

**MONTGOMERY COLLEGE
BOARD OF TRUSTEES**

**RECORD OF RESOLUTIONS
May 20, 2008**

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

Resolution Number: **08-05-036**
Adopted on: **5/19/08**

Agenda Item Number: 6A
May 19, 2008

Subject: Award of Silver Medallion and Emeritus Status to Mr. Robert F. Cephas

WHEREAS, Mr. Robert F. Cephas rendered more than 31 years of invaluable service and dedication to the College prior to his retirement on January 1, 2008; and

WHEREAS, during his exemplary service as the Executive Director, Board of Trustee Relations (2006-2007), Mr. Cephas served as chief staff liaison to the Board of Trustees earning their high confidence and appreciation; and

WHEREAS, having served as Chief of Staff (1995-2006), proved his loyalty and dedication, commitment to setting high standards, readiness to take on new challenges, and commitment to the College and its mission; and

WHEREAS, he earned an Outstanding Service Award in 2001 in recognition of his coordination of outreach efforts from the President's Office to the diverse external community, and for his exceptional contributions and service to the College; and

WHEREAS, having served as Director of Auxiliary Services for 11 years (1984-1995), was responsible for providing leadership and coordination for the successful operation of the bookstore, cafeteria, child care services, recreation centers, and other retail services aimed at supporting student success, and while maintaining self-supporting status; and

WHEREAS, he was applauded as Mentor of the Year during the 1998-99 and 1997-98 academic years by the Montgomery College Rockville Campus Project S.U.C.C.E.S.S. in recognition of his outstanding contributions and participation in the project; and

WHEREAS, Mr. Cephas successfully completed the American Council on Education (ACE) Fellowship Program (1993-1994) serving directly under the President and Vice President for Academic Affairs at Morgan State University; and

WHEREAS, he successfully facilitated the Morgan State University doctoral program at the College, a program which provides doctoral programs in community college leadership; and

WHEREAS, having served as Assistant to the Administrative Vice President (1976-1984), provided seven years of staff support in the areas of affirmative action, auxiliary enterprises, budget, facilities management, finance, human resources, procurement, and public information, including acting as Director of Procurement on two separate occasions and Director of Affirmative Action on three separate occasions; and

WHEREAS, the Board of Trustees' policy provides that all administrative staff who retire with a minimum of ten years service as an administrator with Montgomery College shall be designated administrator emeritus(a) with appropriate title, subject to approval of the Board of Trustees; and

WHEREAS, College policy provides for the awarding of a Silver Medallion to recognize outstanding service to the College; and

WHEREAS, in recognition of his long-time loyalty and invaluable service, the President of the College recommends that Mr. Cephas be awarded the Silver Medallion as acknowledgement of his contributions to the College on the occasion of his retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Mr. Robert F. Cephas 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 Mr. Robert F. Cephas is awarded the Silver Medallion in recognition of his outstanding service to the College, and as an expression of gratitude of the College for his exemplary dedication and professional commitment to further the goals of the College; and be it further

Resolved, That Mr. Robert F. Cephas is granted the status Executive Director, Board of Trustee Relations 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 and the Silver Medallion be presented to Mr. Robert F. Cephas.

BKJ:abg

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

Resolution Number: **08-05-037**
Adopted on: **5/19/08**

Agenda Item Number: 6B
May 19, 2008

Subject: Retirement Recognition for Mr. David A. Coburn

WHEREAS, Mr. Coburn has served Montgomery College with dedication and distinction for more than twelve years and retired from the College as of April 10, 2008; and

WHEREAS, in his capacity as a General Maintenance Worker within the Office of Facilities (1995-2008), he provided a valuable service to faculty, staff, and students through his assistance in the daily upkeep of the grounds on the Rockville Campus; and

WHEREAS, Mr. Coburn was an asset to the Office of Facilities and received many compliments on the professional appearance of the grounds on the Rockville Campus; and

WHEREAS, his service to students, faculty, and staff was always helpful and delivered with a high degree of courtesy and professionalism; and

WHEREAS, the President of the College recommends this public recognition of Mr. Coburn on the occasion of his retirement; now therefore be it

Resolved, that the members of the Board of Trustees express their sincere appreciation to Mr. David Coburn 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 this resolution become a part of the minutes of this Board of Trustees meeting and a copy be presented to Mr. David A. Coburn.

BKJ:abg

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

Resolution Number: **08-05-038**
Adopted on: **5/19/08**

Agenda Item Number: 6C
May 19, 2008

Subject: Retirement of Mr. Glenn Jackson

WHEREAS, Mr. Glen Jackson has served Montgomery College with dedication and distinction for twenty-six years and retired from the College as of December 31, 2007; and

WHEREAS, in his capacity as General Maintenance Worker I and a Building Services Worker I, Office of Facilities (1982 - 2007), he provided a valuable service to faculty, staff, and students through his assistance in the daily upkeep of the facilities on the Rockville Campus; and

WHEREAS, Mr. Jackson was an asset to the Office of Facilities, and often exceeded standards whether assigned outside or inside of buildings to ensure a professional appearance of the Rockville Campus; and

WHEREAS, the President of the College recommends this public recognition of Mr. Jackson on the occasion of his retirement; now therefore be it

Resolved, that the members of the Board of Trustees express their sincere appreciation to Mr. Glenn Jackson 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 this resolution become a part of the minutes of this Board of Trustees meeting and a copy be presented to Mr. Glenn Jackson.

BKJ:abg

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

Agenda Item Number: 8A
May 19, 2008

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 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

RESOURCE PERSON(S)

Ms. Lawyer
Ms. Bokor

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

Resolution Number: **08-05-039**
Adopted on: **5/19/08**

Agenda Item Number: 8A
May 19, 2008

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 April 1, 2008, to and including April 30, 2008; 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.

BKJ:abg

Attachments

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including April 1, 2008, to and Including April 30, 2008

STAFF

STAFF EMPLOYMENTS

Effective

Date	Name	Position Title	Grade	Location
4/14/08	Addams, Melissa B	ITV & Media Prod Svcs Mgr	M	IT Learn Ctr Instructional TV
4/14/08	Bonilla, Gloria T	Community Acad Advising Spec	J	Provost & VP TP/SS
4/14/08	Borena, Getachew A	Blg Service Worker	A	Facilities Operations TP/SS
4/28/08	Ensign, David G	Network Operations Center Mgr	M	Information Technology RV
4/28/08	Jones, Jeremiah J	Electronic Technician	H	IT Learn Ctr Aud/Vis Instrc RV
4/14/08	Slaughter, Christin J	Instructional Asst/10 Mos/PT	G	Chemistry RV

STAFF SEPARATIONS

4/10/08	Coburn, David A ¹	Gen Maintenance Wkr	C	Facilities Operations RV
4/04/08	Markarian, Yvette	Office Asst/PT	E	Student Development GT
4/10/08	Meaza, Addisu A Meza, Teresa De	Instructional Asst/PT	G	Assessment Center RV
4/07/08	Jesus H	Blg Service Worker/PT	A	Facilities Maintenance RV
4/30/08	Porras, Dehly	Instructional Dean	P	Nat/Apppl Sci,Bus/Mgt,Info Sci
4/04/08	Wureh, Snami E	Senior Admin Aide	G	Provost & VP TP/SS

STAFF EMPLOYMENTS: Ethnicity and Gender

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

STAFF SEPARATIONS: Ethnicity and Gender

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

¹ Retirement

FACULTY

FACULTY EMPLOYMENTS: None

Effective

<u>Date</u>	<u>Name</u>	<u>Position Title</u>	<u>Location</u>
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FACULTY SEPARATIONS

04/19/08	Hildreth, Jacy K	Assistant Professor – N/T	Student Development GT
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FACULTY SEPARATIONS: Ethnicity and Gender

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

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

Agenda Item Number: 8B
May 19, 2008

**REQUEST FOR APPROVAL FOR THE NURSING ASSOCIATE OF
APPLIED SCIENCE (A.A.S.) DEGREE AND
DELETION OF THE NURSING ASSOCIATE OF SCIENCE (A.S) DEGREE**

BACKGROUND

The 2004 Maryland State Plan for Postsecondary Education identifies the need to “target critical areas of workforce needs such as ..., nurses, ...” There continues to be a severe nursing shortage in Maryland and in the nation as documented in a comprehensive study released by the Maryland Hospital Association in late 2007.

Montgomery College currently offers an Associate of Science (A.S.) degree in Nursing. The National League for Nursing Accreditation Commission (NLNAC) now requires that 50-60% of the total credits must consist of nursing courses. With the current A.S. degree, only 45% of the credits consist of nursing courses. With the creation of an A.A.S. by reducing the number of general education credits and adding a nursing course, nursing courses will comprise 55% of the curriculum; well within the guidelines required by the NLNAC. The change does not affect the program’s accreditation status. (Because of the English and biology prerequisites at Montgomery College, the nursing program can only make adjustments in the General Education requirements to comply with accrediting agency mandates on maximum number of credits within the program. Students will have to take additional general education courses for transfer, which can be taken at Montgomery College.)

The nursing program is currently preparing approximately 100 graduates per year who are eligible to apply for licensure as a registered nurse. Changing from an A.S. degree to an A.A.S. degree will not affect the graduates’ eligibility to take the licensing exam.

In addition, offering the A.A.S. degree will not affect transferability to the University of Maryland since transfer there is dependent on having a Maryland registered nurse license, rather than a specific degree or number of credits.

To allow for current students in the Nursing A.S. program to graduate with that degree, the Nursing A.A.S. will be effective fall 2008 and the Nursing A.S. will remain effective until summer 2010 at which time it will be discontinued.

RECOMMENDATION

The Board of Trustees is requested to approve the Nursing A.A.S degree and the deletion of the Nursing A.S. degree effective summer 2010.

BACK-UP INFORMATION

Board Resolution
Nursing Associate of Applied Science Degree Curricula

RESOURCE PERSONS

Professor Molly Clay
Dean Angie Pickwick

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

Resolution Number: **08-05-040**
Adopted on: **5/19/08**

Agenda Item Number: 8B
May 19, 2008

Subject: Request for Approval of the Nursing Associate of Applied Science (A.A.S. Degree and Deletion of the Nursing Associate of Science (A.S.) Degree

WHEREAS, the Maryland Higher Education Committee has targeted nurses as a critical workforce need; and

WHEREAS, Montgomery College has articulated a commitment in its mission statement to hold itself accountable in meeting economic and workforce development needs; and

WHEREAS, Montgomery College's current Nursing A.S. degree does not meet the accrediting guidelines as set forth by the National League for Nursing Accreditation Commission (NLNAC); and

WHEREAS, the Nursing A.A.S. degree does meet the required NLNAC guidelines; and

WHEREAS, the graduates of the Nursing A.A.S. are still eligible to sit for the licensing exam; and

WHEREAS, this program still articulates well with other Maryland four-year institutions; and

WHEREAS, students in the current Nursing A.S. degree will have an opportunity until summer 2010 to graduate with that degree; and

WHEREAS, the Executive Vice President for Academic and Student Services and the President of the College recommend the following action; now therefore be it

Resolved, That the members of the Board of Trustees approve the Nursing Associate of Applied Science degree and the deletion of the Nursing A.S. degree effective summer 2010.

BKJ:abg

Nursing Program

The faculty in the health sciences department collaborated to develop this new nursing degree. This curriculum will meet the current guidelines as set forth by the National League for Nursing Accrediting Commission while continuing to help fill the demand for nurses.

Nursing Associate of Applied Science (A.A.S.) Degree

Students who plan to major in nursing will be assigned the temporary major of pre-nursing, with POS code 570, until they are officially admitted to the nursing program. Students may take preparatory courses and courses that fulfill general education requirements during the waiting period. As an alternative to being assigned a temporary major, students waiting for admission to the nursing program may choose to major in general studies or any other open-admission program. The Admissions and Records Office at Takoma Park/Silver Spring will assign a matriculated code once students are admitted to the nursing program.

The basic nursing curriculum covers two academic years, is approved by the Maryland Board of Nursing, and is accredited by the National League for Nursing Accrediting Commission. Upon successful completion of the curriculum, the graduate is granted the A.A.S. in nursing and is eligible to apply for licensure as a registered nurse. Graduates will be prepared to give competent nursing care to patients in hospitals, nursing homes, and other comparable health agencies under the supervision of more experienced practitioners and, with appropriate experience and further preparation, should be able to assume increasing responsibility in nursing. Hospitals, nursing homes, and other health agencies within the metropolitan area will provide the settings for a variety of clinical experiences, which are planned as a vital part of each nursing course.

In addition to the scholastic standards required of all students in the College, nursing students are required to achieve a grade of C or better in mathematics foundation, BI 203, BI 204, and BI 205, and each nursing course in order to continue in the program.

The nursing curriculum depends on proper sequencing of courses. All non-nursing courses in the curriculum, with the exception of the arts or humanity distribution courses, are to be completed prior to or during the semester in which they are listed.

This is a selective program with specific admissions requirements. Applications should be received in the Admissions Office by April 1 for fall semester and by July 1 for spring semester. For additional information, contact the Admissions and Records Office at the Takoma Park/Silver Spring Campus, 240-567-1501, or the program department.

After acceptance into the nursing program, all students must obtain current CPR certification for "Healthcare Provider" or "Professional Rescuer," a TB test or chest X-ray showing no evidence of tubercular disease, and a criminal background clearance. Clinical agencies require documented evidence (titers) of immunity to measles, mumps, rubella, varicella (chicken pox) and hepatitis B (immunization series may be in progress with titer obtained at its conclusion).

A suggested course sequence for full-time students follows; part-time students should consult an adviser. All students should check prerequisites for nursing curricular courses

Course Code	Title	Credits
BI 203	Microbiology *	4
BI 204	Human Anatomy and Physiology I *	4
BI 205	Human Anatomy and Physiology II	4
	Arts or Humanities Distribution	3
	Behavioral and Social Science Distribution	3
	English Foundation *	3
	Mathematics Foundation	3
NU 105	Nursing and Health Care	1
NU 110	Foundational Concepts of Nursing **	8
NU 121	Basic Health Assessment	1
NU 123	Nursing in Health and Illness I	4
NU 124	Nursing in Mental Health and Illness	4
NU 205	Transition to Professional Nursing Practice	1
NU 210	Pharmacology in Nursing	3
NU 230	Nursing in Health and Illness II	8
NU 233	Nursing Management in Health and Illness	4
NU 234	Nursing in Family, Newborn and Women's Health	4
	Total credits	62

#	Upon completion of this program a student will be able to:
1	Maintain legal, ethical, and professional standards in nursing practice.
2	Use critical thinking skills when implementing the nursing process.
3	Demonstrate caring in practice.
4	Communicate effectively with individuals, their significant others, and members of the health care team.
5	Demonstrate cultural competence.
6	Perform nursing techniques with competence and skill.
7	Incorporate health teaching in the delivery of care.
8	Manage patient care resources effectively.
9	Apply principles of pharmacology.
10	Apply concepts of growth and development.
11	Apply concepts of nutrition.

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

Agenda Item Number: 8C1
May 19, 2008

**APPROVAL OF CHANGE ORDER
COLD WEATHER CONCRETE PROVISIONS
PERFORMING ARTS CENTER, TAKOMA PARK/SILVER SPRING**

BACKGROUND

On January 16, 2007, the Board of Trustees awarded Dance Brothers, Inc., Linthicum, Maryland, a \$1,890,000 contract for concrete work for the Cultural Arts Center (now called the Performing Arts Center) at the Takoma Park/Silver Spring Campus. The preliminary project schedule associated with that contract award identified a specific timeframe for the completion of work, which did not include an expectation for cold weather concrete work. Subsequent updates to the master project schedule, due to delays encountered as a result of accommodating hidden conditions and due to re-sequencing of trades in accordance with the recommendations of the construction manager (Bovis), resulted in the concrete work start date slipping such that some measure of the work would be performed in cold weather conditions. Certain additives and protective measures are required and concrete placement and curing time is lengthened when concrete work is performed in cold weather conditions. An equitable adjustment for actual costs incurred for those additives, protective measures and time impact due to actual cold weather conditions encountered is reasonable.

The Bovis job site team and Central Facilities' project staff met with Dance Brothers to review the scope of work and, subsequently, negotiated the change from an initial proposal of \$38,310 to a final request of \$34,265. Board of Trustees' approval is required for all construction change orders over \$25,000. The contractor's final price for the work is acceptable for the amount of work involved. No time extension is associated with this change order. Sufficient funds are available in the FY 2008 Capital Budget Takoma Park Campus Expansion Project for this additional work.

RECOMMENDATION

It is recommended that a change order be approved for Contract 465 with Dance Brothers, Inc., Linthicum, Maryland, in the amount of \$34,265, for completing changes resulting from addition of cold weather concrete requirements at the Performing Arts Center (formerly called Cultural Arts Center), Takoma Park/Silver Spring Campus.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS:

Mr. Capp
Mr. Moore

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

Resolution Number: **08-05-041**
Adopted on: **5/19/08**

Agenda Item Number: 8C1
May 19, 2008

Subject: Approval of Change Order, Cold Weather Concrete Provisions, Performing Arts Center, Takoma Park/Silver Spring Campus

WHEREAS, on January 16, 2007, by Board Resolution # 07-01-009, the Board of Trustees awarded a contract for \$1,890,000 to Dance Brothers, Inc., for concrete work related to the construction of the Cultural Arts Center (now called the Performing Arts Center) at the Takoma Park/Silver Spring Campus; and

WHEREAS, at the College's request, Dance Brothers, Inc. submitted a change order proposal for incorporating cold weather concrete provisions in the project; and

WHEREAS, College staff and consultants have reviewed the submitted change order proposal and have undertaken negotiations with Dance Brothers, Inc. with regard to the fees for the work; and

WHEREAS, the Chief Facilities Officer recommends approval of a change order totaling \$34,265 for the requested work; and

WHEREAS, the Interim Chief Business Officer certifies that sufficient funds are available in the FY2008 Capital Budget Takoma Park Campus Expansion Project for this change order; and

WHEREAS, College policy on the Capital Budget requires approval by the Board of Trustees of all change requests that will increase the cost of a construction project by 15% or more, or \$25,000, whichever is less; and

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

Resolved, that a change order be approved to the construction contract with Dance Brothers, Inc., Linthicum, Maryland, Contract 465, for the Takoma Park/Silver Spring Campus Performing Arts Center (formerly called the Cultural Arts Center) in the amount of \$34,265 for incorporating cold weather concrete provisions; and be it further

Resolved, that the President is authorized to sign this change order with Dance Brothers, Inc., on behalf of the Board of Trustees.

BKJ:abg

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

Agenda Item Number: 8C2
May 19, 2008

**APPROVAL OF CHANGE ORDER
ELECTRICAL AND MECHANICAL EQUIPMENT INSTALLATION
RELOCATION OF IT NETWORK OPERATIONS CENTER
MORRIS AND GWENDOLYN CAFRITZ FOUNDATION ARTS CENTER
TAKOMA PARK/SILVER SPRING**

BACKGROUND

On January 22, 2008, the Board of Trustees awarded a contract for \$1,850,000 to Arica Consulting & Contracting, LLC. for electrical and mechanical equipment installation to support the relocation of the Information Technology Network Operations Center (NOC) from the Rockville Campus to The Morris and Gwendolyn Cafritz Foundation Arts Center at the Takoma Park/Silver Spring Campus.

Central Facilities and Information Technology project staff met with Arica to prepare plans for temporarily relocating the Information Technology Help Desk operation in IT office space in the Cafritz Center. A temporary relocation of the help desk operation is required because the IT Department must vacate current leased commercial office space in Rockville for new, larger office space, prior to June 30. This is well before the NOC will be completed and the NOC is the new location for the IT help desk operation. The space that will be configured for the temporary location will be re-used by IT on a permanent basis for other office needs once the NOC space is complete. College staff reviewed the initial proposal from Arica and negotiated a final fee of \$66,000 for this work. Board of Trustees' approval is required for all construction change orders over \$25,000.

The contractor's final price for the work is acceptable for the amount of work involved. No time extension is associated with this change order. Sufficient funds are available in the FY2008 Capital Budget Network Operations Center Project for this work.

RECOMMENDATION

It is recommended that a change order be approved for Contract 514 with Arica Consulting & Contracting, LLC, Jessup, Maryland, in the amount of \$66,000, for completing changes required to provide additional offices for the Information Technology Department in the Morris & Gwendolyn Cafritz Foundation Arts Center at the Takoma Park/Silver Spring Campus.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS:

Mr. Capp
Mr. Moore

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

Resolution Number: **08-05-042**
Adopted on: **5/19/08**

Agenda Item Number: 8C2
May 19, 2008

Subject: Approval of Change Order, Electrical and Mechanical Equipment Installation, Relocation of IT Network Operations Center, The Morris and Gwendolyn Cafritz Foundation Arts Center, Takoma Park/Silver Spring Campus

WHEREAS, on January 22, 2008, by Board Resolution #08-01-05, the Board of Trustees awarded a contract for \$1,850,000 to Arica Consulting & Contracting, LLC., for electrical and mechanical equipment installation for the relocation of the IT Network Operations Center (NOC) from the Rockville Campus to The Morris and Gwendolyn Foundation Arts Center at the Takoma Park/Silver Spring Campus; and

WHEREAS, at the College's request, Arica Consulting & Contracting LLC submitted a change order proposal to create office space in order to accommodate the relocation the Information Technology help desk operation; and

WHEREAS, College staff reviewed the submitted change order proposal and have undertaken negotiations with Arica Consulting & Contracting, with regard to the fees for the work; and

WHEREAS, the Associate Vice President for College Facilities recommends approval of a change order totaling \$66,000 for the requested work; and

WHEREAS, the Interim Chief Business Officer certifies that sufficient funds are available in the FY2008 Capital Budget Network Operations Center project for this change order; and

WHEREAS, College policy on the Capital Budget requires approval by the Board of Trustees of all change requests that will increase the cost of a construction project by 15% or more, or \$25,000, whichever is less; and

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

Resolved, that a change order be approved for \$66,000 to Contract #514 with Arica Consulting & Contracting, LLC, Jessup, Maryland, for completing changes required to provide additional offices for Information Technology in the Morris and Gwendolyn Cafritz Foundation Arts Center at the Takoma Park/Silver Spring Campus; and be it further

Resolved, that the President is authorized to sign this change order with Arica Consulting & Contracting, LLC, on behalf of the Board of Trustees.

BKJ:abg

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

Agenda Item Number: 9
May 19, 2008

**AWARD OF CONTRACT
EXTENSION OF AWARD OF LEASE AGREEMENT FOR THE FENTON STREET BUILDING**

BACKGROUND

The Vice President for Workforce Development and Continuing Education has recommended an extension of the Lease Agreement for the Fenton Street Building for the Takoma Park/Silver Spring Campus Student Technology Center, located in Silver Spring, Maryland, since the current lease will expire February 28, 2009. At its May 2000 meeting, the Board of Trustees approved an award of Lease Agreement for the Fenton Street Building for the Takoma Park Campus Student Technology Center to Colesville Joint Venture, Silver Spring, Maryland (Resolution No. 00-62). The term of this lease agreement was to provide adequate space for open student computing facilities for an eight-year period. However, due to the lack of space, the Workforce Development and Continuing Education Refugee Grant program is currently housed in the Takoma Park Campus Student Technology Center. Space for the Refugee grant programs will not be available until FY2010 or later depending on County funding and timing of planned renovations to the Cafritz Art Center.

The College has requested a sixteen (16) month extension for the period of March 1, 2009 to June 30, 2010, to allow for uninterrupted continuance of College activities and an opportunity for space to be renovated and/or otherwise become available. Extending the lease agreement also supports College Goal IV – plan, build and maintain facilities to accommodate student, faculty, staff, instructional, laboratory and special event needs.

The terms and conditions of this full service lease remain the same for the 9,545 rentable square feet of space. The base rent will increase approximately 2.35%, which is an estimated amount of \$19,106 per month for the base rate, plus utilities and operating costs for the period of March 1, 2009 through February 28, 2010, and \$19,679.38 per month for the period of March 1, 2010 through June 30, 2010. These amounts have been recommended for appropriation in the Workforce Development and Continuing Education Budgets for FY2009 and FY2010.

RECOMMENDATION

It is recommended that the Board of Trustees approve a sixteen (16) month extension for the Lease Agreement for space at the Fenton Street Building for the Takoma Park/Silver Spring Campus Student Technology Center, located in Silver Spring, Maryland, to Colesville Joint Venture, Silver Spring, Maryland, under the same terms and conditions, beginning March 1, 2009 through February 28, 2010, for an estimated amount of \$19,106 per month, and, for the period of March 1, 2010 through June 30, 2010, for an estimated amount of \$19,679.38 per month, for the base rate, plus utilities and operating costs.

BACK-UP INFORMATION

Resolution No. 00-62

RESOURCE PERSONS

Ms. C. Giovannetti; Mr. G. Payne; Mr. C. Sorrell

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

Resolution Number: **08-05-043**
Adopted on: **5/19/08**

Agenda Item Number: 9
May 19, 2008

**Subject: Extension of Award of Lease Agreement for the Fenton Street Building,
Takoma Park/Silver Spring Campus**

WHEREAS, the Board of Trustees approved an award of contract for the Lease Agreement for the Fenton Street Building for rental space to provide space for open student computing facilities during its May 2008 Board meeting; and

WHEREAS, the Fenton Street Building now houses the Workforce Development and Continuing Education Refugee program; and

WHEREAS, the eight-year lease will expire on February 28, 2009, and there is a need for the Workforce Development and Continuing Education Refugee Grant program to continue uninterrupted services and activities; and

WHEREAS, the Vice President for Workforce Development and Continuing Education recommends extension of the Lease Agreement for the Fenton Street Building for a sixteen (16) month period beginning March 1, 2009 through June 30, 2010, or until an opportunity for space becomes available; and

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

Resolved, That the Board of Trustees approve the extension of the Lease Agreement for the Takoma Park/Silver Spring Campus Fenton Street Building, located in Silver Spring, Maryland, to Colesville Joint Venture, Silver Spring, Maryland, under the same terms and conditions beginning March 1, 2009 through February 28, 2010, for an estimated amount of \$19,106 per month, and, for the period of March 1, 2010 through June 30, 2010, for an estimated amount of \$19,679.38 per month, for the base rate, plus utilities and operating costs.

BKJ:abg

**MONTGOMERY COLLEGE
BOARD OF TRUSTEES**

Agenda Item Number: 10
May 19, 2008

**AWARD OF CONTRACT
CONCRETE SIDEWALK, TRENCH LID AND ADA RAMP REPLACEMENT
ROCKVILLE CAMPUS - BID NO. 608-009**

BACKGROUND

This project will replace badly deteriorated concrete stairs and ramp in front of the Technical Center Building and the surrounding sidewalks in accordance with current Americans with Disabilities Act (ADA) standards. It will also replace concrete sidewalks and concrete utility trench lids in front of the Campus Center south entrance and Physical Education Building to reduce potential tripping hazards. Work must be completed before the start of fall classes.

Project specifications were prepared by an engineering consultant and Central Facilities staff. The original bid for this project was cancelled due to bid inconsistencies and bidder deficiencies and had to be re-issued. The project was re-advertised on May 2, 2008. Bids were opened in the Office of Procurement on May 16, 2008, and three (3) bids were received ranging in price from \$909,818 to \$2,381,860. Two of the bids were deemed non-responsive. The estimated cost of this project was \$1,900,000. The bid included separately identified pricing for engineering, fabrication and delivery of utility trench lids. These must be ordered in advance to meet project deadlines. Sufficient funds are available in the FY2008 Emergency Plant Maintenance and Repair Fund for separately identified trench lid portion of the project. The bid also includes unit pricing for unforeseen subsoil conditions and the award recommendation includes an authorization for additional work. Sufficient funds are anticipated to be available in the FY2009 Capital Budget Site Improvements and ADA projects for the remainder of the work. Contractor references have been checked and are satisfactory. Board approval is required for competitive sealed bids valued above \$100,000.

RECOMMENDATION

It is recommended that an FY2008 award of contract for \$228,900, be made to Consolidated Construction & Engineering, Inc., Laurel, Maryland, as the recommended low bidder for the Concrete Sidewalk, Utility Trench Lids and ADA Ramp Replacement project on the Rockville Campus for the engineering fabrication and delivery of separately identified pricing for trench lids, and that an award of contract for \$2,152,960, be made to the same contractor for the remainder of the work, contingent upon approval of the FY2009 Capital Budget, for a total combined award of \$2,381,860. It is further recommended that the Board authorize the President to approve up to \$150,000 in change orders since the Board will not meet again until September and the project has the potential for unforeseen conditions and additional concrete-related work.

BACK-UP INFORMATION:

Board Resolution
Summary of Bids (Board members only)
Bidders' List (Board members only)

RESOURCE PERSON(S):

Mr. Capp
Ms. Wormack

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

Resolution Number: **08-05-044**
Adopted on: **5/19/08**

Agenda Item Number: 10
May 19, 2008

**Subject: Award of Contract, Concrete Sidewalk, Utility Trench Lids and ADA Ramp
Replacement, Rockville Campus, Bid No. 608-009**

WHEREAS, the Associate Vice President for College Facilities requests approval of a contract for concrete sidewalk, utility trench lids and an ADA ramp replacement on the Rockville Campus; and

WHEREAS, the Acting Director of Procurement certifies that project specifications and drawings were developed by appropriate College staff and consultants; and

WHEREAS, pursuant to Md. (Educ.) Ann. Sec. 16-311, invitations to bid were publicly advertised on May 2, 2008, in the *Baltimore Sun*, the *Washington Post* and the *Washington Examiner*; listed by two (2) reporting agencies; and posted on the Montgomery College Procurement Web site, and the Montgomery County Web site; and

WHEREAS, forty-five (45) firms received bid documents, and three (3) bids for this project were received in the Office of Procurement and were publicly opened, read aloud, and recorded beginning at 3:00 p.m. local time on May 16, 2008; two (2) of the bids were deemed non-responsive; and

WHEREAS, after analysis of the bids, it was determined that the low bid of \$2,381,860 submitted by Consolidated Construction & Engineering, Laurel, Maryland, meets all College specifications and is therefore the responsive bid; and

WHEREAS, Board approval is required for competitive sealed bids valued above \$100,000; and

WHEREAS, the Interim Chief Business Officer certifies that funds are available in the FY2008 Emergency Plant Maintenance and Repair Fund to enable the College to award the contract for engineering, fabrication and delivery of separately identified trench lids (\$228,900); and, contingent upon approval of the FY2009 Capital Budget, funds will be available for the College to award the remainder of the contract for (\$2,152,906) as recommended for a total award of \$2,381,860; and

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

Resolved, That a contract for providing all engineering, fabrication, and delivery of separately identified trench lids associated with the Concrete Sidewalk, Utility Trench lids and ADA ramp replacement project on the Rockville Campus be awarded to Consolidated Construction & Engineering, Inc., Laurel, Maryland, at the firm's identified price of \$228,900, and contingent upon approval of the FY2009 Capital Budget, a contract for providing all necessary materials, labor, equipment and insurance for the remainder of the work be awarded at the firm's bid price of \$2,152,906 for a total combined award of \$2,381,860; and be it further

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

Resolved, That the President is authorized to approve up to \$150,000 in additional work if change orders for unforeseen conditions on this project are necessary before the Board meets in September 2008.

BKJ:abg

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

Agenda Item Number: 11
May 19, 2008

**REQUEST FOR SUPPLEMENTAL APPROPRIATION
FY2008 CAPITAL BUDGET
SCIENCE AND TECHNOLOGY PARK INFRASTRUCTURE PROJECT**

BACKGROUND

This supplemental appropriation request is for \$3,217,000 to provide sufficient appropriation authority for grant funds to support a new project in the Capital Budget for the initiation of infrastructure design and construction for a biotechnology park on the Germantown Campus of Montgomery College in conjunction with the Montgomery County Government. The source of the funds for this infrastructure project is comprised of three (3) grants – two (2) Federal and one (1) State. The first Federal grant totals \$1,435,000 and is funded through the U.S. Department of Energy. The second Federal grant totals \$282,000 and is funded through the U.S. Small Business Administration. The third grant is funded by the Maryland Department of Business and Economic Development and totals \$1,500,000. For the State of Maryland grant, \$1,000,000 is designated for Montgomery College and the remaining \$500,000 will be passed through to the Montgomery County Department of Economic Development for their Germantown Incubator Project.

The Montgomery College Biotechnology Project encompasses two interrelated initiatives that are tied together through a unique approach to bioscience education and workforce development: (1) The Bioscience Education Center, a 127,000 gross square foot academic building featuring state-of-the-art science laboratories located on the Germantown Campus; and (2) the Science and Technology Park, a million gross square foot business park adjacent to the Germantown Campus. Construction of the Bioscience Education Center is a separately funded project in the College's FY2008 Capital Budget

In order to move the infrastructure for the Science and Technology Park forward, Federal and State funding is needed to begin certain improvements on the public lands that comprise the site. A second roadway entrance to the Campus is needed and basic utilities and road work must be established in the Science and Technology Park. This supplemental appropriation request is required to fund the Science and Technology Park infrastructure. Additional infrastructure funding from the County is anticipated to be requested in FY2009 based on final construction cost estimates prepared as part of the Federal and State grant-funded design work.

RECOMMENDATION

It is recommended that a request be submitted to the County Executive and the County Council to amend the College's approved FY2008 Capital Budget to include a supplemental appropriation of \$3,217,000 for three (3) grants received by the College: (U.S. Department of Energy - \$1,435,000; U.S. Small Business Administration - \$282,000; Maryland Department of Business and Economic Development - \$1,500,000) for a Science and Technology Park Infrastructure Project. The Board authorizes the President to transmit the supplemental

appropriation request to the Montgomery County Executive for review and recommendation to the Montgomery County Council for final action for appropriation.

BACK-UP INFORMATION

Board Resolution
Project Description Form

RESOURCE PERSONS:

Mr. Capp
Mr. Moore
Dr. Pinkney
Mr. Sorrell

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

Resolution Number: **08-05-045**
Adopted on: **5/19/08**

Agenda Item Number: 11
May 19, 2008

**Subject: Request for Supplemental Appropriation, FY2008 Capital Budget, Science and
Technology Park Infrastructure Project**

WHEREAS, on May 24, 2007, by Council Resolution #16-157, the County Council approved and appropriated \$29,178,000 for the FY2008 Montgomery College Capital Budget; and

WHEREAS, on June 18, 2007, by Board Resolution #07-06-083, the Board of Trustees approved the final adoption of the FY2008 Capital Budget for the College as amended and approved by the County Council; and

WHEREAS, Montgomery College has been awarded grants from the U. S. Department of Energy, the U. S. Small Business Administration and the Maryland Department of Business and Economic Development for design and construction of infrastructure for a Science and Technology Park as part of the Montgomery College Biotechnology Project; and

WHEREAS, the College desires to amend the FY2008 Capital Budget to provide for supplemental appropriation authority for \$3,217,000 in grant funds for a Science and Technology Park Infrastructure Project on the Germantown Campus (no additional county funds required for these grants) from the U. S. Department of Energy - \$1,435,000; the U. S. Small Business Administration - \$282,000; and the Maryland Department of Business and Economic Development - \$1,500,000); and

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

Resolved, That the Board amends the FY2008 Capital Budget to include a supplemental appropriation of \$3,217,000 for three (3) grants received by the College: U. S. Department of Energy - \$1,435,000; U. S. Small Business Administration - \$282,000; and Maryland Department of Business and Economic Development - \$1,500,000 (including \$500,000 to be passed through to Montgomery County Department of Economic Development for their Germantown Incubator Project) for design and construction of a Science and Technology Park Infrastructure Project; and be it further

Resolved, That the Board authorizes the President to transmit the supplemental appropriation request to the Montgomery County Executive for review and recommendation to the Montgomery County Council for final action for appropriation.

BKJ;abg

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

Agenda Item Number: 12
May 19, 2008

**APPROVAL OF THE FUNDING FOR THE OBLIGATION AND INVESTMENT AMOUNT OF
THE TRUST AGREEMENT AND AUTHORIZATION TO TRANSFER FUNDS DESIGNATED
FOR THE OTHER POST EMPLOYMENT BENEFITS PROGRAM (OPEB)**

BACKGROUND

In 1994, the Governmental Accounting Standards Board (GASB), established standards for how public employee pension plans and employers participating in these plans should account for and report on pension benefits. However, a similar provision did not exist for other post employment benefits. In 2002, GASB issued two statements that address how costs and obligations related to Other Post Employment Benefits (OPEB) should be accounted for and reported.

To comply with the GASB requirements, the College administration recommended two separate actions to address this project: (a) establishing an irrevocable trust for pre-funding the OPEB obligation and developing an Investment Policy, and (b) approving funding the obligation and Trust and authorizing the transfer of funds from funds previously designated for retiree medical costs. Subsequently, at its April 2008 meeting, the Board of Trustees adopted the Trust and Investment Policy. The Board resolution also indicated that a separate resolution for funding the OPEB obligation and for authorizing the transfer of previously designated funds to the Trust.

Based on the most recent financial assumptions of actuarial the most recent OPEB actuarial valuation report concluded that assuming full pre-funding, the 2008 Annual Required Contribution (ARC) for the College is estimated to be \$5,900,000 and the related Actuarial Accrued Liability (AAL) is estimated to be \$78,200,000. To date, the cumulative funding for the Post Employment Benefits Program is approximately \$23.8 million.

Initially, the County had recommended a five-year phased-in approach to funding the liability. However, due to it's current fiscal environment, the County has recommended an eight-year funding approach. The County is requesting that all County agencies remain consistent with this eight-year approach. Based on the eight-year funding approach, therefore; the College's annual contribution will be approximately \$450,000 over the next eight years.

Although the eight-year step to ARC funding plan does not provide for "full funding" of the liability, it does comply with GASB direction on use of "pension-like" discount rates. By establishing a separate trust and adopting a written policy of the intent to phase-in full funding of the difference between the pay-as-you-go contributions and the annual contribution, institutions may use a discount rate higher than their operating investment rate for accounting and budgeting purposes.

By taking a proactive approach to GASB compliance the Board of Trustees will be able to assure eligible College employees that the retiree benefits that they expect will actually be there in the future.

RECOMMENDATION

It is recommended that the Board of Trustees approve funding the difference between the OPEB pay-as-you go contributions and the Annual Required Contribution on an amortized even basis over an eight-year period, effective Fiscal Year 2008. The annual contribution will be approximately \$450,000 over eight-years. It is further recommended that the College administration be authorized to transfer approximately \$23.8 million from funds previously designated for retiree medical costs.

BACK-UP INFORMATION

RESOURCE PERSONS

Mr. Moore
Mr. Sorrell
Ms. Wormack

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

Resolution Number: **08-05-046**
Adopted on: **5/19/08**

Agenda Item Number: 12
May 19, 2008

Subject: Approval of the Funding the Obligation and Investment Amount of the Trust Agreement and Authorization to Transfer Funds Designated for the Other Post Employment Benefits Program (OPEB)

WHEREAS, the Governmental Accounting Standards Board (GASB) has issued *Statement No. 43, Financial Reporting for Post Employment Benefits other than Pension Plans*, and *Statement No. 45, Accounting and Financial Reporting by Employers for Post Employment Benefits other than Pensions*; and

WHEREAS, these two statements address how public entities should account for and report their cost and obligations related to Other Post Employment Benefits (OPEB); and

WHEREAS, these new requirements are effective for the College beginning in FY2008; and

WHEREAS, a two-phased approach was established to comply with the GASB requirements; and

WHEREAS, at its April 2008 meeting, the Board of Trustees adopted the Trust Agreement and Investment Policy, which completed Phase I; and

WHEREAS, based on financial assumptions, the most recent OPEB actuarial valuation report concluded that assuming full pre-funding, the 2008 Annual Required Contribution (ARC) for the College is estimated to be \$5,900,000 and the related Actuarial Accrued Liability (AAL) is estimated to be \$78,200,000; and

WHEREAS, to complete Phase II, the College administration recommends that the Board of Trustees approve funding the obligation and investment amount and authorize the transfer of approximately \$23.8 million to the OPEB Trust from funds previously designated for funding the retiree medical benefit costs; and

WHEREAS, it is recommended that the Board of Trustees fund the difference between the OPEB pay-as-you go contributions and the annual required contribution on an amortized even basis over an eight-year period, effective Fiscal Year 2008; as a first step in partially pre-funding the OPEB liability, the annual contribution will be approximately \$450,000 over this eight-year period; and

WHEREAS, it is further recommended that the Chief Business Officer be authorized to transfer approximately \$23.8 million to the Trust from reserves previously designated for this purpose; and

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

Resolved, That the Board of Trustees approve funding the difference between the OPEB pay-as-you go contributions and the annual required contribution on an amortized even basis over an eight-year period, effective Fiscal Year 2008; as a first step to partially pre-funding the OPEB

liability, the annual contribution will be approximately \$450,000 over this eight-year period; and be it further

Resolved, That the Board of Trustees authorizes the Chief Business Officer to transfer approximately \$23.8 million to the Trust funding previously designated for this purpose.

BKJ:abg