunction with her senior leadership team.

The College is poised to launch the plan, which will guide actions, decisions, and budget development for the next eight years.

RECOMMENDATION

It is recommended that the Board approve and adopt the College's strategic plan, MC 2020, and authorize the president to implement the plan.

BACK-UP INFORMATION

Board Resolution
MC 2020

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Cain

RESOURCE PERSONS

Ms. Wessman

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

Resolution Number: **12-06-050**
Adopted on: **06/18/2012**

Agenda Item Number: 9B
June 18, 2012

Subject: Approval of Montgomery College's Strategic Plan—MC 2020

WHEREAS, Montgomery College is committed to the development and implementation of a strategic plan that guides decision-making and budget allocations; and

WHEREAS, the Board charged the president with developing a strategic plan through a collaborative and inclusive process; and

WHEREAS, the president created and charged a collegewide strategic planning steering committee, consisting of faculty, staff, students, and administrators, with developing strategic plan recommendations; and

WHEREAS, the College held a Strategic Planning Conference on August 25, 2011, and invited experts to speak to the College community on important regional economic, educational, and business topics; and

WHEREAS, the president accepted the recommendations of the strategic planning steering committee, and finalized the plan in conjunction with the senior leadership team; now therefore be it

Resolved, That, the Board of Trustees approves and adopts the College's strategic plan, MC 2020; and be it further

Resolved, That the president is to implement the plan.

DPP:abg

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

Resolution Number: **12-06-051**
Adopted on: **6/18/2012**

Agenda Item Number: 9C
June 18, 2012

Subject: Approval of Board Perspectives for FY13

WHEREAS, Montgomery College Board of Trustees held a retreat on June 18, 2012, to discuss the topic *Board Perspectives: Pivoting to the Future*; and

WHEREAS, the president engaged the Board in this topic and noted the value in the Board producing an annual document to help guide the Board and the College in reflection and planning; and

WHEREAS, Montgomery College desires to be a national leader in higher education; and

WHEREAS, Montgomery College is in a period of transformation and under new leadership to guide the institution; and

WHEREAS, in 2011, the Board approved the College's new mission statement along with a vision statement, and an articulation of values; and

WHEREAS, the president led efforts in FY12 that have created the foundation for transformation that will have major impacts on the College; and

WHEREAS, the Board has charged the president to pursue priorities that aligned with the strategic plan, *Montgomery College 2020*, and to stress accountability, innovation, and community; now therefore be it

Resolved, That the Board of Trustees is confident that the president and the senior leadership team along with the entire College community will rise to the Board's expectations to build a nationally recognized great and relevant institution that serves Montgomery College with distinction; and be it further

Resolved, That the Board of Trustees adopts *Board Perspectives: Pivoting to the Future*; and be it further

Resolved, That the president is asked to incorporate the direction in the document into College planning and decision-making during the coming year.

DPP:abg

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

Agenda Item Number: 10A
June 18, 2012

**ADOPTION OF COLLEGE POLICY 11005—FORMULATION AND ISSUANCE
OF COLLEGE POLICIES AND PROCEDURES**

BACKGROUND

Montgomery College is committed to sound policy development in order to address the needs of the College, its students, employees, and operations. Furthermore, the Middle States Commission on Higher Education standard on leadership and governance calls for clearly defined roles for institutional constituencies in policy development.

The Board's bylaws contained in Policy 11001 establish the Board is the policy-making body of the College. The bylaws give the president the responsibility of implementing policy through the development of procedures. The Policies and Procedures manual is posted on the College's website and is available to the College community and to the public. The manual contains policies and procedures in seven chapters by these topics: (1) Board of Trustees, (2) Organization, (3) Personnel, (4) Student Affairs, (5) Educational Program, (6) Fiscal and Administrative Affairs, and (7) Facilities.

This proposed policy memorializes the process by which new or revised policies and procedures are formulated, reviewed, and prepared for the Board, in the case of policies, or for the president, in the case of procedures.

RECOMMENDATION

The president recommends the adoption of policy 11005—Formulation and Issuance of College Policies and Procedures, as attached.

BACK-UP INFORMATION

Board Resolution
Montgomery College Policy 11005

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Cain

RESOURCE PERSON

Mr. Sorrell

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

Resolution Number: **12-06-052**
Adopted on: **6/18/2012**

Agenda Item Number: 10A
June 18, 2012

Subject: Adoption of College Policy 11005—Formulation and Issuance of College Policies and Procedures

WHEREAS, Montgomery College is committed to sound policy development in order to address the needs of the College, its students, employees, and operations; and

WHEREAS, the Board of Trustees is the policy-making body of the College; and

WHEREAS, the Middle States Commission on Higher Education standard on leadership and governance calls for clearly defined roles for institutional constituencies in policy development; and

WHEREAS, upon review of the College's Policies and Procedures, a new policy has been developed and is proposed for Board consideration; and

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

Resolved, That College Policy 11005, entitled Formulation and Issuance of College Policies and Procedures, is adopted as presented; and be it further

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

DPP:abg

Chapter: Board of Trustees

Modification No. 001

Subject: **Formulation and Issuance of College Policies and Procedures**

- I. Montgomery College is committed to providing clearly articulated and publicly posted policies that support the advancement of the College's mission.
- II. 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.
- III. These policies are established pursuant to authority granted to the Board of Trustees under the Maryland Education Article, Title 16 Community Colleges, and are intended to address the responsibilities entrusted to the trustees under that Title.
- IV. As chief executive officer of the College, the president is responsible for implementing these policies through appropriate procedures.
- V. All members of the College community, including guests on College premises, are subject to the policies and procedures as currently amended and posted, and are charged with notice and knowledge of their provisions.
- VI. The president is authorized to develop and post procedures to implement this policy. The president is also authorized to waive or change the application of these procedures under circumstances deemed appropriate by the president, regardless of the provisions of the posted procedures; this authority to waive or change application may not be delegated by the president except as may be specifically provided in a procedure.

Board Approval: June 18, 2012

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

Agenda Item Number: 10B
June 18, 2012

POLICY ON CONFIDENTIAL DATA MANAGEMENT AND SECURITY

BACKGROUND

Montgomery College is committed to the management and security of confidential data. Policy governing the management of documents and the use of certain confidential data is appropriate to comply with applicable contracts, and state and federal laws; to protect the College community; and to safeguard documents of a confidential nature. Through a comprehensive data management and security policy, the College establishes a tightly controlled process.

The proposed new policy addresses these safeguards by establishing the systematic and continuous review of classes of data; authorization of the creation and access controls to data; security of documents and information; and confirmation that procedures are compliant with the "Red Flag" rule. Under the Red Flag rule, institutions must develop an identity theft protection program that includes policies and procedures to detect or mitigate identity theft. This policy also addresses the management of the transmission of electronic data and promotes education programs to enhance awareness of the management of confidential data. The president shall establish procedures to implement the policy.

RECOMMENDATIONS

It is recommended that the Board adopt policy 66002 – Confidential Data Management and Security.

BACK-UP INFORMATION

Board Resolution 66002

SENIOR RESPONSIBLE ADMINISTRATOR

Dr. Cain

RESOURCE PERSONS

Ms. Jones
Ms. Schena
Mr. Sorrell

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

Resolution Number: **12-06-053**
Adopted on: **6/18/2012**

Agenda Item Number: 10B
June 11, 2012

Subject: Policy on Confidential Data Management and Security

WHEREAS, the Board of Trustees and the College are committed to the management and security of confidential data to protect its students, customers, and employees; and

WHEREAS, policies and procedures governing the management of documents and the use of certain confidential data are appropriate to comply with applicable contracts, and state and federal laws; to protect the College community; and to safeguard documents of a confidential nature; and

WHEREAS, a comprehensive data management and security policy establishes a tightly controlled process and safeguards the security of confidential data; and

WHEREAS, a new policy on confidential data management and security addresses the need for the systematic and continuous review of classes of data; authorization to create and access data; security of documents and information; and confirmation that procedures are compliant with the Red Flag rule; and

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

Resolved, That policy 66002, entitled Confidential Data Management and Security, be adopted as presented; and be it further

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

DPP:abg

Chapter: Fiscal and Administrative Affairs

Modification No. 001

Subject: Confidential Data Management and Security

- I. The Board of Trustees hereby authorizes the president to promulgate procedures and create programs to appropriately manage receipt, creation, copying, transmittal and use of certain confidential data in College operations by College employees and contractors. This policy and procedures hereunder are intended to address the increased regulatory attention to certain classes of data that are received, created, and maintained by the College. These data pose increased risks to persons and College operations that are the subject of or rightful users of, that data when such data are subject to unauthorized access or use by third persons. The purpose of these actions by the College are to further limit, to the extent possible, access and use of such data by unapproved or illicit third persons with the attendant risk of misuse and damage to the College community and College operations.
- II. To comply with applicable contracts and state and federal laws, and to protect the College community, the College has the right and obligation to receive, store, maintain, manage, secure, and use certain confidential data pertaining to individuals, including students, customers and employees. Although these data may be in various paper copy forms or electronic media forms, they may be readily transferred, transmitted or copied into various other forms. Current electronic media forms and networks through which they may be accessed require additional actions to properly steward and manage them securely.
- III. It is the policy of the Board of Trustees to safeguard sensitive hard copy and electronic data and to restrict individual access to such data only as it is necessary to perform the functions required by their position at the College and in accordance with state and federal laws. Individual access will be determined by appropriate authorization of both the individual's supervisor and the owner of the data. Those individuals, supervisors and owners are responsible for the College data stored, created, processed and/or transmitted under their care and for following the security requirements established under this policy.
- IV. The College will protect confidential data in its possession through a tightly controlled process that may include the following:
 - A. Systematic and continuous review and identification of various classes of data created, accessed, maintained, and transmitted by the College, separating these classes of data into level of confidentiality categories (e.g., Highly Sensitive, such as social security numbers, bank and credit card information that are associated with identity theft or are otherwise highly regulated in their use and access; Very Sensitive, such as personal information in addition to Highly Sensitive information, and Sensitive, such as certain other information that may be confidential under such laws as the public information act).

- B. Provision of various levels of access, creation and use controls that may require appropriate access/creation authorization by a small group for various classes of data, and then only on a need to know or use basis.
 - C. Provision of special controls on creation or copying of various classes of data to locations that may be accessed outside of the College's firewall and specification of network uses.
 - D. Requirements of specific security for certain classes of data, including locked file cabinets for hard copies, encryption for electronic versions, limitation of conversion keys to limited persons (such as permitting broad use of "M" numbers for students and employees, but limiting conversion keys of these numbers to social security numbers to a small group of employees that can further ensure proper use of these Highly Sensitive data).
 - E. Confirmation of the Red Flag Program followed by the College and further refinement of the program to ensure its effectiveness in current operations, to ensure full compliance with the Fair and Accurate Credit Transactions Act of 2003 that requires rules to protect against identity theft protection.
 - F. Integration of applicable security requirements into employee performance expectations and job descriptions, and proper enforcement of those expectations.
 - G. Review and change of access, creation, maintenance and transmittal authorization upon a change of status or position of each employee.
 - H. Special security requirements as may be appropriate for maintenance or use of confidential data outside of the College's secure facilities and networks, including but not limited to home pc's, mobile computing and storage devices and paper files taken home or elsewhere outside of College facilities. This may include encryption and other security precautions, as well as limitations on transmissions and copying.
 - I. Integrate and coordinate this policy with policies and procedures pertaining to confidential information and records management, as well as employee responsibilities.
- V. Information systems that store, process or transmit sensitive electronic data will be minimized and consolidated to eliminate storage of data that is not properly authorized. All information systems and sensitive electronic data, throughout its lifecycle, will be secured in a manner that is reasonable and appropriate, given the level of confidentiality, value and criticality that the data has to the College and to its constituents.
- VI. The College will provide education programs to employees and students to heighten awareness of the critical need to protect College confidential data.
- VII. The president is authorized to establish procedures necessary to implement this policy.

Board Approval: June 18, 2012

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

Agenda Item Number: 10C
June 18, 2012

MODIFICATION TO POLICY ON COLLEGE INVESTMENT PROGRAM

BACKGROUND

During the 1995 Session of the Maryland General Assembly, two bills were passed that affected the investment activities of the State of Maryland as well as every county, city, town, community college, and municipal corporation in Maryland. House Bill 913 and Senate Bill 88 were outgrowths of investment problems that occurred in Charles County, Maryland, and Orange County, California.

Chapter 304 of the Laws of Maryland 1995, established new criteria for public fund investments in Maryland and placed new restrictions on the investment of public funds in non-federal securities.

Chapter 143 of the of Laws of Maryland 1995 (1) directed the State Treasurer's Office to adopt guidelines for local government investment policies; (2) required every local government in Maryland and other entities to develop investment policies using these guidelines; and (3) required all affected entities to file their policies with the State Treasurer's Office by September 1, 1995. Chapter 143 also required (1) that the governing body of the local unit adopt a proposed investment policy; (2) that the policy be approved that the State Treasurer; and (3) that all investments be consistent with that policy.

On October 16, 1995, the Board of Trustees adopted an investment policy that complied with the mandate of the state laws. The policy adopted by the Board also recommended that the College's banking and investment committee review the policy on an annual basis for possible revision.

The College's Investment Policy was revised on January 22, 2002, to more clearly define the responsibilities of the Committee on College Investments and Bank Selection, and to include investment guidelines for the Aetna Supplemental Retirement Plan. The attached modification to the policy is a result of the most recent review and revision of the policy by the College's Banking and Investment Committee.

A comprehensive Investment Policy is intended to address the return objectives of the entity's time horizons, long-term asset allocation guidelines, and short-term assets allocation guidelines. The College's Investment Policy was revised to (1) more clearly define derivatives and leveraging investing guidelines; (2) include language requiring those involved in investment activities to certify annually that there is no conflict of interest; (3) include language to define what investment securities are authorized; (4) include changes to investment/institutional types and allowable portfolio percentages; (5) broaden the language for performance standards; (6) change reporting requirements from quarterly to periodic reports; and (7) update position titles consistent with recent organization restructuring. The president shall implement procedures consistent with the modifications to the policy.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modification to Montgomery College Investment Policy and that a certified copy of the policy be forward to the State Treasurer's Office.

BACK-UP INFORMATION

Proposed Modification to Montgomery College Investment Program Policy 61004

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSON(S)

Ms. Sherman

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

Resolution Number: **12-06-054**
Adopted on: **6/18/2012**

Agenda Item Number: 10C
June 18, 2012

Subject: Modification to Policy on College Investment Program

WHEREAS, the Board of Trustees adopted an investment policy that complied with the requirements of state laws on October 15, 1995; and

WHEREAS, the College's Banking and Investment Committee has recommended that modifications be made to the policy; and

WHEREAS, the modified College's investment policy more clearly defines derivatives and leveraging investing guidelines; requires those involved in investment activities to certify annually that there is no conflict of interest; defines what investment securities are authorized; incorporates changes to investment/institutional types and allowable portfolio percentages; broadens the language for performance standards; changes reporting requirements from quarterly to periodic reports; and updates position titles consistent with recent organization restructuring; and

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

Resolved, That the modifications to Policy 61004, entitled College Investment Program, be adopted as presented; and be it further

Resolved, That a copy of the modified Investment Program policy be sent by certified mail to the State Treasurer; and be it further

Resolved, That all College investment activity shall be consistent with the modified approved policy; and be it further

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

DPP:agb

Chapter: Fiscal and Administrative Affairs

Modification No. **007**

Subject: College Investment Program

I. Policy

It is the policy of Montgomery Community College (hereinafter referred to as "the College") to invest its funds in a manner which will conform to all State of Maryland investment statutes while meeting the daily cash flow demands of the College. The ~~Chief Business Officer~~ **Vice President of Finance/Chief Financial Officer** (or designee) is authorized to invest such funds, until the time they will be needed, in such securities as are indicated in these guidelines. ~~The College shall not borrow funds for the express purpose of reinvesting those funds.~~

II. Scope

This investment policy applies to all financial assets of the College. These funds are accounted for in the College's Annual Financial Report and include:

- A. General Funds
- B. Enterprise Funds
- C. Federal Loan Funds
- D. Plant Renewal & Replacement Funds
- E. Agency Funds
- F. Emergency Plant Maintenance Funds
- G. Any Approved New Fund(s)

This policy does not cover the financial assets of the Montgomery College Foundation. There is a separate investment policy and Investment Committee that governs these assets. The specific investment guidelines for the Aetna Retirement Plan are included as schedule A of this policy and a glossary of terms at Appendix I is also made part of this policy.

Committee on College Investments and Bank Selection

- A. A Committee on College Investments and Bank Selection will be established which will have the responsibility of reviewing the performance of the investment portfolio, establishing overall investment procedures and reviewing recommendations and actions of the College staff in making investments. The committee will be advisory to the ~~Executive~~ **Senior** Vice president for Administrative and Fiscal Services in order to assist in ~~making certain~~ **assuring** that investments are made ~~with~~ **competitively and** objectivity, using technical criteria consistent with College policy, and that banks are selected in a manner that best serves the College and public interest.

- B. The committee will also provide the Executive **Senior** Vice President with advice concerning ~~equity and fixed income~~ investments related to the Aetna Retirement program **Plan**.
- C. The committee will consist of the Executive **Senior** Vice President for Administrative and Fiscal Services (who will serve as secretary of the committee), a representative of the Montgomery County **Government** Finance office, and two or more ~~business leaders~~ **members** ~~in~~ **of** the community having no conflict of interest in College investments, and selected by the Executive **Senior** Vice President for Administrative and Fiscal Services in consultation with the College President. The committee will select its own chairperson. The term of office for the members from outside the College shall be two years, but an individual may be appointed to successive terms. The College's ~~Chief Business Officer~~ **Vice President of Finance/Chief Financial Officer** will serve as an ex-officio resource member of the committee.
- D. ~~The committee will meet at least twice a year and prepare a quarterly investment portfolio analysis to be presented to the Board through the Executive Vice President and the President~~ **The Committee will meet at least twice a year to review the investment portfolio report and prepare a report on investments to be presented to the Board, at least annually, through the Senior Vice President for Administrative and Fiscal Services and the College President.**
- E. The President is authorized to establish procedures to implement this policy**

Board Approval: May 21, 1984; March 24, 1986; July 17, 1989, effective July 1, 1989; July 19, 1993; October 16, 1995; January 22, 2002; **June 18, 2012.**

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

Agenda Item Number: 10D
June 18, 2012

MODIFICATION TO COLLEGE POLICY 63001—PROCUREMENT

BACKGROUND

In December 2001 the Board of Trustees adopted modifications to the College's policy on procurement, which authorized the president to award contracts resulting from competitive sealed bidding up to \$50,000; up to \$75,000 beginning in September 2002; and up to \$100,000 beginning in September 2003. In addition, the president was authorized to award contracts issued or purchases made by a public entity or state or local government, as long as the public entity has complied substantially with the formal competitive bidding process. The Board continued to approve all contract awards for competitive sealed proposals, sole source procurements, and emergency procurements above \$25,000. Additionally, the president submits a semiannual report, in January and July, of contracts awarded in accordance with this policy.

Consistent with the recent modification to the policy on fiscal control authorizing the president to approve change orders less than \$250,000, the Board recommended that the procurement policy be modified. After review of the policy, several modifications were also incorporated to strengthen the policy and bring it in line with current practice. Modifications to the policy include (a) updating the policy purpose for safeguarding the integrity of all procurement actions including grants; (b) delegating authority to the president to award competitive contracts up to \$250,000 and sole source procurements up to \$100,000; (c) delegating authority to general counsel and the vice president of procurement for certain special procurements; and (d) directing to the president to revise reporting and advertising procedures of specified procurement actions.

Annual procurement reports show that since the last modification to the policy in 2001 the Board continued to award contracts that have the greatest financial impact to the College. Had this recommended policy been in effect in FY11, of the 35 Board-approved actions totaling \$28,332,506, the president would have been authorized to execute 21 of those actions totaling \$1,983,960 or seven percent of the dollars. The president will implement procedures in accordance with this policy.

RECOMMENDATION

It is recommended that the Board of Trustees approve modifications to the College policy on procurement as written on the attached policy.

BACK-UP INFORMATION

Board Resolution
College Policy 63001

SENIOR RESPONSIBLE ADMINISTRATOR

Ms. Jones

RESOURCE PERSONS

Mr. Johnson
Mr. Sorrell
Dr. Wormack

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

Resolution Number: **12-06-055**
Adopted as Amended on: **6/18/2012**

Agenda Item Number: 10D
June 18, 2012

Subject: Modification to College Policy 63001- Procurement

WHEREAS, the Board of Trustees modified the procurement policy in 2001 authorizing the president or designee to award contracts that have been competitively bid up to \$50,000; up to \$75,000 effective September 2002; and up to \$100,000 effective September 2003; and that the Board would award contracts valued above these amounts; and that a semiannual report of these actions be submitted to the Board; and

WHEREAS, consistent with the recent modifications to the fiscal policy authorizing the president to approve construction changes orders up to \$250,000, the Board of Trustees recommended that the procurement policy be reviewed and modified, if necessary; and

WHEREAS, after review of the policy, modifications were made to strengthen the policy and bring it in line with the current practices; which includes a policy purpose for safeguarding the integrity of all procurement actions including grants; delegating authority to the president to award competitive contracts up to \$250,000, and sole source procurements up to \$100,000, and to general counsel and the vice president of procurement for certain special procurements; and directing the president to revise reporting and advertisement procedures; and

WHEREAS, the Board will continue to approve contracts having the greatest financial impact to the College; and

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

Resolved, That the Board of Trustees approves modifications to Policy 63001—Procurement as written on the attachment.

DPP:abg

Chapter: Fiscal and Administrative Affairs

Modification No. 015

Subject: Procurement

I. General

A. Policy

The purposes of this policy creating a procurement system for the College include:

1. Providing for confidence in College procurements;
2. Ensuring fair and equitable treatment of all persons who deal with the College procurement system;
3. Providing safeguards for maintaining a College procurement system of quality and integrity, consistent with conflicts of interests requirements and other requirements of law, regulations and grants;
4. Fostering effective broad-based competition to the extent practicable;
5. Obtaining maximum benefit from the public funds available to the College to purchase necessary and beneficial College mission-related materials and services;
6. Providing increased efficiency and timeliness in College procurements;
7. Assuring compliance with changing requirements of law and regulations;
8. Supporting governmental priorities and responsibilities, including appropriate encouragement and support for minority contracting and use of environmentally conscientious materials and services; and
9. Ensuring that the College utilizes and leverages its purchasing power directly, and through other governmental entities, to meet educational and institutional needs in a timely, economical, effective and responsible way.

B. Responsibility

The responsibility for meeting the procurement requirements of the College is delegated to the President. The President may sub-delegate this responsibility and may promulgate procedures that ensure that procurements by the College are consistent with this Policy.

C. Awarding Authority

1. Board of Trustees.

- a. Consistent with its powers and duties set forth in State Law, the Board

of Trustees has authority to enter into agreements for the establishment and operation of the College as it deems advisable.

- b. The Board of Trustees delegates this power to procure and enter into agreements for materials and services to the President (who may sub-delegate) as follows, subject to the additional provisions below:
 1. Competitive sealed bid awards up to \$250,000;
 2. Competitive sealed proposals up to \$250,000;
 3. All contract changes, modifications or supplemental services up to \$250,000, or an addition to original contract value of no more than 25% if originally approved by the Board of Trustees;
 4. Sole source awards below \$100,000;
 5. Special Procurements listed below.
- c. For all procurements for which the Board of Trustees is the awarding authority and the authority to procure is not delegated to the President, the Board of Trustees shall approve the procurement by resolution, upon recommendation from the President.

II. Methods of Procurement

A. Competitive Sealed Bidding

All contracts shall be awarded by competitive sealed bids unless such contract is below the threshold required for such competitive sealed bids, the contract is determined to be more appropriate for award as a result of competitive sealed proposals (see B below), the contract is a Special Procurement as defined below or the Director of Procurement determines that:

1. Specifications cannot be prepared that permit an award on the basis of lowest bid price or lowest evaluated bid price; or
2. The price of any service or supply required is regulated by the Public Service Commission; or
3. There is only one available source (Sole Source); or
4. There is an unanticipated emergency which leaves insufficient time to use this method; or
5. There is some other reason in the best interest of the College to use one of the other authorized methods.

B. Competitive Sealed Proposals

Competitive sealed proposals may be used if:

1. The procurement is for educational or consultant services;

2. The procurement is for any building, improvement, equipment, or supplies and the Director of Procurement determines that specifications cannot be prepared that allow an award based on the lowest bid price, the lowest evaluated bid price, or the bid most favorable to the College;

or
3. The Director of Procurement determines that:
 - a. The need to use a method other than competitive sealed bids is sufficiently compelling to override the general public policy that favors awarding procurement contracts on the basis of competitive sealed bids; and
 - b. The use of competitive sealed bidding for that procurement contract is not practicable or not advantageous to the College.
4. A procurement contract based on the use of competitive sealed proposals may be awarded by the Awarding Authority, after obtaining any approval required by law, to the responsible offeror who submits the proposal or best and final offer determined to be the most advantageous to the College considering the evaluation factors set forth in the request for proposals.

C. Special Procurements

1. Purchases of print and non-print library and learning resource material.
2. Merchandise purchased for re-sale.
3. Any awards made through contracts issued or purchases made by or for a public entity or state or local government for the College under procedures authorized by the Montgomery County Charter or state law shall be made by the President, or designee. The College will determine in each instance:
 - a. That the public entity or entity purchasing on behalf of the public entity has complied substantially with the formal competitive bidding requirements of the Annotated Code of Maryland, Section 16-408; and
 - b. That the terms and conditions of the agreement are consistent with the needs of the College.
4. Consistent with the provisions of Section 213 of the Montgomery County Charter and the provisions of the Montgomery County Code 11B-4(a), contracts for the services of special legal counsel or for the services of experts, consultants and investigators, deemed appropriate by the General Counsel, whether in anticipation of litigation or in preparation for a trial or a compliance issue.
5. Emergency procurements in which the Director of Procurement determines that there is not sufficient time to procure through a sealed competitive bid or proposal in order to timely meet a bona fide requirement of the College, including emergency repairs and other urgent procurement actions.
6. Cooperative purchases.
The Director of Procurement shall have the authority to join other units of state and local government which may include third party entities in cooperative

purchasing plans when the best interests of the College would be served, in order to take advantage of maximum volume discounts.

7. Inter-governmental purchases.
The Director of Procurement shall have the authority to contract for goods and services with a Federal, State or local government or agency, political subdivision of a state or a state school or school system when the best interests of the College would be served thereby.
8. Contracts governed by other applicable Board policies.

D. Sole Source Procurement Contracts

If the President, or designee, determines that there is only one available source for the subject of a procurement contract, a procurement contract may be awarded without competition to that source. Sole source procurement may be awarded in accordance with the Awarding Authority contained in this Policy.

E. Compliance

1. The procedures promulgated to administer the procurements under the procurement system created by this Policy and the Procurement Office charged with administration of the procurement system shall comply with all applicable laws, regulations, and the policies of the Board of Trustees, including specifically the purposes set forth in I.A. of this Policy.
2. Except as otherwise provided, a contract which is entered into in violation of the Awarding Authority or the Methods of Procurement as contained in this Policy is void, unless it is determined, upon review, that good faith has been shown by all parties, and that there has been substantial compliance with these policies and procedures. If a contract is void, any contractor who entered the agreement in good faith and without knowledge of any violation or contribution to any violation prior to award may be compensated for actual costs incurred.

III. Reporting

- A. Procedures promulgated to administer the procurement system shall provide for regular reports to the President, on a least an annual basis or as may otherwise be required in this Policy.
- B. The Procurement Office shall produce and deliver to the President a summary report of all procurements in the following categories in such form and detail as may be required in procedures:
 1. All procurements below thresholds and exempt from competitive sealed bids and competitive sealed proposals, over a minimum specified threshold.
 2. All sole source procurements not sent to the Board of Trustees for award.
 3. All Special Procurements except those authorized to be made by General Counsel, over a minimum specified threshold.
- C. The Procurement Office shall report as soon as practicable to the President all emergency procurements over a minimum specified threshold, in accordance with procedures.

- D. The General Counsel shall produce and deliver a report to the President of Special Procurements made by the General Counsel, in accordance with procedures.
- E. The Procurement Office shall produce and deliver a report to the President on the results of Minority Business Utilization Program, in accordance with procedures.
- F. **The Procurement Office shall produce and deliver in accordance with procedures, a summary report to the President on a semi-annual basis that includes all contract awards resulting from the competitive sealed bid and competitive sealed proposal process that are less than \$250,000, along with sole source contract awards greater than \$25,000, but less than \$100,000.**

IV. Miscellaneous Matters.

A. Public Notice

The Director of Procurement shall advertise for competitive sealed bids or proposals in such media and in such timeframes as may be specified by procedure.

B. Multi-Year Contracts

The College may enter into multi-year contracts for goods and services pursuant to any procedures that may specify or limit terms of such agreements that extend beyond the current fiscal year.

C. Prohibited Contract

The College shall not enter into a contract where any part of the compensation is based on a cost-plus-a-percentage-of-cost of the work performed or goods provided.

D. Irrevocability and Withdrawal of Offers

Bids, proposals and best and final offers are irrevocable for the period specified in the request for bids, request for proposals or request for best and final offers except the President or designee, upon recommendation from the Director of Procurement, may permit the withdrawal of a bid, proposal or best and final offer.

E. Bid and Contract Security

The Director of Procurement is authorized to require a bid or performance bond if the circumstances warrant. This bond shall be provided by a surety company authorized to do business in the State of Maryland, or the equivalent in cash, or in a form satisfactory to the President. No bid, performance or payment bond may be required for contracts less than the minimum set by state law, unless otherwise required by law or a grant.

F. Resolution of Protests and Disputes

Pursuant to the procedures, the Director of Procurement may, consistent with the budget and all applicable laws, regulations, and Board policies, negotiate and resolve protests and disputes relating to the formation of a procurement contract with the College. The Director shall inform the President of controversies involving the formation of contracts pursuant to the procedures. Protests may be addressed to the Board only through the President.

V. Special Programs.

A. Minority Business Utilization Program

In accordance with applicable procedures, the president or designee shall establish a minority business utilization program to facilitate the participation of responsible certified minority business enterprises in contracts awarded by the President or designee or the Board of Trustees in accordance with competitive sealed bids or proposals, with the result that minority businesses receive a fair share of College contracts. Nothing shall be construed as authorizing awards that are fiscally disadvantageous to the College, or that confer any special privilege or status upon any minority business or group or individual representing a minority business. Certified minority business enterprises shall be defined in the procedures.

B. Preference for Montgomery County Products

In purchasing goods and services for the College, the president or designee shall encourage participation in the bidding process from Montgomery County-based firms, and shall give preference in accordance with procedures to these firms whenever such purchases would not be disadvantageous to the College.

Board Approval: November 19, 1984; June 16, 1986; July 20, 1987; May 16, 1988; July 17, 1989, effective July 1, 1989; October 16, 1989; June 18, 1990; December 16, 1991; November 15, 1993; February 26, 1996; June 17, 1996; June 15, 1998; December 10, 2001; May 15, 2012; June 18, 2012

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

Agenda Item Number: 10E
June 18, 2012, 2012

REVISION TO COLLEGE POLICY 68004--RECORDS MANAGEMENT

BACKGROUND

The Office of General Counsel recently reviewed Policy 68004 Records Management with respect to a question that was raised regarding records retention. Recent Attorney General opinions clarified language in the State archiving law with respect to whether the College was subject to it. After concluding that the College was not a part of State government such that it was not appropriate to comply with the archive provisions and many other requirements applicable to the State executive branch, it was determined that Policy 68004 should be revised as soon as possible. These revisions are necessary to rectify an error of law in its provisions, as the current policy is based on the interpretation that the College was equivalent to the State executive branch and was subject to the State archive law.

In reviewing and revising Policy 68004, it was also determined that the provisions addressing inspection of public records should be adjusted to tie these more directly to the State Public Information Act and developments in the Public Information Act since the approval of these provisions of the Policy in November 1984. This includes providing for cost recovery of the expense of copies of records furnished to requestors as well as authority of the president to establish procedures to implement the revised Policy 68004.

RECOMMENDATION

The president recommends that the Board authorize and approve the revisions to College Policy 68004 Records Management, as amended and shown on the attached documents.

BACK-UP INFORMATION

Board Resolution
Policy 68004 Records Management

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSONS

Mr. Sorrell

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

Resolution Number: **12-06-056**
Adopted on: **6/18/2012**

Agenda Item Number: 10E
June 18, 2012

Subject: Revision to College Policy 68004 - Records Management

WHEREAS, the General Counsel of the College has proposed certain revisions to the records management policy of the College to make it consistent with, and align it more closely with, State law requirements; and

WHEREAS, such revisions to a policy must be authorized by the Board of Trustees; and

WHEREAS, the president recommends the following action be taken; now therefore be it

Resolved, That the recommended changes to the records management policy as contained in the attached document is approved; and be it further

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

DPP:abg

The Board of Trustees recognizes that all persons are entitled to access to information through existing documents regarding the affairs of the College and the official acts of those individuals who act as its trustees and employees, in accordance with the provisions of the Public Information Act of the State of Maryland.

I. Inspection and Copies

- A. It is the policy of the Board of Trustees to permit public records, as defined by State law, to be available for inspection by any person at reasonable times, in accordance with State law.
- B. Copies of requested documents should be made available at such costs that reimburse the College for its expenses incurred in providing the documents, in accordance with procedures promulgated by the president and subject to such exceptions as the president or the president's delegate may deem appropriate. In the absence of such procedures addressing costs to be charged, the costs are \$.10 per copy or in the event that an outside vendor is used for the copies, the charge to the College by that outside vendor.

II. Retention

The Board of Trustees authorizes the president to establish a Records Retention Schedule for the College that meets requirements for maintaining records for purposes of legal actions or defense, administrative and historical needs, educational records for students and personnel records for employees, as well as records required for compliance related matters. College records that have fulfilled their business purpose and usefulness should be subject to systematic disposal in accordance with the schedule and procedures.

III. The President is authorized to establish procedures to implement this policy.

Board Approval: November 19, 1984; May 16, 2005; June 18, 2012.

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

Agenda Item Number: 11A
June 18, 2012

FINAL ADOPTION OF THE FY13 COLLEGE CAPITAL BUDGET

BACKGROUND

On May 24, 2012, the County Council approved the College's FY13 capital budget by appropriating \$37,812,000 to fund 15 projects. The Council's approved budget (Council Resolution No. 17-436) is made up of the following:

<u>Project</u>	<u>FY13 Request</u>	<u>Council Final Action</u>
ADA Compliance – College	\$ 50,000	\$ 50,000
Capital Renewal	1,654,000	1,654,000
Energy Conservation – College	125,000	125,000
Facility Planning – College	300,000	270,000
Germantown Science & Applied Studies Ph. 1	5,346,000	4,529,000
Instructional Furniture & Equipment – College	300,000	270,000
IT Information Technology	9,577,000	4,000,000
IT Student Learning Support Systems	1,800,000	1,600,000
IT Network Operating Center	2,000,000	2,000,000
IT Network Infrastructure & Support Systems	2,000,000	1,800,000
Planned Life-Cycle Asset Replacement–College	4,000,000	4,000,000
Planning, Design & Construction	1,455,000	1,413,000
Rockville Parking Garage	3,952,000	0
Rockville Student Services Center	10,718,000	10,373,000
Science East Building Renovation	6,574,000	5,028,000
Site Improvements	700,000	700,000
TOTAL	<u>\$50,551,000</u>	<u>\$37,812,000</u>

The FY13 state share for design costs was reduced for the following projects: the Germantown Science and Applied Studies Phase 1 – Renovation (\$817,000 decrease); and the Rockville Student Services Center (\$345,000 decrease). The county has agreed not to reduce the design costs for the county share of these projects and, as a result, the county share is, therefore, greater than 50 percent. The state has also reduced the Science East Building Renovation furniture, fixtures, and equipment request by \$773,000, and for this reduction, the county will also reduce its share by \$773,000 for a total reduction of \$1.55 million.

Citing fiscal reasons, the county decreased a number of the College's FY13 funding requests, namely: Facility Planning – College (\$30,000 decrease); Instructional Furniture and Equipment (\$30,000 decrease); IT Information Technology (\$5,577,000 decrease); IT Network Infrastructure and Support Systems (\$200,000 decrease); IT Student Learning Support Systems (\$200,000 decrease); and Planning, Design, and Construction (\$42,000 decrease). The county also deferred the Rockville Parking Garage design funds to the FY14 capital budget.

The approved FY13 capital budget also provides funding for many ongoing level-of-effort projects, such as Site Improvements, Planned Life-Cycle Asset Replacement, and Energy Conservation.

RECOMMENDATION

It is recommended that the Board adopt the FY13 capital budget as appropriated by the Montgomery County Council and authorize the president to implement the approved budget. The attached resolution provides for the formal action taken each year following the council's appropriation of the College's capital budget.

BACK-UP INFORMATION

Board Resolution
Other Approved Projects

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSON

Ms. Cubar

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

Resolution Number: **12-06-057**
Adopted on: **6/18/2012**

Agenda Item Number: 11A
June 18, 2012

Subject: Final Adoption of the FY13 College Capital Budget

WHEREAS, on November 21, 2011, by Board Resolution #11-11-150, the Board of Trustees adopted the FY13 College capital budget; and

WHEREAS, on May 24, 2012, by Council Resolution Number 17-436 the Montgomery County Council approved the College's FY13–18 capital improvements program and approved the FY13 capital budget with new appropriations totaling \$37,812,000 to fund 15 projects; and

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

Resolved, That the Board of Trustees adopts the FY13 College capital budget, and authorizes the president to implement the budget as amended, approved, and appropriated by the Montgomery County Council for the College, pursuant to Council Resolution Number 17-436.

DPP: abg

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

Agenda Item Number: 11B
June 18, 2012

FINAL ADOPTION OF THE FY13 CURRENT FUND AND SPECIAL FUNDS BUDGETS

BACKGROUND

On January 30, 2012, the Board of Trustees adopted a budget in the amount of \$217,636,599 for the current fund and \$16,136,500 for the Workforce Development & Continuing Education fund and \$6,359,564 for the Auxiliary Enterprises Fund. It is necessary to readopt the budget since the county council's final appropriation for the current fund is \$218,036,599, an increase of \$400,000 due to the energy tax not sunseting.

The FY13 final operating budget represents a 0.4 percent increase (\$782,000) from the prior year and a 0.4 percent increase in county funding (\$400,000) to cover the energy tax. The Board of Trustees increased tuition \$2/\$4/\$6 (in-county, in-State, out-of-State rates, respectively) per credit hour. This budget includes use of fund balance of \$4.7 million. Total state aid that includes the operating budget and WD&CE increased \$1 million.

The budget includes \$620,000 for the Ride On bus services, \$800,000 for enrollment growth, and \$94,000 for Board of Trustees grants and other scholarships. There is no salary improvement, no money for new building expenses, and no benefit cost increases in this budget. Utilities decreased \$1.5 million due to rate decreases.

The other funds (emergency plant maintenance & repair fund, cable tv, student activities and athletics, and grants) do not need to be readopted because Board Resolution #12-01-08 did not specify amounts.

There is a provision in this resolution to reappropriate encumbered FY12 balances in FY13. This action will allow funding for items encumbered in the current fiscal year to automatically be reappropriated in the next fiscal year.

RECOMMENDATION

It is recommended that the Board readopt the FY13 current fund and special funds budgets as presented, and authorize the president to implement the budgets that are subject to final county council funding actions in June, 2012.

BACK-UP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSON

Ms. Dimon

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

Resolution Number: **12-06-058**
Adopted on: **6/18/2012**

Agenda Item Number: 11B
June 18, 2012

Subject: Final Adoption of the FY2013 Current Fund and Special Funds Budgets

WHEREAS, the Board of Trustees ratified the College's Fiscal Year 2013 operating budget on January 30, 2012, by Board Resolution #12-01-08; and

WHEREAS, the Montgomery County Council considered the budget in work sessions during April and May, 2011, and approved \$218,036,599 for the current fund, and \$22,496,064 for the special funds; and

WHEREAS, Montgomery College submitted a budget that was fiscally responsible with no increase in county funding; and

WHEREAS, the county council and county executive recognized the valuable contribution that Montgomery College makes to the community fully funded its budget request; and

WHEREAS, the council has approved the College's FY13 operating budget for state-mandated functions and appropriated a current fund expenditure authority of \$218,036,599; and

WHEREAS, by the same resolution, the council appropriated the expenditure authority for the special funds as follows: Workforce Development & Continuing Education fund, \$16,136,500, and Auxiliary Enterprises funds, \$6,359,564; and

WHEREAS, the College, seeking to be consistent with other county agencies and colleges in Maryland, requests the authority for encumbered expenditures to carry into the next fiscal year; and

WHEREAS, the foregoing expenditure appropriation has been applied to functional expense categories to reflect council actions; now therefore be it

Resolved, That the Board of Trustees hereby readopts the FY13 College current fund operating budget in the amount of \$218,036,599, Workforce Development & Continuing Education fund in the amount of \$16,136,500; and the Auxiliary Enterprises fund in the amount of \$6,359,564; and be it further

Resolved, That the Board of Trustees authorizes reappropriation and expenditures of encumbered FY12 appropriations for all funds, permitting the funds to be spent in FY13 (unencumbered appropriations lapse at the end of FY12); and be it further

Resolved, That the functional totals for the Fiscal Year 2013 operating budget will be in the amounts listed below:

	<u>CURRENT FUND</u>	<u>SPECIAL FUNDS</u>
10 Instruction	\$ 79,455,384	\$ 7,898,000
40 Academic Support	31,756,917	3,048,000
50 Student Services	28,712,424	3,870,500
60 Operations & Maint. Of Plant	32,236,452	1,200,000
70 Institutional Support	42,384,922	-0-
80 Scholarships & Fellowships	3,490,500	120,000
Auxiliary Expenditures	<u>-0-</u>	<u>6,359,564</u>
TOTAL	\$218,036,599	\$22,496,064

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 FY13 are in the amounts listed below, subject to final county council funding actions in June, 2012.

	<u>CURRENT FUND</u>	<u>SPECIAL FUNDS</u>
County Contribution	\$ 94,768,755	\$ -0-
State Aid	30,268,787	5,729,766
Tuition & Fees	87,063,152	8,485,000
Miscellaneous	1,240,494	6,590,281
Fund Balance	4,695,411	1,691,017
Net Transfers	<u>-0-</u>	<u>-0-</u>
TOTAL	\$ 218,036,599	\$22,496,064

DPP:abg

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

Agenda Item Number: 11C
June 18, 2012

PETITIONS FOR STATE FUNDING

BACKGROUND

On May 24, 2012, the Montgomery County Council appropriated the College's FY13 Capital Budget including funds for three state-assisted projects: the Germantown Science and Applied Studies Phase 1 – Renovation, the Rockville Science East Building Renovation, and the Rockville Student Services Center. The county executive and the county council have been informed that the College will petition the state for final approval of each project's funding.

The state and county funding levels for the project are outlined below. The FY13 appropriation for the Germantown Science and Applied Studies Phase 1 – Renovation project is \$4,529,000 (\$2,673,000 – county, and \$1,856,000 - state aid). The FY13 appropriation for the Rockville Science East Building Renovation project is \$5,028,000 (\$3,870,000 – county, and \$1,158,000 - state aid). The FY13 appropriation for the Rockville Student Services Center project is \$10,373,000 (\$5,359,000 – county, and \$5,014,000 - state aid).

It should be noted that the FY13 State share for design costs was reduced for the following projects: the Germantown Science and Applied Studies Phase 1 – Renovation (\$817,000 decrease); and the Rockville Student Services Center (\$345,000 decrease). The County has agreed not to reduce the design costs for the county share of these projects and, as a result, the county share is therefore greater than 50 percent. The state has also reduced the Science East Building Renovation furniture, fixtures, and equipment request by \$773,000, and for this reduction, the county will also reduce their share by \$773,000 for a total reduction of \$1,546,000.

The attached resolution and county council petition are in the format prescribed by the state and county. In addition, the petition outlines the contingent nature of the Council's approval, which requires state approval of the College's projects as part of the FY13 bond bill. With the Board's adoption of this resolution, the request is forwarded to the County council for action on the state grant petition.

RECOMMENDATION

It is recommended that the Board of Trustees formally request the county council to petition the state for the following grants: \$1,856,000 for the design of the Germantown Science and Applied Studies Phase 1 – Renovation project; \$1,158,000 for furniture, fixtures, and equipment for the Rockville Science East Building Renovation project; and \$5,014,000 for the design of the Rockville Student Services Center project.

BACK-UP INFORMATION

Board Resolution
County Council Resolutions
Project Description Forms

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSON

Ms. Cubar

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

Resolution Number: **12-06-059**
Adopted on: **6/18/2012**

Agenda Item Number: 11C
June 18, 2012

**Subject: Proposal to Construct a Public Junior/Community College or Additions Thereto,
Germantown Science and Applied Studies Phase 1 – Renovation Project Design**

WHEREAS, the General Assembly of Maryland has enacted various community college construction loan acts that provide state funds to assist the various counties in financing the costs of acquiring land and constructing public junior, community, or regional community college buildings and facilities, the costs of which were incurred after the effective dates of the acts; and

WHEREAS, the Board of Trustees of Montgomery Community College proposes undertaking the design of the Science and Applied Studies Phase 1 – Renovation project on the Germantown Campus of the College and has determined that the sum of \$1,856,000 in State financial assistance available under the loan acts is needed for this purpose; now therefore be it

Resolved, That the Board of Trustees of Montgomery Community College requests that the Montgomery County Council approve the proposal to undertake the design of the Science and Applied Studies Phase 1 – Renovation project on the Germantown Campus of the College as set forth in the application for financial assistance; file, as required by the loan acts and contingent on enactment of the FY13 State of Maryland capital budget by the 2012 Session of the General Assembly and its approval by the Governor, the necessary petition with Maryland Higher Education Commission for a state grant in the amount of \$1,856,000, and make available the necessary local funds for completion of the project.

A True Copy.

ATTEST:

_____, Secretary-Treasurer
Board of Trustees of
Montgomery Community College

Date: _____

DPP:abg

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

Resolution Number: **12-06-059**
Adopted on: **6/18/2012**

Agenda Item Number: 11C
June 18, 2012

Subject: Proposal to Construct a Public Junior/Community College or Additions Thereto, Rockville Science East Building Renovation Project for the Furniture, Fixtures, and Equipment

WHEREAS, the General Assembly of Maryland has enacted various community college construction loan acts that provide state funds to assist the various counties in financing the costs of acquiring land and constructing public junior, community, or regional community college buildings and facilities, the costs of which were incurred after the effective dates of the acts; and

WHEREAS, the Board of Trustees of Montgomery Community College proposes undertaking the purchase of furniture, fixtures, and equipment for the Rockville Science East Building Renovation project on the Rockville Campus of the College and has determined that the sum of \$1,158,000 in State financial assistance available under the loan acts is needed for this purpose; now therefore be it

Resolved, That the Board of Trustees of Montgomery Community College requests that the Montgomery County Council approve the proposal to undertake the purchase of furniture, fixtures, and equipment for the Rockville Science East Building Renovation project on the Rockville Campus of the College as set forth in the application for financial assistance; file, as required by the loan acts and contingent on enactment of the FY13 State of Maryland capital budget by the 2012 Session of the General Assembly and its approval by the Governor, the necessary petition with Maryland Higher Education Commission for a State grant in the amount of \$1,158,000, and make available the necessary local funds for completion of the project.

A True Copy.

ATTEST:

_____, Secretary-Treasurer
Board of Trustees of
Montgomery Community College

Date: _____

DPP:abg

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

Resolution Number: **12-06-059**
Adopted on: **6/18/2012**

Agenda Item Number: 11C
June 18, 2012

**Subject: Proposal to Construct a Public Junior/Community College or Additions Thereto,
Rockville Student Services Center Project Design**

WHEREAS, the General Assembly of Maryland has enacted various community college construction loan acts that provide State funds to assist the various counties in financing the costs of acquiring land and constructing public junior, community, or regional community college buildings and facilities, the costs of which were incurred after the effective dates of the acts; and

WHEREAS, the Board of Trustees of Montgomery Community College proposes undertaking the design of the Student Services Center project on the Rockville Campus of the College and has determined that the sum of \$5,014,000 in State financial assistance available under the loan acts is needed for this purpose; now therefore be it

Resolved, That the Board of Trustees of Montgomery Community College requests that the Montgomery County Council approve the proposal to undertake the design of the Student Services Center project on the Rockville Campus of the College as set forth in the application for financial assistance; file, as required by the loan acts and contingent on enactment of the FY13 State of Maryland capital budget by the 2012 Session of the General Assembly and its approval by the Governor, the necessary petition with Maryland Higher Education Commission for a State grant in the amount of \$5,014,000, and make available the necessary local funds for completion of the project.

A True Copy.

ATTEST:

_____, Secretary-Treasurer
Board of Trustees of
Montgomery Community College

Date: _____

DPP:abg

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

Agenda Item Number: 12
June 18, 2012

**NAMING OF THE HERCULES PINKNEY PARK
AT THE GERMANTOWN CAMPUS**

BACKGROUND

Dr. Hercules Pinkney served Montgomery College as interim president and vice president/provost. He is recognized as president emeritus. As vice president/provost, he led the Germantown Campus, as well as the College's information technology instructional programs, the Center for Teaching and Learning, service learning, Student Employment Services, and the Carl D. Perkins Grant Program. After his retirement in 2010, Dr. Pinkney, at the behest of the Board of Trustees, stepped in to serve as interim president of the College.

During his tenure, Dr. Pinkney served as the College's point person for an innovative project to construct a park at the Germantown Campus, which includes a county-operated technology incubator, the construction of a hospital, and a Bioscience Education Center.

Governor Martin O'Malley appointed Dr. Pinkney to the 15-member Maryland Life Sciences Advisory Board in 2007. He has been reappointed to two additional consecutive two-year terms. Dr. Pinkney also served as the 2005 chairman of the Board of Directors of the Gaithersburg-Germantown Chamber of Commerce. He served as a charter member of the Board of Directors of the Maryland-India Business Roundtable. Leadership Montgomery recognized him as Leader of the Year in 2010 for his steadfast dedication to the College. The African American Chamber of Commerce named him Educator of the Year in 2003.

RECOMMENDATION

It is recommended that the Montgomery College Board of Trustees approve the naming of the park at the Montgomery College Germantown Campus as The Hercules Pinkney Park.

BACK-UP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Cain

RESOURCE PERSON

Dr. Rai
Mr. Sears

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

Resolution Number: **12-06-060**
Adopted on: **6/18/2012**

Agenda Item Number: 12
June 18, 2012

Subject: Naming of The Hercules Pinkney Park at the Germantown Campus

WHEREAS, in accordance with Montgomery College Policy 74001, the Board of Trustees shall approve the naming of rooms, areas within and outside of buildings, institutes, centers, and special programs; and

WHEREAS, upon approval by the Board of Trustees, these areas may also be named for individuals, businesses, foundations, or families who have had a significant impact on the College; and

WHEREAS, in carrying out such a policy the Board of Trustees shall take into account the level of contributions of the individual to the College; and

WHEREAS, Dr. Hercules Pinkney has been an outstanding leader of the College as vice president and provost, and as interim president from 2009-2010 when he oversaw the College during a period of major fiscal challenges and continuous enrollment growth, while providing a strong commitment to the faculty, staff, and students; and

WHEREAS, Dr. Pinkney served as the College's point person for an innovative project to construct a park at the Germantown Campus, which includes a county-operated technology incubator, the construction of a hospital, and a Bioscience Education Center; and

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

Resolved, That the Board of Trustees approves the naming of the park at the Montgomery College Germantown Campus as The Hercules Pinkney Park in recognition of Dr. Pinkney's contributions to the Germantown Campus and to enriching students' educational opportunities and experiences at Montgomery College.

DPP:abg

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

Agenda Item Number: 13
June 18, 2012

**APPROVAL OF MEMORANDUM OF AGREEMENT–
COLLECTIVE BARGAINING AGREEMENT BETWEEN
MONTGOMERY COLLEGE AND LOCAL 500,
SERVICE EMPLOYEES INTERNATIONAL UNION, CHANGE TO WIN**

BACKGROUND

Representatives of the Board of Trustees and Local 500 of the Service Employees International Union (SEIU), Change to Win (CtW), reached an agreement during re-opener negotiations that resulted in amendments to the part-time faculty collective bargaining agreement. The amendments to the agreement include the establishment of a pay schedule that allows each bargaining unit member to receive a one-time payment equal to \$24.00 per ESH for bargaining unit work performed during the academic year fall semester of 2011 and the spring semester of 2012. The parties also agreed that there shall be no adjustment to the pay schedule in Fiscal Year 2013. The membership of the bargaining unit ratified the agreement on June 18, 2012.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the attached resolution approving the collective bargaining agreement; authorize the Board Chair to execute the Memorandum of Agreement; and delegate to the president the authority and responsibility to implement and administer the agreement.

BACK-UP INFORMATION

Board Resolution

Tentative Agreement June 2012 (Board members only via portal)

RESOURCE PERSON(S)

Ms. Espinosa

Ms. Smith

Ms. Jones

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

Resolution Number: **12-06-061**
Adopted on: **6/18/2012**

Agenda Item Number: 13
June 18, 2012

**Subject: Approval of Memorandum of Agreement – Collective Bargaining Agreement
Between Montgomery College and Local 500, Service Employees International
Union, CtW**

WHEREAS, Local 500, Service Employees International Union, Change to Win, is the exclusive representative authorized to negotiate on behalf of certain part-time faculty members at Montgomery Community College; and

WHEREAS, a tentative agreement with amendments to the collective bargaining agreement has been negotiated by teams representing the Board of Trustees and SEIU Local 500; and

WHEREAS, on June 18, 2012, the members of SEIU Local 500 ratified the tentative agreement; and

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

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

Resolved, That the Board of Trustees approves the amendments to the collective bargaining agreement set forth in the attached tentative agreement; and be it further

Resolved, That the Board of Trustees authorizes the Board Chair to execute the tentative agreement between the Board of Trustees of Montgomery Community College and Local 500, Service Employees International Union, Change to Win; 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.

DPP:abg

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

Agenda Item Number: 15
June 18, 2012

**CHANGE ORDER AUTHORIZATION
SCIENCE EAST RENOVATION FLOOR SLAB REPLACEMENT
ROCKVILLE CAMPUS**

BACKGROUND

In November 2011, an \$18,400,000 construction contract was awarded to the Whiting-Turner Contracting Company for the Science East Renovation on the Rockville Campus. Comprehensive renovation of this building, which was constructed in 1965, provides a new location for the math department and associated developmental math programs, computer labs, and general purpose classrooms as part of the planned Science Center complex.

Structural cracks in concrete floor slabs and deterioration of metal floor decking and concrete reinforcement were discovered in mid-April, following Whiting-Turner's initial selective demolition activity. On discovery, engineering studies and analyses were undertaken to identify material issues and concerns. The existing structural frame design relies on steel beams and joists to support a thin floor slab comprised of a shallow metal deck and reinforced concrete. Differential stresses and deflection patterns inherent in the original construction yielded conditions that promoted slab cracking. Wet lab environmental conditions and modifications to the slabs over time provided avenues for additional deterioration. Moisture has travelled through the slab cracks, corroding the underlying metal deck formwork and the steel reinforcing material within the concrete slab. The structural slab must be restored because it provides lateral structural stability to the building frame.

This hidden condition adversely affects the second, third, and fourth floors of the building. Appropriate corrective action will affect both project cost and duration. A wide variety of solution options have been considered. Preliminary budget and schedule estimates, which can help the College understand the relative order of magnitude each solution would impose on the project, were received from Whiting-Turner on June 12, 2012.

Evaluations by the Office of Central Facilities, design team, and Whiting-Turner and its subcontractors, have concluded that repair options are not feasible. Existing conditions, including de-lamination of decking and concrete and the condition and shape of metal deck preclude injected epoxy repairs normally recommended for conventional concrete slab construction. Repairs to embedded materials, such as deteriorated steel reinforcing material, would not be possible. Even if technically feasible, repair solutions would not address the underlying root causes of the problem—the deflection characteristics and differential stresses across the slab would remain unchanged. Additional cracking is certain to develop and would require ongoing and potentially disruptive maintenance.

Slab replacement is recommended as the appropriate means by which to affect the necessary repair. New galvanized metal decking, properly placed steel reinforcement, and use of fiber mesh in the new concrete mix as a supplemental reinforcement measure are recommended. Steel joist

replacement is also recommended to stiffen the slab, reducing the deflection and stress patterns that led to cracking in the first place. Risks of future crack development can be better managed through use of planned control joints. Providing for a composite concrete and metal deck slab construction, which provides the best design improvement, remains under consideration if existing building foundation and geotechnical conditions prove favorable. Slab replacement design details require further development to affirm final cost and schedule requirement. A change order cost of up to \$2,000,000 is possible.

Authorization in support of this change is required promptly in order to enable firm direction with regard to ongoing demolition activities, to initiate the complete design response required by the construction team to enable final pricing and schedule assessment, and to enable authorization of the final cost and time change order prior to the Board's next meeting in September 2012. Deferring action would result in suspension of work in the building and further adversely affect project schedule and cost.

Sufficient funds are available for this work in the FY12 Capital Budget Science East Renovation project. The initial project bid price was lower than expected, resulting in a contingency of approximately 27 percent remaining available to the project. Following funding of this change order, sufficient funds will still remain available for future project design and contingency needs. The planned project time schedule also includes sufficient contingency. Extension of the schedule for this work should not adversely affect the planned building opening date of January 2014.

Only one other change order has been issued to date on this project: Change Order #1 was issued in April 2012 for \$151,589 to remediate additional unforeseen asbestos-containing materials discovered in the exterior wall cavities during demolition.

Board of Trustees approval is required for all capital budget construction change orders at or above \$250,000.

RECOMMENDATION

It is recommended that the Board of Trustees authorize a construction change order for Science East Renovation floor slab replacement and authorize the President to approve a change order of up to \$2,000,000, once final cost and time impact are determined, with affirmation of the change order action provided to the Board of Trustees at its September 2012 meeting.

BACK-UP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSONS

Ms. Cubar

Ms. Sherman

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

Resolution Number: **12-06-062**
Adopted on: **6/18/2012**

Agenda Item Number: 15
June 18, 2012

Subject: Change Order Authorization, Science East Renovation Floor Slab Replacement, Rockville Campus

WHEREAS, the senior vice president for administrative and fiscal services requests approval of a change order authorization for Science East Renovation floor slab replacement on the Rockville Campus; and

WHEREAS, on November 21, 2011, by resolution #11-11-147, the Board of Trustees awarded a construction contract valued at \$18,400,000 to the Whiting-Turner Contracting Company for the Science East Renovation; and

WHEREAS, change order authorization is required in order to enable firm direction with regard to ongoing demolition activities, to initiate the complete design response required by the construction team to enable final pricing and schedule assessment, and to enable authorization of the final cost and time change order prior to the next scheduled Board meeting; and

WHEREAS, budget and schedule estimates have been prepared that identify the order of magnitude of cost and time impact expected; and

WHEREAS, deferring action would further adversely affect project schedule and cost; and

WHEREAS, Board approval is required for capital budget construction change orders valued at or above \$250,000; and

WHEREAS, the interim vice president of finance/chief financial officer certifies that funds are available in the FY12 capital budget Science East Renovation project to enable the College to award the contract change order as recommended; and

WHEREAS, the project duration change is not expected to adversely affect the planned building opening date; and

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

Resolved, That a contract change order authorization, not to exceed \$2,000,000, for providing all necessary materials, labor, equipment, and insurance for Science East Renovation floor slab replacement at the Rockville Campus, be awarded to the Whiting-Turner Contracting Company of Greenbelt, Maryland; and be it further

Resolved, That the President is authorized to sign the change order on behalf of the Board of Trustees; and be it further

Resolved, That affirmation of the change order action be provided at the next Board of Trustees meeting.

DPP:abg