

**MONTGOMERY COLLEGE
BOARD OF TRUSTEES**

**RECORD OF RESOLUTIONS
September 22, 2009**

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

Resolution Number: **09-09-077**
Adopted on: **9/22/09**

Agenda Item Number: 6A
September 22, 2009

Subject: Tribute to Mr. Charles T. Offutt

WHEREAS, the death on June 18th, 2009 of Mr. Charles T. Offutt, a Facilities Management staff member who worked for the College in the Rockville Facilities Department for twenty five years, has deeply saddened the College community; and

WHEREAS, during his service to the College, Mr. Offutt was an essential part of the Facilities Department; as a dedicated member of the Operations and Maintenance unit, he worked tirelessly for the College and assisted his colleagues, faculty and staff alike; and

WHEREAS, Mr. Offutt was a professional who loved his chosen trade and considered his work at the College making the buildings a better place for all; and

WHEREAS, Mr. Offutt was a person who loved life and did many things for his friends and family, where he always helped others tirelessly; and

WHEREAS, during his time in the Rockville Facilities department, Mr. Offutt functioned as a Sheet Metal Mechanic and was meticulous in his demonstration of his expertise in trade, therefore receiving compliments from the faculty, staff, and co-workers for the complete and professional work he provided; and

WHEREAS, Mr. Offutt's untimely death represents a profound loss for friends, family, and colleagues at Montgomery College who loved, respected, and admired his dedication and work; and

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

Resolved, That the members of the Board of Trustees express their sincere sorrow at the passing of Mr. Offutt and extend their deepest sympathy to his family, friends, and colleagues; and be it further

Resolved, That this resolution become a part of the minutes of the Board of Trustees meeting and that a copy be forwarded to the family of Mr. Charles T. Offutt.

HP:abg

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

Resolution Number: **09-09-078**
Adopted on: **9/22/09**

Agenda Item Number: 6B
September 22, 2009

Subject: Retirement Recognition of Ms. Wanda Ricciardelli

WHEREAS, Ms. Wanda Ricciardelli served Montgomery College with dedication and distinction for thirty years and retired from the College on June 30, 2009; and

WHEREAS, during her College tenure, Ms. Ricciardelli has provided a high level of personal performance and accomplishment as well as support to the College; and

WHEREAS, having started her career as a Security Officer at the Rockville Campus, Ms. Ricciardelli's commitment to the College was rewarded with a new challenging position as a Security Shift Lead; and

WHEREAS, Ms. Ricciardelli has provided thirty years of excellent customer service to the College community and so has been recognized for this service; and

WHEREAS, Ms. Ricciardelli has been an outstanding member of the Rockville Campus Security Department; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Ms. Wanda Ricciardelli for her contributions to the College and extend to her their best wishes that her 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 of this resolution be presented to Ms. Wanda Ricciardelli.

HP:abg

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

Resolution Number: **09-09-079**
Adopted on: **9/22/09**

Agenda Item Number: 6C
September 22, 2009

**Subject: Recognition and Award of Emerita Status to Professor
Zdanna Skalsky**

WHEREAS, Professor Zdanna Skalsky served the students, faculty, and staff at Montgomery College as a full-time faculty member at the Rockville Campus for 40 years, and has retired from the College as of May 23, 2009; and

WHEREAS, Professor Skalsky has served as a highly respected member of the Rockville Mathematics Department during her tenure with the College; and

WHEREAS, Professor Skalsky is an excellent teacher of mathematics at all levels with outstanding student evaluations; and

WHEREAS, Professor Skalsky has illustriously served on numerous department, campus and college committees; and

WHEREAS, Professor Skalsky, as a member of a National Science Foundation Instrumentation and Laboratory Improvement grant project team, co-wrote curricular materials incorporating computer applications into the Survey of College Mathematics course (MA 110) that were used department-wide; and

WHEREAS, Professor Skalsky served as a mentor to individuals participating in the College's Minority Faculty Internship Program in the Mathematics Department; and

WHEREAS, Professor Skalsky attended and made presentations at numerous professional meetings; and

WHEREAS, Professor Skalsky participated in the Center for Teaching and Learning Writing in the Disciplines fellowship program; and

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

WHEREAS, the Interim President of the College recommends this public recognition of Professor Skalsky on the occasion of her retirement; now therefore be it

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

Resolved, That Professor Zdanna Skalsky is granted the status of Professor Emerita, and that she be awarded 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 Zdanna Skalsky.

HP:abg

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

Resolution Number: **09-09-080**
Adopted on: **9/22/09**

Agenda Item Number: 6D
September 22, 2009

**Subject: Retirement Recognition, Award of Bronze Medallion and Emerita Status
for Dr. Nancy Higgins**

WHEREAS, Dr. Nancy Higgins has served Montgomery College as a full-time faculty member in the Department of Business and Economics for more than 26 years and retired as of May 22, 2009; and

WHEREAS, Dr. Higgins provided leadership as chair of the Department of Management at the Rockville Campus from 1997 to 2000, and as coordinator of the marketing program from 1994 to 1996, and as coordinator of the management and marketing curricula from 2002 to 2005; and

WHEREAS, she taught almost every course in the Management discipline and developed a course and certificate program in Diversity, and developed honors courses in Violence in the Workplace and Human Resource Management; and

WHEREAS, she was a member of Writing Across the Curriculum, Assessment of Prior Learning Project, Women's Studies, Career Counseling, Workforce, and Articulation committees, as well as the Dean of Student Development Advisory Committee and the Business Administration Advisory Committee; and

WHEREAS, Dr. Higgins served on local committees and community task forces, including the Advertising Club of Washington, D.C., and the Montgomery County Martin Luther King, Jr. Birthday Commemoration; and

WHEREAS, students and alumni recognized her work as a Student Mentor of the Year and as a Montgomery College Alumni Association's Faculty Excellence Award recipient; and

WHEREAS, the Board of Trustees' policy provides that "All faculty members and administrators holding faculty rank who retire with a minimum of ten 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, College policy provides for the awarding of a Bronze Medallion to recognize Professor Higgins's service to the College, and as an expression of gratitude of the College for her dedication and professional commitment to further the goals of the College; and

WHEREAS, the Instructional Dean, the Vice President and Provost, the Senior Vice President for Educational Services, and the Interim President of the College recommend this public recognition of Professor Higgins on the occasion of her retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Dr. Nancy Higgins for her service to the College and extend to her their best wishes that her retirement years be fulfilling and productive; and be it further

Resolved, That Dr. Nancy Higgins is awarded the Bronze Medallion in recognition of her service to the College, and as an expression of gratitude of the College for her dedication and professional commitment to further the goals of the College; and be it further

Resolved, That Dr. Nancy Higgins is granted the status of Professor Emerita, and that she 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 Bronze Medallion be presented to Dr. Nancy Higgins.

HP:abg

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

Resolution Number: **09-09-081**
Adopted on: **9/22/09**

Agenda Item Number: 6E
September 22, 2009

**Subject: Retirement Recognition and Award of Bronze Medallion for
Mr. J. Kenneth Mullinix**

WHEREAS, Mr. J. Kenneth Mullinix served Montgomery College with dedication and distinction for 44 years and retired from the College as of March 31, 2009; and

WHEREAS, Mr. Mullinix, an alumnus of Montgomery College, began his career at the College as Bursar and made steady career progress, culminating in his promotion to Director of Financial Operations where he served for the last seven years; and

WHEREAS, during his College tenure, Mr. Mullinix provided invaluable service and strong support for all of the financial management and accounting operations; and

WHEREAS, Mr. Mullinix has been acknowledged for his loyalty to the College, extraordinary work ethic, resourcefulness, commitment to safeguarding assets of the College, and excellence in accounting and financial reporting, all of which were reflected by his earning three Outstanding Staff Service Awards in 1989, 1998, and in 2008; and

WHEREAS, Mr. Mullinix played a major role as part of the College's implementation of the Banner/SunGard financial system; and

WHEREAS, Mr. Mullinix was instrumental in guiding the College to adopt its current Policy on Investments, which was certified by the Association of Public Treasurers of the United States and Canada. The College was honored at the Association of Public Treasurers 38th Annual Conference on August 13, 2003 for this certification; and

WHEREAS, Mr. Mullinix exemplified strong leadership via advocacy for compliance with the Sarbanes-Oxley Act, such that on May 16, 2005 the Board of Trustees adopted a new policy on Internal Audit (61005 & 61005CP) and modified the Board Bylaws, External Audit (64001 & 64001CP), and Inspection of Public Records (68004); and

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

WHEREAS, Mr. Mullinix provided steadfast, high-quality professional service resulting in the College receiving clean audit opinions for as many years as anyone can remember; now therefore be it

Resolved, that J. Kenneth Mullinix is awarded the Bronze Medallion in recognition of his distinguished service to the College and as an expression of gratitude by the College for his exceptional dedication and professional commitment to further the goals of the College; and be it further

Resolved, That the members of the Board of Trustees express their sincere appreciation to Mr. J. Kenneth Mullinix for his 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 of this resolution be presented to Mr. J. Kenneth Mullinix.

HP:abg

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

Resolution Number: **09-09-082**
Adopted on: **9/22/09**

Agenda Item Number: 6F
September 22, 2009

Subject: Award of Silver Medallion and Emerita Status to Dr. Mary Kay Shartle-Galotto

WHEREAS, Dr. Mary Kay Shartle-Galotto served Montgomery College and its students, faculty, and staff with distinction for 30 years and retired from the College on June 30, 2009; and

WHEREAS, Dr. Mary Kay Shartle-Galotto excelled in many roles during her tenure at the College as Coordinator of Disability Support Services, Director of Training Development for Student Programs at the National Institutes of Health, Assistant to the College President, Instructional Dean of Humanities and Social Sciences, Vice President and Provost of the Rockville Campus, and Executive Vice President for Academic and Student Services; and

WHEREAS, Dr. Mary Kay Shartle-Galotto improved services for students with disabilities while she coordinated a program that grew to attain national recognition; and

WHEREAS, she developed and directed an on-site training program at the National Institutes of Health that received an Outstanding Program Award from the Maryland Association of Higher Education; and

WHEREAS, she authored a Student Success Credo to emphasize Montgomery College's focus on creating greater student-centered policies and encouraged the College community to apply its tenets and to increase linkages between student services and academic departments; and

WHEREAS, she helped faculty to develop the Montgomery Scholars Program, a rigorous team-taught curriculum that challenges academically gifted students and offers students summer study at Cambridge University, which received the Outstanding Program Award from the Maryland Association of Higher Education in 2001; and

WHEREAS, Dr. Mary Kay Shartle-Galotto supported the expansion of the Scholars Program to the Takoma Park/Silver Spring Campus and the Germantown Campus as the Renaissance Scholars Program; and

WHEREAS, she encouraged faculty to develop a curriculum in Women's Studies and to create curriculum scholarships, and received the coveted "On Her Shoulders We Stand" award; and

WHEREAS, as the Vice President and Provost of the Rockville Campus, she contributed visionary leadership to the improvement of Campus Facilities and fostered a campus-wide community spirit, and

WHEREAS, Dr. Mary Kay Shartle-Galotto helped to develop an Academic Master Plan and to link planning closely to the College vision and mission; and

WHEREAS, she promoted numerous awards for faculty and staff, fostered sabbaticals and study opportunities, and encouraged participation in leadership positions across diverse professional associations; and

WHEREAS, she developed a tenth grade testing program with the Montgomery County Public Schools and obtained support from the Fund for the Improvement of Post-Secondary Education and the Montgomery County Council to better support college-readiness in high school graduates; and

WHEREAS, she assisted in expanding the partnership between Montgomery College and the Montgomery County Public Schools to include the College Institute, which provides college-level coursework for high school seniors, and the Gateway to College program, which aids students who have left high school early to gain a high-school diploma and earn college credits; and

WHEREAS, throughout her professional life, Dr. Mary Kay Shartle-Galotto has facilitated collaboration with educational entities and has served on numerous task forces of the Maryland State Department of Education to develop uniform standards for College English programs; and

WHEREAS, she received the President's Award from the American Mathematical Association of Two-Year Colleges; and

WHEREAS, Dr. Mary Kay Shartle-Galotto chaired the Maryland Council of Community College Chief Academic Officers from 2005-2006 and co-chaired the Council of Intersegmental Chief Academic Officers comprised of representatives from two-year and four-year institutions throughout Maryland; and

WHEREAS, she fostered transfer of high-achieving Montgomery College students by creating a Transfer Scholarship Committee that has served to increase the number of student scholarships to four-year institutions; and

WHEREAS, Dr. Mary Kay Shartle-Galotto, as the Executive Vice President of Academic and Student Services, has fostered relationships and partnerships with public and private institutions across the country, resulting in the development of 120 articulation agreements; and

WHEREAS, Dr. Mary Kay Shartle-Galotto was a graduate of the 2004 Leadership Montgomery Class and serves on the Board of Directors of the Strathmore Hall Foundation and the Arts and Humanities Council of Montgomery County; and

WHEREAS, she was honored as one of the 100 Outstanding Women in Maryland in 2009; and

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

WHEREAS the Interim President of the College recommends this public recognition of Dr. Mary Kay Shartle-Galotto upon her retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Dr. Mary Kay Shartle-Galotto for her contributions and service to the College, and extend to her their best wishes that her retirement years be fulfilling and productive; and be it further

Resolved, That Dr. Mary Kay Shartle-Galotto is awarded the Silver Medallion in recognition of her outstanding service to the College, and as an expression of gratitude of the College for her exemplary dedication and to further the goals of the College; and be it further

Resolved, That Dr. Mary Kay Shartle-Galotto is granted the status of Executive Vice President for Academic and Student Services Emerita, and that she be awarded such recognition and honors as may be appropriate to persons holding this rank; and be it further

Resolved, That this resolution become part of the minutes of this Board of Trustees meeting, and a copy of this resolution and the Silver Medallion be presented to Dr. Mary Kay Shartle-Galotto.

HP:abg

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

Agenda Item Number: 8A
September 22, 2009

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: **09-09-083**
Adopted on: **9/22/09**

Agenda Item Number: 8A
September 22, 2009

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 June 1, 2009, to and including August 31, 2009; and

WHEREAS, the Interim 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 Interim President.

HP:abg

Attachments

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including June 1, 2009, to and Including June 30, 2009

STAFF

STAFF EMPLOYMENTS

Effective

| Date | Name | Position Title | Grade | Location |
|------------|------------------------|-----------------------------------|-------|-----------------------------|
| 06/22/2009 | Allison, Gregory W | Merchandise Buyer | F | Aux Services Bookstore - RV |
| 06/22/2009 | Harner, Benjamin C | Network Engineering Specialist | K | Information Technology RV |
| 06/22/2009 | McCalla, Lavourne A | Customer Service Associate | E | Aux Services Bookstore - GT |
| 06/22/2009 | Weihrauch, Laura | WD&CE Program Assistant | F | WD & CE |

STAFF SEPARATIONS

Effective

| Date | Name | Position Title | Grade | Location |
|------------|---------------------------------------|-----------------------------------|-------|------------------------------------|
| 06/30/2009 | Fitzgerald, Denise C ¹ | Human Resources Mgr | M | Human Resources Office |
| 06/30/2009 | Galotto, Mary C ¹ | Exec Vice Pres Acad & Std Svcs | S | VP Academic & Student Svcs |
| 06/30/2009 | Kaplan, Barbara B ¹ | Associate Dean | O | Business/Science/Math/Tech GT |
| 06/26/2009 | Murphy, Timothy R | Dir of IT Learning Ctrs & Tech | O | Office of Info Tech |
| 06/01/2009 | Nguyen, Thao C | Instructional Associate | G | Arts/Humanities/Social Sciences |
| 06/18/2009 | Offutt, Charles T ¹ | Sheet Metal Mechanic | H | Facilities Operations - RV |
| 06/30/2009 | Pinkney, Hercules ¹ | Vice President and Provost | R | Provost GT |
| 06/30/2009 | Rejonis, Donald L ¹ | Photographer | I | Inst Adv Media/Pub Relations |
| 06/30/2009 | Ricciardelli, Wanda L ¹ | Safety & Sec Officer Lead | F | Facilities Security - RV |
| 06/18/2009 | Sims, Roger A | Building Service Worker | A | Facilities Maintenance |

STAFF EMPLOYMENTS: Ethnicity and Gender

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

STAFF SEPARATIONS: Ethnicity and Gender

| | White | Black | Hispanic | Asian | American Indian | TOTAL |
|--------------|--------------|--------------|-----------------|--------------|------------------------|--------------|
| Female | 4 | 0 | 0 | 1 | 0 | 5 |
| Male | 3 | 2 | 0 | 0 | 0 | 5 |
| TOTAL | 7 | 2 | 0 | 1 | 0 | 10 |

¹ Retirement

FACULTY

FACULTY EMPLOYMENTS: None

FACULTY SEPARATIONS

| <u>Effective Date</u> | <u>Name</u> | <u>Position Title</u> | <u>Location</u> |
|-----------------------|------------------------------------|-----------------------|--------------------------------|
| 06/30/2009 | Brodey, Martin H ¹ | Professor | Speech/Dance/Theatre RV |
| 06/30/2009 | Clark, Maurice L ¹ | Professor | Physics/Eng/Geoscience RV |
| 06/30/2009 | Dalton, Patricia ¹ | Professor | Math RV |
| 06/26/2009 | Henry, Benjamin ¹ | Professor | Arts/Humanities/SocialSciences |
| 06/30/2009 | Starr, Nathaniel F ¹ | Professor | Sociol/Anthr/Crim Justice RV |

FACULTY SEPARATIONS: Ethnicity and Gender

| | White | Black | Hispanic | Asian | American Indian | TOTAL |
|--------------|--------------|--------------|-----------------|--------------|------------------------|--------------|
| Female | 1 | 0 | 0 | 0 | 0 | 1 |
| Male | 3 | 1 | 0 | 0 | 0 | 4 |
| TOTAL | 4 | 1 | 0 | 0 | 0 | 5 |

¹ Retirement

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including July 1, 2009, to and Including July 31, 2009
STAFF

STAFF EMPLOYMENTS

| Effective Date | Name | Position Title | Grade | Location |
|----------------|-----------------------------|-----------------------------------|-------|--------------------------------|
| 07/06/2009 | Govor, Mazal Vincentia S | Purchasing Assistant | F | Procurement Office |
| 07/20/2009 | Higdon, Donald B | Purchasing/Transfer Manager | J | Aux Services Bookstore - RV |
| 07/20/2009 | Toolan, Patricia M | Transition Program Coordinator | K | WD & CE/MCPS - ESOL |

STAFF SEPARATIONS

| | | | | |
|------------|-------------------------------|-------------------------|---|-----------------------------------|
| 07/22/2009 | Baker, Kevin E | Blg Service Worker | A | Facilities Operations - TP/SS |
| 07/31/2009 | Griffin, Linda ¹ | Course Scheduling Asst | F | Admissions & Records RV |
| 07/31/2009 | Montgomery, Gail ¹ | Instructional Dean | P | Soc. Sci, History, Health & PE |
| 07/24/2009 | Nunez, Koaly A | Building Service Worker | A | Facilities Maintenance RV |

STAFF EMPLOYMENTS: Ethnicity and Gender

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

STAFF SEPARATIONS: Ethnicity and Gender

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

FACULTY

FACULTY EMPLOYMENTS: None

FACULTY SEPARATIONS: None

¹ Retirement

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including August 1, 2009, to and Including August 31, 2009

STAFF

STAFF EMPLOYMENTS

| Effective Date | Name | Position Title | Grade | Location |
|----------------|---------------------------|-----------------------------------|-------|-----------------------------------|
| 08/31/2009 | Britton, Ida H | Exec Asst to the President | J | Office of the President |
| 08/03/2009 | Duncan-Francis, Liselle M | Bookstore Operations Assistant | E | Aux Services Bookstore - RV |
| 08/31/2009 | Hornbuckle, Delritta R | Head Librarian | L | IT Learning Center Admin RV |
| 08/31/2009 | Kaufman, Lori A | Disability Services Coord | J | Student Development DSS RV |
| 08/31/2009 | Manago, Chiquita | Grants & Contracts Manager | K | Auxiliary Services |
| 08/31/2009 | Mayo, LaSonya M | Safety & Security Officer | E | Facilities Security - TP/SS |
| 08/31/2009 | Nettles, Larry A | General Maintenance Worker | C | Facilities Maintenance RV |
| 08/31/2009 | Patamawenu, Teerasak | Instructional Asst PT | G | Nat/Appl Sci,Bus/Mgt,Info Sci |
| 08/31/2009 | Puckett, Maurice D | Safety & Security Officer | E | Facilities Security - TP/SS |
| 08/17/2009 | Rapp, Brian L | Electronic Technician | H | IT Learn Ctr Aud/Vis Instrc RV |
| 08/03/2009 | Ruiz, Yanira Y | Senior Administrative Aide | G | Human Resources Office |
| 08/31/2009 | Ward, Veronica R | Office Assistant | E | Humanities/Soc Sci/Educ GT |
| 08/03/2009 | Winffel, Norma I | Coord of Admissions Recruiting | I | Admission Records Regis Office |
| 08/03/2009 | Wolf, Ina M | ESOL & Literacy Program Coord | K | WD & CE/MCPS - ESOL |

STAFF SEPARATIONS

| | | | | |
|------------|------------------------------|-----------------------------|---|-------------------------------|
| 08/08/2009 | Deonauth, Roberto R | Safety & Security Officer | E | Facilities Security - TP/SS |
| 08/24/2009 | Halpern, Judith R | Course Scheduling Assistant | F | Admissions & Records GT |
| 08/18/2009 | Hurd, Carrie L | Grants Spec | I | Grants & Business Development |
| 08/14/2009 | McRae, Chahnaz ¹ | Facilities Proj Coord | K | Collegewide Cap Prjt/Oper |
| 08/28/2009 | Mendez Silvagnoli, Marla | Instructional Assistant | G | Math RV |
| 08/07/2009 | Partlow, Christy M | Student Services Specialist | J | Student Development GT |
| 08/22/2009 | Ray, Patricia L ¹ | Asset Mgt Supr | L | Office of Info Tech |

STAFF EMPLOYMENTS: Ethnicity and Gender

| | White | Black | Hispanic | Asian | American Indian | TOTAL |
|--------|-------|-------|----------|-------|-----------------|-----------|
| Female | 3 | 5 | 2 | 0 | 0 | 10 |
| Male | 2 | 1 | 0 | 1 | 0 | 4 |
| TOTAL | 5 | 6 | 2 | 1 | 0 | 14 |

¹ Retirement

STAFF SEPARATIONS: Ethnicity and Gender

| | White | Black | Hispanic | Asian | American Indian | TOTAL |
|--------|-------|-------|----------|-------|-----------------|----------|
| Female | 5 | 0 | 1 | 0 | 0 | 6 |
| Male | 0 | 1 | 0 | 0 | 0 | 1 |
| TOTAL | 5 | 1 | 1 | 0 | 0 | 7 |

FACULTY

FACULTY EMPLOYMENTS

| Effective Date | Name | Position Title | Location |
|----------------|---------------------------|---------------------|--------------------------------------|
| 08/24/2009 | Aalai, Azadeh | Assistant Professor | Humanities/Soc Sci/Educ GT |
| 08/24/2009 | Cho, Okkyung | Associate Professor | Math RV |
| 08/24/2009 | Del Castillo-Olivares, An | Associate Professor | Biology RV |
| 08/24/2009 | Hernandez, Shinta H | Assistant Professor | Sociol/Anthr/Crim Justice RV |
| 08/24/2009 | Kutai, Orna I | Associate Professor | Chemistry RV |
| 08/24/2009 | Lee, Sylvia H | Assistant Professor | English/Lit/Prof Writing RV |
| 08/24/2009 | Moore, Laura | Associate Professor | Sociol/Anthr/Crim Justice RV |
| 08/24/2009 | Mosher, Susan | Associate Professor | Business & Econ RV |
| 08/24/2009 | Murdock, Jacquelyn R | Professor | Arts/Humanities/SocialSciences TP/SS |
| 08/24/2009 | Porter, Sean | Assistant Professor | Health SciencesTP/SS |
| 08/24/2009 | Rosier, Linda L | Associate Professor | Health SciencesTP/SS |
| 08/24/2009 | Santore, Daniel M | Assistant Professor | Sociol/Anthr/Crim Justice RV |
| 08/24/2009 | Steelman, Andrea E | Assistant Professor | Math RV |

FACULTY SEPARATIONS

| | | | |
|------------|------------------|-----------|---------------------------|
| 08/21/2009 | Clark, Maurice L | Professor | Physics/Eng/Geoscience RV |
|------------|------------------|-----------|---------------------------|

FACULTY EMPLOYMENTS: Ethnicity and Gender

| | White | Black | Hispanic | Asian | American Indian | TOTAL |
|--------|--------------|--------------|-----------------|--------------|------------------------|--------------|
| Female | 7 | 0 | 0 | 3 | 0 | 10 |
| Male | 2 | 0 | 1 | 0 | 0 | 3 |
| TOTAL | 9 | 0 | 1 | 3 | 0 | 13 |

FACULTY SEPARATIONS: Ethnicity and Gender

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

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

Agenda Item Number: 8B
September 22, 2009

**GRADUATES RECEIVING THE ASSOCIATE DEGREE AND
THE ONE-YEAR PROGRAM CERTIFICATE IN SPRING, 2009**

BACKGROUND

It is customary for the Board of Trustees to ratify the list of Graduates each semester.

RECOMMENDATION

The Board of Trustees is asked to ratify the award of a certificate, diploma, or degree that is conferred upon successful completion of the requirements of a program.

BACK UP INFORMATION

Resolution
Lists of Graduates

RESOURCE PERSON

Ms. Hopkins

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

Resolution Number: **09-09-084**
Adopted on: **9/22/09**

Agenda Item Number: 8A
September 22, 2009

**Subject: Graduates Receiving the Associate Degree and the One-Year Program
Certificate in Spring, 2009**

WHEREAS, it is necessary that the Board take action on the list of certified candidates attached herewith; and

WHEREAS, the students of Montgomery Community College, as listed on the attachments, have been certified by the Director of Admissions and Enrollment Management of the College to have completed the prescribed courses and curriculum, met all other requirements of the College, and received the degree or certificate for which he/she qualified; and

WHEREAS, the faculty has recognized the students of Montgomery Community College, as listed on the attachments, as having received their respective Associate Degree or One-Year Program Certificate; and

WHEREAS, the Interim President recommends that the Board approve the following resolution; now therefore be it

Resolved, That the Board of Trustees recognizes the students of Montgomery Community College, as listed on the attachments, as having received their respective Associate Degree or One-Year Certificate.

Attachment (Trustees only):

1. Germantown Campus Graduates
2. Rockville Campus Graduates
3. Takoma Park/Silver Spring Campus Graduates

HP:abg

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

Agenda Item Number: 8C
September 22, 2009

**AFFIRMATION OF AWARD OF CONTRACT, ARETHA FRANKLIN
TAKOMA PARK/SILVER SPRING PERFORMING ARTS CENTER GUEST ARTIST SERIES**

BACKGROUND

This resolution serves to affirm the approval of the award of contract to Aretha Franklin as part of the Takoma Park/Silver Spring Performing Arts Center Guest Artist Series, which was awarded on June 29, 2009.

The Takoma Park/Silver Spring (TP/SS) Performing Arts Center ("Center") director requested a contract award for the services of Aretha Franklin, on a sole source basis, to support the 2009/2010 Guest Artist Series at the spectacular new Takoma Park/Silver Spring Performing Arts Center. The Center will present a Guest Artist series similar to the series in the Parilla Performing Arts Center (PPAC) on the Rockville Campus. The series will feature high profile artists with artistic merit and multi-cultural appeal of the same caliber as the quality artists being presented elsewhere in our community. Patrons of the Parilla Performing Arts Center have requested, year after year, that the PPAC engage more renowned artists on a more regular basis. Engaging well-known artists will bring visibility to the program and enhances the College's reputation within the larger community.

A unique booking opportunity was available to the TP/SS Performing Arts Center to book Aretha Franklin in the Guest Artist Series this season. Few entertainers have achieved the legendary status of African American singer, songwriter, and pianist Aretha Franklin, commonly referred to as the "Queen of Soul." Although renowned for her soul recordings, Franklin is also adept at jazz, rock, blues, pop, R&B, and gospel. In 2008, the American music magazine *Rolling Stone* ranked Franklin #1 on its list of The Greatest Singers of All Time.

Franklin is one of the most honored artists by the Grammy Awards with 20 Grammys to date, which include the Living Legend Grammy and the Lifetime Achievement Grammy. She has scored a total of 20 #1 singles on the Billboard R&B Singles Chart, two of which also became #1 hits on the Billboard Hot 100: "Respect" (1967) and "I Knew You Were Waiting (For Me)" (1987), a duet with George Michael. Since 1961, Franklin has scored a total of 45 "Top 40" hits on the Billboard Hot 100 chart.

In 1987, Franklin became the first female artist to be entered into the Rock and Roll Hall of Fame. Additionally, she was the featured singer at the 2009 Presidential Inauguration Ceremony for Barack Obama. An offer was submitted to Ms. Franklin that she accepted and will appear at the new TP/SS Performing Arts Center on September 11, 2009.

For FY2010, the funding source identified to cover costs associated with the Aretha Franklin performance is the Auxiliary Enterprises Fund (Parilla Performing Arts Center Rental Funds). Based on the above, a sole source award is justified as Ms. Franklin is a legendary singer, songwriter, and pianist and a highly valued performer; has a sustained target audience that would benefit the College's performing arts program at the spectacular new Takoma Park/Silver Spring Performing Arts Center. Board of Trustees approval is required for sole source procurements valued above \$25,000.

RECOMMENDATIONS

It is recommended that the Board of Trustees affirm this award of contract for Aretha Franklin to perform in the 2009/2010 Takoma Park/Silver Spring Performing Arts Center Guest Artist Series, on a sole source basis, for an estimated total of \$125,000.

BACK-UP INFORMATION

Board Resolution #09-06-076

RESOURCE PERSONS

Mr. Berman
Ms. Fyodorov
Dr. Wormack

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

Resolution Number: **09-06-076**
Adopted on: **June 29, 2009**

Agenda Item Number: 10C
June 29, 2009

Resolution Number: **09-09-085**
Affirmed on: **9/22/09**

Agenda Item Number: 10C
September 22, 2009

Subject: Sole Source Award of Contract - Aretha Franklin
Takoma Park/Silver Spring Performing Arts Center Guest Artist Series

WHEREAS, The Takoma Park/Silver Spring Performing Arts Center director requests a contract award for the services of Aretha Franklin, legendary singer, songwriter, and pianist, on a sole source basis, to support the 2009/2010 Guest Artist Series; and

WHEREAS, The Takoma Park/Silver Spring Center will present a Guest Artist Series with artistic merit and multi-cultural appeal similar to the series in the Parilla Performing Arts Center; and

WHEREAS, the engagement of Aretha Franklin is important to the ultimate success of the Takoma Park/Silver Spring Guest Artist Series and will enhance media coverage and recognition of the College's performing arts programs; and

WHEREAS, the director of Procurement affirms that a sole source procurement for this program is justified given the unique nature of Aretha Franklin's services, including but not limited to exclusive performance rights and licenses for her works; and the chief business officer certifies that funds have been requested in the FY2010 Auxiliary Enterprises Fund (Parilla Performing Arts Center Rental Fund); and

WHEREAS, sole source procurement contracts valued above \$25,000 require Board approval; and

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

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

Resolved, That a contract be awarded for Aretha Franklin to perform in the 2009/2010 Takoma Park/Silver Spring Performing Arts Center Guest Artist Series for an estimated amount of \$125,000.

BKJ:abg

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

Agenda Item Number: 9
September 22, 2009

**AWARD OF CONTRACT, EMPLOYMENT AND CASE MANAGEMENT SERVICES,
MONTGOMERY COUNTY REFUGEE TRAINING CENTER, BID NO. 409-018**

BACKGROUND

The Board of Trustees approved an agreement between the College and the State of Maryland for the Targeted Assistance Program (TAP) grant at its February 2006 meeting (Resolution No. 06-02-021). The agreement authorizes the College to administer this federally-funded program, which provides supplemental funding for services beyond those currently provided through the Montgomery County Refugee Training Center and is now administered by the College.

The Vice President for Workforce Development and Continuing Education has requested a contract to provide the employment and case management services necessary to support the Refugee Training Center which is currently located at Fenton Street in Silver Spring, Maryland. The TAP project will serve an additional 350 refugees and asylees who are residing in Montgomery County each year. Funding is received through grants funded by the State of Maryland for the project, which is approximately \$550,000 per year and is currently committed for a three-year period. The TAP project will provide employment and training services to accelerate entry into the workforce at self-sustaining pay levels and in positions that provide health benefits. Instructional programs will be provided that are career laddering in high-demand occupational clusters. The program design will engage local business and other community service providers in maximizing these career opportunities. Beyond the instructional programs, there is a need for specialized employability and case management services.

A solicitation was issued and advertised and four responses were received on June 2, 2009. An evaluation committee consisting of College staff reviewed and evaluated the proposals. The proposal submitted by Lutheran Social Services of the National Capital Area, was the highest ranked vendor and their bid meets all College requirements. The current incumbent is Lutheran Social Services and their past performance was satisfactory. The total price for the employment and case management services for the initial contract term and subsequent renewals is \$1,062,246, of which \$201,492 will be expended in FY2010. Sufficient grant expenditure authority exists within the proposed FY2010 Workforce Development and Continuing Education Fund. This contract may be renewed for four additional years, one year at a time.

RECOMMENDATIONS

It is recommended that the Board of Trustees award a contract for employment and case management services for refugees and asylees to Lutheran Social Services of the National Capital Area, Washington, DC, beginning with an initial term of nine months on October 1, 2009 for a total contract price of \$1,062,246, of which \$201,492 will be expended in FY2010. It is further recommended that the contract be renewed for four additional one-year terms, one-year at a time, provided performance is satisfactory, funds are available, and it is in the best interest of the College.

BACK-UP INFORMATION

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

RESOURCE PERSONS

Dr. Kinerney
Mr. Payne
Mr. Sheeran
Dr. Wormack

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

Resolution Number: **09-09-086**
Adopted on: **9/22/09**

Agenda Item Number: 9
September 22, 2009

**Subject: Award of Contract, Employment and Case Management Services,
Montgomery County Refugee Training Center, Bid No. 409-018**

WHEREAS, the State of Maryland, Maryland Office of Refugees and Asylees, requested that the College assume the administration of the federally-funded Targeted Assistance Program as an extension of the current programs and services offered through the Montgomery County Refugee Training Center located in Silver Spring, Maryland, and is administered by Montgomery College; and

WHEREAS, the Board of Trustees approved the Targeted Assistance Program grant at its February 2006 meeting; and

WHEREAS, the Vice President for Workforce Development and Continuing Education has requested a contract award for employment and case management services at the Refugee Training Center located in Silver Spring; and

WHEREAS, the Director of Procurement certifies that specifications were developed by appropriate College staff; and the Chief Business Officer certifies that funds are available in the FY2010 Workforce Development and Continuing Education Budget; and

WHEREAS, pursuant to Md. (Educ.) Code Annotated Section, 16-311(c), an invitation to bid was publicly advertised in a County newspaper on May 1, 2009, and posted to College, County, and State procurement websites; downloaded from the Internet by forty-seven (47) vendors; four (4) responses were received, publicly opened, read aloud, and recorded, beginning at 3:00 p.m. on June 2, 2009; and

WHEREAS, upon evaluation by the proposal evaluation committee, it was determined that the bid submitted by Lutheran Social Services of the National Capital Area, Washington, DC, meets all College requirements and is therefore the highest evaluated responsible bidder; and

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

Resolved, That a contract be awarded to Lutheran Social Services of the National Capital Area, Washington, DC, for employment and case management services for refugees and asylees, beginning with an initial term of nine months on October 1, 2009, for a total contract price of \$1,062,246, of which \$201,492 will be expended in FY2010; and be it further

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

HP:abg

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

Agenda Item Number: 10A
September 22, 2009

**SOLE SOURCE AWARD OF CONTRACT, PURCHASE OF IBM SERVER, PERIPHERAL
EQUIPMENT, AND MAINTENANCE FOR THE BOOKSTORE OPERATIONS AT THE NETWORK
OPERATIONS CENTER, TAKOMA PARK/SILVER SPRING CAMPUS**

BACKGROUND

In 1993, the Board approved a contract award for the purchase of a Point-Of-Sale (POS) textbook management and inventory control system for all College bookstores to The MBS Textbook Services, Columbia, Missouri, on a sole source basis (Resolution No. 93-23). The MBS software system is a proprietary and licensed product that controls and accounts for the College's sales and inventory management of all resale items. Subsequently, at its March 20, 2007 and September 15, 2008 meetings, the Board also approved the purchase of point-of-sale system cash registers, related software and IBM peripheral equipment (Resolution No. 07-03-031) to MBS Textbook Services, Columbia, Missouri, on a sole source basis. The MBS system only authorizes certain providers to interface with its system.

At its March 20, 2007, meeting the Board of Trustees authorized the award of contract for the relocation of the Network Operations Center at the Rockville Data Center to the Cafritz Art Center located at the Takoma Park/Silver Spring Campus. The Chief Information Officer and Director of Auxiliary Services have requested a contract for the purchase of one IBM server, peripheral equipment, and maintenance services for the Auxiliary Services' Bookstore system as part of the migration of the systems to the new Network Operations Center at the Takoma Park/Silver Spring Campus, on a sole source basis. This specific server will allow migration of the Bookstore operations to the new Data Center without interruption. A third party agreement exists between MBS and IBM, which allows MBS re-programming rights with IBM systems and peripheral equipment to interface with the proprietary licensed MBS Point-of-Sale applications software currently in place in the Bookstore.

This sole source procurement is justified since no other vendor is authorized to interface with the MBS Point-of-Sale Bookstore operations system; the technology is compatible with current applications; and no other vendor can meet College requirements. The total price for the purchase, delivery, installation, and maintenance for the IBM server and peripheral equipment for the Bookstore Operations at the Network Operations Center is \$37,676. Funds are available in the FY2010 Capital Budget for this purchase. Board approval is required for sole source procurements valued above \$25,000.

RECOMMENDATIONS

It is recommended that the Board of Trustees award a sole source contract for the purchase of one IBM server, peripheral equipment and maintenance for the Bookstore Operations, at the Network Operations Center, Takoma Park/Silver Spring Campus, to MBS Textbook Services, for a total price of \$37,676. It is further recommended that the contract for maintenance be renewed annually 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

RESOURCE PERSONS

Dr. Carey-Fletcher Mr. Knapp Mr. Sheeran Dr. Wormack

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

Resolution Number: **09-09-087**
Adopted on: **9/22/09**

Agenda Item Number: 10A
September 22, 2009

Subject: Sole Source Award of Contract, Purchase of One IBM Server, Peripheral Equipment and Maintenance Services to Support the Bookstore System at the Network Operations Center, Takoma Park/Silver Spring Campus

WHEREAS, in 1993, the Board approved a contract award for the purchase of a Point-Of-Sale textbook management and inventory control system for all College bookstores to The MBS Textbook Services, Columbia, Missouri, on a sole source basis; and subsequently, at its March 20, 2007 and September 15, 2008 meetings, the Board approved additional purchases of point-of-sale system cash registers, related software and IBM peripheral equipment (Resolution No. 07-03-031) to MBS Textbook Services, Columbia, Missouri, on a sole source basis; and

WHEREAS, at its March 20, 2007 meeting, the Board of Trustees approved an award of contract for the relocation of the Network Operations Center at the Rockville Campus to the Cafritz Art Center on the Takoma Park/Silver Spring Campus to address the need for additional instructional space at the Rockville Campus; and

WHEREAS, the Chief Information Officer and Director of Auxiliary Services have requested a contract for the purchase of one IBM server, peripheral equipment, and maintenance services for the Auxiliary Services' Bookstore system as part of the migration of the systems to the new Network Operations Center at the Takoma Park/Silver Spring Campus, on a sole source basis; and

WHEREAS, the Director of Procurement affirms that a third party agreement exists between MBS and IBM, which allows MBS re-programming rights with IBM systems and peripheral equipment to interface with the proprietary licensed MBS Point-of-Sale applications software currently in place in the Bookstore; and that the sole source request is justified and no other product will meet College requirements; and the Chief Business Officer certifies that funds are available in the Capital Budget for this purchase; and

WHEREAS, sole source procurement contracts valued above \$25,000 require Board approval; and

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

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

Resolved, That a contract be awarded to MBS Textbook Services, Columbia, Missouri, on a sole source basis, for the purchase of one IBM server, peripheral equipment and maintenance for the Bookstore Operations, at the Network Operations Center, Takoma Park/Silver Spring Campus, to MBS Textbook Services, for a total price of \$37,676; and be it further

Resolved, That the contract for maintenance be renewed annually 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.

HP:abg

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

Agenda Item Number: 10B
September 22, 2009

**SOLE SOURCE AWARD OF CONTRACT
DATA CENTER MANAGEMENT SOFTWARE FOR THE NETWORK OPERATIONS CENTER,
TAKOMA PARK/SILVER SPRING CAMPUS**

BACKGROUND

At its March 20, 2007 meeting, the Board of Trustees authorized the award of contract for the relocation of the Network Operations Center at the Rockville Data Center to the Cafritz Art Center located at the Takoma Park/Silver Spring Campus. The Chief Information Officer has requested a contract for the purchase of data center management software for the new network operations center at the Takoma Park/Silver Spring Campus, on a sole source basis. Data center management software will allow for the management of the physical layout of the Network Operations Data Center as well as provide additional features for monitoring Data Center power and cooling usage. After an in-depth analysis of the several products in this arena, it was determined that only one product meets College requirements, n-Lyte Enterprise, which is manufactured by nLyte Software, Menlo Park, California. Sole source procurement is justified since this software is the only product that will interface with the existing power management system already installed and operational; has the advanced features including capacity planning, automation, and cable management needed to maintain efficient operations in the center; and no other vendor can provide this product or meet College requirements. The total purchase price is \$33,395 and includes delivery, installation, and training. In addition, the College desires to purchase continued maintenance and support of the product for an annual price of \$13,984 for three one-year terms. Funds are available in the Capital Budget for this purchase. Board approval is required for sole source procurements valued above \$25,000.

RECOMMENDATIONS

It is recommended that the Board of Trustees award a sole source contract for the purchase of the nlyte enterprise data center management software, to nLyte Software, Menlo Park, California, for a total purchase price of \$33,395 for delivery, installation and training. It is further recommended that the contract be renewed for maintenance and support for an annual amount of \$13,984, for three-one year terms 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

RESOURCE PERSONS

Mr. Knapp Mr. Sorrell Mr. Sheeran Dr. Wormack

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

Resolution Number: **09-09-088**
Adopted on: **9/22/09**

Agenda Item Number: 10C
September 22, 2009

**Subject: Sole Source Award of Contract, Purchase of Data Center Management
Software for the Network Operations Center at the Takoma Park/Silver
Spring Campus**

WHEREAS, at its March 20, 2007 meeting, the Board of Trustees authorized the award of contract for the relocation of the Network Operations Center at the Rockville Data Center to the Cafritz Art Center located at the Takoma Park/Silver Spring Campus; and

WHEREAS, the Chief Information Officer has requested a contract award for the purchase of the purchase of the nLyte enterprise data center management software for the new network operations center at the Takoma Park/Silver Spring Campus, on a sole source basis; and

WHEREAS, Data center management software will allow for the management of the physical layout of the Network Operations Data Center as well as provide additional features for monitoring Data Center power and cooling usage and more efficient operations; and

WHEREAS, the Director of Procurement affirms that the sole source request is justified since since this software is the only product that will interface with the existing power management system already installed and operational; has the advanced features including capacity planning, automation, and cable management needed to maintain efficient operations in the center; and no other vendor can provide this product or meet College requirements; and the Chief Business Officer certifies that funds are available in the FY2010 Capital Budget; and

WHEREAS, sole source procurement contracts valued above \$25,000 require Board approval; and

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

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

Resolved, That a contract be awarded to nLyte Software, Menlo Park, California, on a sole source basis, for the purchase of the nlyte enterprise data management center software for the Network Operations Center on the Takoma Park/Silver Spring Campus, for a total amount of \$33,395; and be it further

Resolved, That the contract be renewed for maintenance and support for an annual amount of \$13,984, for three-one year terms 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.

HP:abg

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

Agenda Item Number: 10C
September 22, 2009

**SOLE SOURCE AWARD OF CONTRACT,
PURCHASE OF SIMBABY PATIENT SIMULATORS, ACCESSORIES AND RELATED SERVICES,
HEALTH SCIENCES INSTITUTE, TAKOMA PARK/SILVER SPRING CAMPUS**

Background

The Instructional Dean, Health Sciences Institute, has requested a contract award for the purchase of one SimBaby Patient Simulator and associated accessories, maintenance and support, on a sole source basis. One of the major difficulties for new nursing graduates is 'failure to rescue' or respond in emergency situations. SimBaby has realistic anatomy and clinical functionality that enables simulation training and includes software with video debriefing and an interactive technologically advanced manikin, allowing learners to practice the emergency treatment of infant patients. With training on this state-of-the-art equipment, students will be able to develop skills to help meet the critical need for nurses and other healthcare professionals. The College anticipates using this equipment in a multidisciplinary approach with customized training opportunities in various healthcare programs, such as Nursing, Surgical Technology, Diagnostic Medical Sonography, Radiologic Technology, and Emergency Medical Technicians.

At its January 2005 meeting, the Board of Trustees approved a contract award to Laerdal Medical Corporation, for the purchase of two SimMan patient simulators on a sole source basis. The simulator manufactured by Laerdal Medical Corporation utilizes computer programs to operate and simulate a variety of patient conditions and provides students with real-life patient physical conditions that present themselves when the faculty directs through a laptop. This simulator is only available through its manufacturer, Laerdal Medical Corporation, is compatible with current hardware and software system used with the simulators; and no other product meets College needs. Funding for this purchase is available in the Operating Budget. The total price for the purchase of the SimBaby simulator, training, accessories, maintenance and service is \$49,185. Board approval is required for sole source procurement valued above \$25,000.

Recommendation

It is recommended that the Board of Trustees award a contract for the purchase of the SimBaby Patient Simulator to Laerdal Medical Corporation, Wappingers Falls, New York, on a sole source basis, for a total price of \$49,185.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Ms. Pickwick

Mr. Sheeran

Mr. Sorrell

Dr. Wormack

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

Resolution Number: **09-09-089**
Adopted on: **9/22/09**

Agenda Item Number: 10C
September 22, 2009

Subject: Sole Source Award of Contract, Purchase of Simbaby Patient Simulator, Accessories, and Related Services, Health Sciences Institute, Takoma Park/Silver Spring Campus

WHEREAS, the Instructional Dean, Health Sciences Institute, has requested a contract award for the purchase of one SimBaby Patient Simulator and associated accessories, on a sole source basis; and

WHEREAS, the SimBaby Patient Simulator will allow students to practice medical emergency procedures in a controlled environment to build proficiency and confidence skills not generally seen in basic clinical training and will be used in multiple programs such as Nursing, Surgical Technology, Diagnostic Medical Sonography, Radiologic Technology, and Emergency Medical Technician; and

WHEREAS, the Director of Procurement affirms that the sole source request is justified since the SimBaby Patient Simulator is not available through any other source, and no other product will meet College needs; and the Chief Business Officer certifies that funds are available in the FY2010 Operating Budget; and

WHEREAS, sole source procurement contracts valued above \$25,000 require Board approval; and

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

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

Resolved, That a contract be awarded for the purchase of one SimBaby Patient Simulator to Laerdal Medical Corporation, Wappingers Falls, New York, on a sole source basis, for a total price of \$49,185.

HP:abg

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

Agenda Item Number: 10D
September 22, 2009

**SOLE SOURCE AWARD OF CONTRACT, EXTENDED WARRANTY AND MAINTENANCE
SERVICE CONTRACT FOR DIAGNOSTIC MEDICAL SONOGRAPHY EQUIPMENT**

BACKGROUND

The Instructional Dean, Health Sciences, Takoma Park/Silver Spring Campus, has requested the purchase of a service contract on the ultrasound units in the Diagnostic Medical Sonography (DMS) Program, on a sole source basis. The DMS program is facing many challenges: teaching more in less time; preparing an increasingly diverse mix of sonography students with varying backgrounds and skills to meet the challenges of the healthcare industry; using increasingly complex technology of the scanning equipment; and maintaining a rigorous curriculum approved by the Joint Committee on Education in Diagnostic Medical Sonography, as well as accreditation by the Commission on Accreditation of Allied Health Programs. One of the latest challenges faced by the program is the complexity of the technical standards of the scanning equipment that needs to be calibrated as closely to those units used in the clinical areas for scanning patients. To meet these challenges, the College purchased four sonography ultrasound machines for the program from Philips Medical Corporation. The Philips product is the performance standard in diagnostic images and is used in clinical sites where our students ultimately work. The current warranty period will expire in September 2009, and an extended warranty and maintenance services are required to maintain the quality of the equipment. Continuing the warranty and maintenance services from Philips Medical Corporation will ensure that the equipment operates consistently and at optimum performance. This sole source procurement is justified since no other third party vendor can provide or supply extended warranty service. The proposed service agreement is a four-year term with annual payments of \$41,175, which is a savings of 24%. The service agreement includes warranty, damage, parts, labor and travel. Funds are available in the FY2010 Operating Budget for this purchase. Board approval is required for a sole source procurement valued above \$25,000.

RECOMMENDATIONS

It is recommended that the Board of Trustees award a contract for extended warranty and maintenance services to Philips Medical Systems, Bothell, Washington, for four one-year terms, beginning September 22, 2009, for a total annual amount of \$ 41,175.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Ms. Pickwick
Mr. Sheeran
Mr. Sorrell
Dr. Wormack

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

Resolution Number: **09-09-090**
Adopted on: **9/22/09**

Agenda Item Number: 10D
September 22, 2009

**Subject: Sole Source Award of Contract, Extended Warranty and Maintenance Service
for Diagnostic Medical Sonography Equipment**

WHEREAS, the Instructional Dean, Health Sciences, Takoma Park/Silver Spring Campus, has requested the purchase extended warranty and maintenance service for the Diagnostic Medical Sonography equipment which supports student and curricular needs of the program, on a sole source basis; and

WHEREAS, the Director of Procurement affirms that the sole source request is justified since no other vendor offers extended warranty services of this equipment; and no other vendor will meet College needs; and the Chief Business Officer certifies that funds are available in the FY2010 Operating Budget; and

WHEREAS, sole source procurement contracts valued above \$25,000 require Board approval; and

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

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

Resolved, That a contract be awarded for the purchase of extended warranty and maintenance services to Philips Medical Systems, Bothell, Washington, on a sole source basis, for four one-year terms, beginning September 22, 2009, for a total annual amount of \$41,175.

HP:abg

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

Agenda Item Number: 11A
September 22, 2009

**AUTHORIZATION TO ADD THE CORPORATE AND TRAVEL CARD PROGRAMS TO THE
AWARD OF CONTRACT, PURCHASING CARD PROGRAM
BID NO. 507-016**

BACKGROUND

The Procurement Director has requested that the corporate and travel card services be added to the current contract for the procurement card program through M&T Bank. Initially in 2005, the College established a pilot corporate card and travel arrangements program through its banking and safekeeping agreement between Bank of America (formerly Wachovia Bank) and the College. The current corporate and travel card program established through Bank of America has two elements (1) a travel and expense corporate card and (2) a travel agency payment card. The travel and expense corporate card program provides a flexible payment option for a limited number of senior leadership staff to use for authorized travel, business, and related expenses commensurate with their duties. The travel agency payment card program is used for booking transportation for faculty and staff for business related travel only, and is not designated to an individual. All transactions charged on this card are issued to the two travel agencies contracted for this purpose (Vacation Travel, Inc, or Frosch International). In FY2008, the transactions for both programs totaled nearly \$150,000.

Subsequently, in June 2007, the Board of Trustees approved a contract award for the College's Purchasing Card Program, (Resolution No. 07-04-037), to M&T Bank, Baltimore, Maryland. As part of the original bid for the Purchasing Card Program, M&T Bank offered the College, a corporate and travel card program to be implemented at the College's option. The College's purchasing card program was established to eliminate low-value repetitive purchases; reduce transaction costs, improve procurement efficiency; and save time on orders for instructional and administrative items. The program is audited annually by our internal auditor and purchases are reviewed monthly to ensure compliance with the program requirements. The College does not incur any charges beyond the actual purchase amounts because there are no user fees assessed with this no-cost program.

The addition of the corporate and travel card programs under the M&T contract would benefit the College in several ways. The M&T Bank corporate and travel card programs offer greater flexibility, on-line web-based access for cardholders, paperless expense tracking, electronic bulletin boards, increased rebate opportunities, and greater reporting and security privileges. There is no additional charge for this option. All transactions are paid for in accordance with College Policy and Procedures. The Corporate Credit Card Program with M&T Bank would be separate and independent from the current Purchasing Card program. Anne Arundel and Harford Community Colleges both have the purchasing, corporate and travel card services under one banking service provider for ease of administration and reporting purposes.

RECOMMENDATIONS

It is recommended that the Board of Trustees approve a contract award for the addition of the corporate and travel card programs to M&T Bank, Baltimore, Maryland.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Sheeran
Dr. Wormack

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

Resolution Number: **09-09-091**
Adopted on: **9/22/09**

Agenda Item Number: 11A
September 22, 2009

Subject: Authorization to Add the Corporate and Travel Card Programs to the Award of Contract, Purchasing Card Program, Bid No. 507-016

WHEREAS, in 2005, the College established a corporate and travel card program, as a pilot program, through our established banking and safekeeping agreement previously held with Wachovia Bank, but which was transferred to Bank of America; and

WHEREAS, the corporate and travel card program through Bank of America has two elements, a corporate card and a travel payment option. The corporate card program provides a flexible payment option to a limited number of senior leadership staff for use of authorized travel, business and related expenses commensurate with their duties, and, the travel payment program is used for booking transportation for faculty and staff for business related travel only; and

WHEREAS, subsequently, the Board of Trustees approved a contract award for the College's purchasing card program to M&T Bank, Baltimore, Maryland, at its April 2007 Board meeting; and

WHEREAS, the College's purchasing card program addresses the College's goal to increase financial efficiencies, reallocate resources to better serve college initiatives; and has been successful in reducing the number of low-value repetitive purchases, is cost efficient, and saves time in placing and receiving orders; and offers a corporate and travel card program meeting college requirements at the College's option; and

WHEREAS, the Director of Procurement recommends accepting the option and adding the corporate and travel card program offered by M&T Bank under the same terms and conditions of the existing Purchasing Card Program, Board Resolution (No. 07-04-037), since the M&T program offers greater flexibility, on-line web-based access for cardholders, paperless expense tracking, electronic bulletin boards, increases our rebate, and greater reporting; and

WHEREAS, there is no additional charge for this option; all transactions are paid for in accordance with College Policy and Procedure; and is not subject to any additional costs; the program is separate and independent from the current Purchasing Card Program; and

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

Resolved, That the Board of Trustees authorize addition of the corporate and travel card programs to M&T Bank, Baltimore, Maryland, under the same terms and conditions of the existing Award of Contract, Purchasing Card Program, Board Resolution (no. 07-04-037).

HP:abg

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

Agenda Item Number: 11B
September, 22, 2009

**AUTHORIZATION OF EXTENSION OF LEASE AGREEMENT FOR
WORKFORCE DEVELOPMENT & CONTINUING EDUCATION,
12 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND**

BACKGROUND

At its February 19, 2001 meeting, the Board of Trustees authorized the President to negotiate and execute a 10-year lease for instructional and administrative space for Workforce Development and Continuing Education at 12 South Summit Avenue, Gaithersburg, Maryland. This off-campus location serves as the Montgomery College Workforce Development and Continuing Education Gaithersburg Training Center, and is located on the 4th floor of the building. The Center supports community utilization, revenue generation, and expanded programming services. The Center also directly supports WDCE's ability to provide additional training for business, governmental, and community partners. This space provides the opportunity to deliver hundreds of additional courses each year and acts as a primary point of contact for the business community. Currently, the lease agreement is in year 9 of a ten (10) year lease term.

Given the recent favorable rental market conditions, the College entered into negotiations with the building owner, DANAC/Longacre, to review and extend the term of the lease. The Gaithersburg site has 14,747 square feet of rentable space. Approximately 33 staff members work from this location. The lease covers the full fourth floor of this Class A building, making Montgomery College the largest tenant. Directly behind this building is a City of Gaithersburg operated 718 space multi-story parking garage with sufficient space for building tenants and visitors. There is no charge for parking.

DANAC/Longacre has proposed a new ten-year lease to begin October 1, 2009 at a reduced per square foot rate with a significant associated cost savings. The current lease rate is \$35.84 per sq. ft. and will drop to \$25.25 per square foot resulting in a savings of approximately \$317,000 over the next two years. The new rate will be retroactive to August 1, 2009. The leasing arrangements proposed by DANAC/Longacre continue to be for a full-service lease, net of utilities, to include daily custodial service, refuse removal, and parking space with occupancy upon completion of the tenant improvements. The lease proposal includes an annual 3% escalation after the first year. Given the positive aspects of the location and the attributable saving, the Vice President for Workforce Development and Continuing Education has recommended a renewal and extension of the current lease agreement for the space at 12 South Summit Avenue, Gaithersburg, Maryland, for the purpose of continuing to provide instructional and administrative operations space.

RECOMENDATION

It is recommended that the Board of Trustees authorize the Interim President to negotiate and execute a new ten-year lease agreement with DANAC/Longacre for the 12 South Summit Avenue Montgomery College Business Training Center for an annual lease amount of approximately \$376,000, plus a 3% annual escalation after the first year, and an estimated annual cost of \$40,000 for WDEC's share of operating costs and real estate taxes.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSON(S)

Mr. Capp

Mr. Moore

Mr. Payne

Dr. Wormack

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

Resolution Number: **09-09-092**
Adopted on: **9/22/09**

Agenda Item Number: 11B
September 22, 2009

Subject: Authorization of Renewal of Lease Agreement for Workforce Development and Continuing Education at 12 South Summit Avenue, Gaithersburg, Maryland

WHEREAS, on February 19, 2001, by Resolution #01-18, the Board authorized the President to negotiate and execute a 10-year lease for instructional and administrative space for Workforce Development and Continuing Education at 12 South Summit Avenue, Gaithersburg, Maryland; and

WHEREAS, the off-campus site serves as the Montgomery College Workforce Development and Continuing Education Gaithersburg Training Center; and the lease agreement with DANAC/Longacre is now in year 9 of the ten-year lease term; and

WHEREAS, given the favorable market conditions, the College negotiated renewal and extension of the lease which will save the College approximately \$317,000 over the next two years; and

WHEREAS, the Vice President for Workforce Development and Continuing Education has recommended a renewal and extension of the current lease agreement for the space at 12 South Summit Avenue, Gaithersburg, Maryland, for the purpose of continuing to provide instructional and administrative operations space; and

WHEREAS, the Chief Business Officer certifies that funds are available in the College's FY 2010 Workforce Development and Continuing Education Budget to enable the College to award a lease agreement as recommended; and

WHEREAS, the available space at 12 South Summit Avenue, Gaithersburg, Maryland, continues to meet all College requirements, and the Director of Procurement affirms that there appears to be no other rental space that can meet the College needs within the desired radius and timetable given the improvements already made to the existing space; and

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

Resolved, That the Interim President is authorized to negotiate and execute a ten-year lease for space at 12 South Summit Avenue, Gaithersburg, Maryland, be awarded to DANAC/Longacre not to exceed \$31,338 per month, plus a 3% annual escalation cost, and an estimated annual cost of \$40,000 for share of operating cost and real estate taxes.

HP:abg

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

Agenda Item Number: 11C
September 22, 2009

**AUTHORIZATION TO AMEND AND EXTEND THE AWARD OF CONTRACT, WEB-BASED
RECRUITMENT MANAGEMENT AND APPLICANT TRACKING SYSTEM,
BID NO. 509-026**

BACKGROUND

In 2001 the Board of Trustees approved a contract award to Alexis International of Gaithersburg, Maryland, for a recruitment management and applicant tracking system to streamline and improve the Office of Human Resources (OHR) recruitment system. The recruitment system provides a paperless solution to all facets of the College's recruitment process. Applicants apply online to a Web self-service form and all applications are delivered online to hiring supervisors and search committee members.

Subsequently, after the bankruptcy filing of Alexis International in 2004, the Board of Trustees approved an award of contract to Taleo Corporation (*formerly Recruitmax*) of Dublin, California, on an emergency award basis. The current contract will expire on September 30, 2009. A new solicitation was issued for the purchase of a new talent management system which is broader in scope than the original purchase. The new system will not only include recruitment management but will also include performance modules such as compensation, learning, and performance management, and succession planning. The committee is completing the evaluation and a recommendation will be submitted under separate resolution. However, additional time is needed to complete the procurement process. A six month extension is recommended for a not-to-exceed amount of \$37,676 for the continued hosting and management of the current system. Extension of the current contract will help to ensure a seamless procurement and implementation process for the College. Funding is available in the Operating Budget for this purpose. Board approval is required for modifications to contracts valued above \$50,000. While the amount of the modification is below \$50,000, the contract term is extended beyond the original authorization and is therefore recommended for Board action.

RECOMMENDATION

It is recommended that the Board of Trustees authorize the extension of the contract to Taleo Corporation, Dublin, California, for the hosting and management of the web-based recruitment management system, for one six month term, beginning September 30, 2009, for a total price of \$37,676.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Ms. Lawyer
Mr. Sheeran
Dr. Wormack

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

Resolution Number: **09-09-093**
Adopted on: **9/22/09**

Agenda Item Number: 11C
September 22, 2009

**Subject: Authorization to Amend and Extend the Award of Contract, Web-Based
Recruitment Management and Applicant Tracking System, Bid No. 509-026**

WHEREAS, on June 18, 2001, the Board of Trustees approved a contract award to Alexis International, for a Web-based recruitment information management system;

WHEREAS, subsequently upon the bankruptcy filing of Alexis, the Board of Trustees ratified an emergency procurement award of contract to Taleo Corporation, (*formerly Recruitmax*), Dublin, California, at its meeting; and, the current contract with Taleo Corporation expires on September 30, 2009; and

WHEREAS, the Chief Human Resources Officer has recommended extension of the contract for one six month term for continued hosting and management of the current system until the procurement process is completed for the purchase of a new talent management system; and

WHEREAS, the Director of Procurement confirms that an extension of the contract is recommended since the contract will expire September 30, 2009; no further extensions are authorized; and additional time is needed to complete the procurement process and transition to a talent management system; and the Chief Business Officer certifies that funds are available in the F2010 Operating Budget; and

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

Resolved, That the contract extension be authorized and amended for continuation of the current recruitment management and applicant tracking system to Taleo Corporation, Dublin, California, for one six month term, beginning September 30, 2009, for a total amount of \$37,676.

HP:abg

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

Agenda Item Number: 11D
September 22, 2009

**EXTENSION OF TASK ORDER CONTRACT AWARD FOR
COLLEGEWIDE LANDSCAPE ARCHITECTURAL DESIGN, ENGINEERING
AND RELATED SERVICES UNDER BID NO. 606-008**

BACKGROUND

Task order contract awards provide for a variety of general and specialty architectural and engineering design and related services that are needed to implement capital and operating construction projects on all three campuses. Due to the on-going nature of the anticipated design tasks, and the often iterative process required to determine the correct solution, the Facilities and Procurement Offices determined that on-call, task order-based design services are the most efficient and cost effective method for providing the necessary services over the next several years. This method of procurement is currently used by County and State agencies, as well as the University of Maryland and other public education institutions. The process has been working well at Montgomery College since the first such award by the Board of Trustees in 2003. Recently, however, an issue arose related to the timing of the expiration of an award made on March 21, 2006 to Slater Associates, Inc.

The intent of the original 2006 task order award for landscape architectural design, engineering and related services under Bid #606-008 was to provide for services for a 4-year period. However, the resolutions were written using fiscal years rather than calendar years and it was subsequently determined that the contract award expired at the end of the 4th fiscal year (on June 30, 2009) rather than end of the 4th year of the contract award (March 20, 2010). Landscape design work with Slater on a task order basis had been planned for a full four-year period. Their work currently includes landscape architectural design services to address various site-related deficiencies and ADA accessibility issues. Some of this work is in progress and/or planned through the fall and spring. The differing contract end dates were discovered recently when a task order was requested for this summer's work and all of the current task orders were reviewed. As a result, Board approval is needed to extend the task order authorization under Resolution #06-03-029 dated March 21, 2006 (copy attached) through June 30, 2010. This extension will allow sufficient time for Slater to finish existing critical project commitments and also allow sufficient time for Facilities to prepare a new request for proposal for these services. Attention will be paid to the wording of future task order awards to avoid a similar problem and the new award will be structured to begin July 1, 2010.

The original award had a two-year total fiscal limit of \$500,000. For this one year extension, it is proposed that limit be \$500,000 for the period July 1, 2009 through June 30, 2010. This will provide flexibility if unforeseen site issues arise. Sufficient funds are available in the Capital and Operating budgets to support this authorization level.

RECOMMENDATION

It is recommended that the task order award to Slater Associates, Inc., Columbia, Maryland, pursuant to Resolution #06-03-029 dated March 21, 2006, be extended for an additional year, through June 30, 2010 with a fiscal year term limit of \$500,000 for landscape architectural design, engineering, and related services for the College on all three campuses.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Capp

Mr. Sheeran

Ms. Wormack

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

Resolution Number: **09-09-094**
Adopted on: **9/22/09**

Agenda Item Number: 11D
September 22, 2009

Subject: Extension of Task Order Contract Award for Collegewide Landscape Design, Engineering and Related Services Under Bid No. 606-008

WHEREAS, On March 21, 2006, by Resolution No. 06-03-029, the Board of Trustees appointed Slater Associates, Inc. of Columbia, Maryland to the College's Landscape Architectural Design, Engineering and Related Services task order list and authorized the College to negotiate individual on-call, task-order based contract awards with the firm within a two-year fiscal limit of \$500,000 through FY2009; and

WHEREAS, while the original intent was to approve the authorization for up to four years total, provided service was satisfactory, the resolution language referred to fiscal years which meant that the authorization expired earlier than anticipated; and

WHEREAS, because several critical projects requiring landscape design services were in progress or just starting, the Associate Vice President for College Facilities has requested that the consultant contract for the provision of on-call, task-order based college-wide landscape design, engineering and related services to prepare drawings, specifications and other associated professional services to address various site improvements and ADA access design issues at all three campuses with Slater Associates, Inc., be extended through June 30, 2010 with a fiscal year term limit of \$500,000 for FY2010; and

WHEREAS, the Director of Procurement and endorses this recommendation as a means of continuing to provide services until a new request for proposal for services can be advertised and awarded; and

WHEREAS, the Chief Business Officer certifies that sufficient funds are available in the FY2010 Capital and Operating budgets for planning, design and supervision services at this level; and

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

Resolved, That the task order appointment authorized under Resolution #06-03-029 to Slater Associates, Inc. of Columbia, Maryland is hereby extended through June 30, 2010, at a fiscal year term limit of \$500,000 in order to complete critical projects requiring landscape and site design services; and be it further

Resolved, That this extension is a temporary measure until the College can prepare a new request for proposal for these services for a new task order term to begin July 1, 2010.

HP:abg

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

Agenda Item Number: 11E
September 22, 2009

**EXTENSION OF TASK ORDER CONTRACT AWARDS FOR
COLLEGEWIDE STRUCTURAL ENGINEERING DESIGN
AND RELATED SERVICES UNDER BID NO. 606-009**

BACKGROUND

Task order contract awards provide for a variety of general and specialty architectural and engineering design and related services that are needed to implement capital and operating construction projects on all three campuses. Due to the on-going nature of the anticipated design tasks, and the often iterative process required to determine the correct solution, the Facilities and Procurement Offices determined that on-call, task order-based design services are the most efficient and cost effective method for providing the necessary services over the next several years. This method of procurement is currently used by County and State agencies, as well as the University of Maryland and other public education institutions. The process has been working well at Montgomery College since the first such award by the Board of Trustees in 2003. Recently, however, an issue arose related to the timing of the expiration of an award made on April 17, 2006 to SNG Engineering, Inc.

The intent of the original 2006 task order award for structural engineering design and related services under Bid #606-009 was to provide for services for a 4-year period. However, the resolutions were written using fiscal years rather than calendar years and it was subsequently determined that the contract award expired at the end of the 4th fiscal year (on June 30, 2009) rather than end of the 4th year of the contract award (April 16, 2010). Structural engineering work with SNG on a task order basis had been planned for a full four-year period. Their work currently includes design, inspections and testing of the sidewalk and ramp replacement projects at the Rockville Campus (including work that began last summer and new work that's in progress this summer) and structural inspections for the West Campus Garage. The differing contract end dates were discovered recently when a task order was requested for this summer's work. As a result, Board approval is needed to extend the task order original authorization under Resolution #06-04-035 dated April 17, 2006 (copy attached) through June 30, 2010. This extension will allow sufficient time for the engineer to finish existing critical project commitments and also allow sufficient time for Facilities to prepare a new request for proposal for these services. Attention will be paid to the wording of future task order awards to avoid a similar problem and the new award will be structured to begin July 1, 2010.

The original award had a two-year total fiscal limit of \$500,000. Just recently with a significant increase in the number of projects requiring separate structural engineering services, that amount proved to be insufficient. For the one-year extension, it is requested that a term limit of \$750,000 be established for the period July 1, 2009 through June 30, 2010. Sufficient funds are available in the Capital and Operating budgets to support this authorization level.

RECOMMENDATION

It is recommended that the task order award to SNG Engineering, Inc., Gaithersburg, Maryland, pursuant to Resolution #06-04-035 dated April 17, 2006, be extended for an additional year, through June 30, 2010 with a fiscal year limit of \$750,000 for structural engineering design and related services for the College on all three campuses.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Capp
Mr. Sheeran
Dr. Wormack

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

Resolution Number: **09-09-095**
Adopted on: **9/22/09**

Agenda Item Number 11E
September 22, 2009

Subject: Extension of Task Order Contract Award for College-wide Structural Engineering Design and Related Services Under Bid No. 606-009

WHEREAS, On April 17, 2006, by Resolution No. 06-04-035, the Board of Trustees appointed SNG Engineering, Inc. of Gaithersburg, Maryland to the College's Structural Design, Engineering and Related Services task order list and authorized the College to negotiate individual on-call, task-order based contract awards with the firm within a two-year fiscal limit of \$500,000 through FY2009; and

WHEREAS, while the original intent was to approve the authorization for up to four years total, provided service was satisfactory, the resolution language referred to fiscal years which meant that the authorization expired earlier than anticipated; and

WHEREAS, because several critical projects requiring structural engineering services were in progress or just starting, the Associate Vice President for College Facilities has requested that the consultant contract for the provision of on-call, task-order based college-wide structural engineering design and related services to prepare drawings, specifications and other associated professional services to address various structural design issues at all three campuses with SNG Engineering, Inc., be extended through June 30, 2010 with a fiscal year term limit of \$750,000 for FY2010; and

WHEREAS, the Director of Procurement and endorses this recommendation as a means of continuing to provide services until a new request for proposal for services can be advertised and awarded; and

WHEREAS, the Chief Business Officer certifies that sufficient funds are available in the FY2010 Capital and Operating budgets for planning, design and supervision services at this level; and

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

Resolved, That the task order appointment authorized under Resolution #06-04-035 to SNG Engineering, Inc. of Gaithersburg, Maryland is hereby extended through June 30, 2010, at a fiscal year term limit of \$750,000 in order to complete critical projects requiring structural engineering services; and be it further

Resolved, That this extension is a temporary measure until the College can prepare a new request for proposal for these services for a new task order term to begin July 1, 2010.

HP:abg

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

Agenda Item Number: 12
September 22, 2009

**REQUEST FOR SUPPLEMENTAL APPROPRIATION
FY2010 CAPITAL BUDGET
SCIENCE AND TECHNOLOGY PARK INFRASTRUCTURE PROJECT**

BACKGROUND

This supplemental appropriation request is for \$165,072 to provide sufficient appropriation authority for grant funds to support the Capital Budget for the construction of the biotechnology park infrastructure on the Germantown Campus of Montgomery College in conjunction with the Montgomery County Government. The source of the funds for this supplemental appropriation request is funded through the U.S. Small Business Administration.

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 business park adjacent to the Germantown Campus. Construction of the Bioscience Education Center is a separately funded project in the College's FY 2009 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 FY2010 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 FY2010 Capital Budget to include a supplemental appropriation of \$165,072 for funded through the U.S. Small Business for the 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. Rai
Mr. Sorrell

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

Resolution Number: **09-09-096**
Adopted on: **9/22/09**

Agenda Item Number: 12
September 22, 2009

**Subject: Request for Supplemental Appropriation, FY2010 Capital Budget, Science and
Technology Park Infrastructure Project**

WHEREAS, on May 21, 2009, by Council Resolution #16-963, the County Council approved and appropriated \$92,263,000 for the FY2010 Montgomery College Capital Budget; and

WHEREAS, on June 15, 2009, by Board Resolution #09-06-071, the Board of Trustees approved the final adoption of the FY2010 Capital Budget for the College as amended and approved by the County Council; and

WHEREAS, Montgomery College has been awarded a grant from the U. S. Small Business Administration for design of infrastructure for a Science and Technology Park as part of the Montgomery College Biotechnology Project; and

WHEREAS, the College desires to amend the FY2010 Capital Budget to provide for supplemental appropriation authority for \$165,072 in grant funds for a Science and Technology Park Infrastructure Project on the Germantown Campus (no additional county funds required for these grants); and

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

Resolved, That the Board amends the FY2010 Capital Budget to include a supplemental appropriation of \$165,072 for one (1) grant received by the College funded through the U. S. Small Business Administration for design of the 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.

HP:abg

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

Agenda Item Number: 13
September 22, 2009

**ACCEPTANCE OF THE MARYLAND HIGHER EDUCATION COMMISSION PERFORMANCE
ACCOUNTABILITY REPORT**

BACKGROUND

In fall, 1996, the Maryland Higher Education Commission (MHEC) implemented its new accountability reporting system. This reporting system is known as the Performance Accountability Report (PAR) and each community college and public four-year institution submits an annual PAR.

In addition to narrative reporting on significant student characteristics and performance issues, community outreach efforts, use of public funding, and cost containment efforts, the report contains recent trend data on a number of specific quantitative Indicators which reflect progress towards benchmarks set by the Board of Trustees on each Indicator. MHEC considers the College's performance on these Indicators as the primary component of assessing an institution's effectiveness.

This year's report is the fourth of the current five-year cycle. A number of new performance indicators were implemented through collaborative efforts by MHEC and the community colleges, and the colleges set new benchmarks for their performance on all the indicators for the five-year period ending with the PAR report of 2011.

RECOMMENDATION

The Board of Trustees is requested to review and accept the Montgomery College Performance Accountability Report and request the President to forward it to the Commission. This review and acceptance would include the benchmarks that have been established for each performance indicator

BACK-UP INFORMATION

2009 Performance Accountability Report (Board members only)

RESOURCE PERSON(S)

Dr. Blaylock
Dr. Lynch
Ms. Wessman

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

Resolution Number: **09-09-097**
Adopted on: **9/22/09**

Agenda Item Number: 13
September 22, 2009

**Subject: Maryland Higher Education Commission Performance Accountability
Report, 2009**

WHEREAS, Maryland Higher Education Commission requires the submission of an annual Performance Accountability Report from the State's public colleges and universities; and

WHEREAS, the 2009 Performance Accountability Report retains the benchmarks for a series of quantitative performance indicators; and

WHEREAS, the Office of Institutional Research and Analysis has coordinated contributions from a number of administrative offices, individual campuses, and Workforce Development and Continuing Education in the development of the report; and

WHEREAS, the Interim President recommends acceptance of the following; now therefore be it

Resolved, That the attached Montgomery College Performance Accountability Report and the benchmarks be accepted, effective September 22, 2009, and that the report be sent to the Maryland Higher Education Commission.

HP:abg

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

Agenda Item Number: 14
September 22, 2009

**AMENDED AUTHORIZATION OF EXECUTION OF GROUND LEASE AGREEMENT FOR HOLY
CROSS DEVELOPMENT ON THE SCIENCE AND TECHNOLOGY PARK FOR THE
GERMANTOWN CAMPUS**

BACKGROUND

By resolution number 08-12-142 (“December Resolution”), adopted on December 15, 2008, the Board of Trustees approved a resolution that authorized the execution of a ground lease with Foulger-Pratt Companies (“F-P”) to, in turn, ground lease a portion of designated property to Holy Cross Hospital, Inc. (“Hospital”) as a lead tenant in the Science and Technology Park at the Germantown Campus (the “Park”). The Resolution also authorized the College to execute a Program Memorandum of Understanding directly with the Hospital (“MOU”). A copy of the Resolution and Background is attached.

In accordance with the December Resolution, the MOU was duly executed.

The authorization for the ground lease to F-P/Hospital is based on the various terms and assumptions contained in the Background document. Because of subsequent actions of the County Council affecting the Germantown Campus land, including but not limited to actions on the draft Master Plan for the Germantown area (“Master Plan”), several of the terms and conditions outlined in the previous Background document have changed. Also, tax, settlement and development considerations realized during the detailed negotiation process required fine tuning of certain of the terms outlined in the December Resolution. It is appropriate that an Amended Resolution be proposed to the Board that would be based on the changed terms and conditions since the December Resolution.

The December Resolution, among other terms, was based on a recent general re-location of the Hospital from along I-270, consisting of approximately 26 acres, to an area in the South-East corner of the campus, with a ground lease of 90 years from the date required approvals were received. It was also premised on the understanding that there would be approximately 100 acres reserved for core academic uses at the Germantown Campus to permit future growth in the next 100 years taking into account the size of the Rockville Campus.

As a result of the Master Plan, the College lost to “Forest Preserve” approximately 45.5 acres of prime land, next to I-270—the very land that the Hospital was to originally utilize and a portion of which we had hoped to still utilize for Park sites other than for the Hospital as of the December 2008 meeting. In addition, the Master Plan later inserted a connector road over the Campus to Route 355 and a new Observation Drive was designated extending from Middlebrook Road, through Goldenrod, and then through the campus ball field, to existing Observation Drive at the current North, main entrance to the Germantown Campus. Although a portion of the Middlebrook Road connector to Goldenrod was always contemplated, the additional road connector from Goldenrod through the ball field and to Observation Drive North, as well as the connector road to Route #355, imposed additional restraint on Campus development as well as took away real estate otherwise available for Campus use. As a result, since the December Resolution, the more precise location of the Hospital has been determined and we have had to relocate the rest of the Park to the East. We had to re-assess realistic use possibilities for the remaining Park land as well as analyze remaining land for core academic use to make certain that adequate space was available. As a result, we recommend the location of the Hospital and the Park as shown on Exhibit A, with certain additional changes to the

terms of the transaction with F-P. The MOU with the Hospital remains in effect, unchanged from the previous MOU authorized by the Board of Trustees in the December Resolution.

The major changes to the previous authorization are as follows:

1. The land on which the Hospital will be located is now designated with some specificity on the South-East corner of the Campus , as indicated on attached Exhibit A, consisting of approximately 24.5 acres; it will also use approximately 1.5 acres of a joint storm water pond (together with the College and possibly others), located to its South-East.
2. Land designated for future Park development by F-P is shown to the West and North of the Hospital site on Exhibit A, designated Science and Tech #2 (consisting of approximately 13 + acres) and Science and Tech #3 (consisting of approximately 5+ acres for a working total of 19+/- acres); these sites will be subject to an option to F-P priced at \$25 per square foot (as adjusted for time). Although uses for these sites will be limited to technology uses as before, it is recognized that the proximity to the Hospital may drive these uses to more medically related uses, rather than biotech or info tech research and development uses.

3. The land requirements that produce a total reserve for academic uses are now as follows:

| | |
|-------------------------------------|------------------|
| a. Roads: | <u>14 acres</u> |
| b. Stream Valley buffers/ | |
| College Reforestation | <u>72 acres</u> |
| (includes Forest Preserve of 45.49) | |
| c. Holy Cross Hospital | <u>25 acres</u> |
| d. Remaining Tech Park | <u>19 acres</u> |
| (Science and Tech #2 and #3 only) | |
| Total Non-Academic: | <u>130 acres</u> |

TOTAL CAMPUS 224 ACRES

LESS 130 acres

TOTAL ACADEMIC ACREAGE 94 ACRES

With the resulting 94 acres, we believe with the additional road infrastructure already in place with the adjustments, we will have sufficient space remaining for 100 years of future academic growth at the Germantown Campus. In addition, upon the acquisition of the Goldenrod Building, additional acreage of approximately 4.6 acres will be available for academic purposes.

4. The Ground lease term, as indicated in the December Resolution Background section will remain the same (90 years), unless for tax purposes, the lease needs to be increased to 99 years in order to maintain tax exempt status.
5. The Deposit, Ground Rent, Extension Fees and Development Rights Term as indicated in the December Resolution Background section will remain the same; the initial takedown of 350,000 SF also remains the same. The economics of this initial take down have changed as follows:

a. 350,000SF X \$22.64 Per SF

(Effective Land Price) = \$7,925,000 (From Holy Cross)

b. Less:

- i. Brokerage fees \$ 525,000 (From original terms)
- ii. Payment to F-P for costs/risks \$ 900,000 (Increased/New-assignment)
- iii. Recordation fees up to \$ 98,653 (Original-refined est.)
- iv. RESULTING FIRST PAYMENT TO COLLEGE \$6,401,347 (New)

[potential deferral of \$320,000 by HC - from original terms]

[plus all future payments 100% to the College]

The net initial payment to the College is below what we had expected in our December Resolution Background (approximately \$7,000,000). The net payment above (\$6.4 m) reflects updated recordation fees and increases of costs to be paid at closing from \$400,000 to \$900,000. In exchange for the increased payment of \$500,000 to F-P, the future upside that will now be allocated 100% to the College (versus 60%) from all additional take downs (including Hospital take downs to a total of 600,000 SF; MOB building by F-P @ \$25 SF; and F-P development of Science and Tech Parcels #2 and #3 at applicable SF rates). The future payments to the College from only the HC transaction are estimated to be \$7.0 m. This represents an increase to the College of \$1.6 m (in exchange for the increased payment to FP of \$500,000). This makes the revised terms of this transaction with F-P a clearly more desirable transaction for the College.

6. As with the previous Background for the December Resolution, the College remains responsible for providing infrastructure (road, utilities, stormwater to the site boundary, with the exception that off-site structures receive reimbursement contribution); however, the road infrastructure is now defined as the Observation Drive extension from Middlebrook to Goldenrod, on a four lane right-of-way, but only two lanes are constructed by the College to County standards. The expansion to four lanes and the Route #355 road will have to be built with County funds.
7. Upon the removal of all contingencies on the settlement on Hospital Sublease with F-P; and the payment into escrow of the initial payment outlined above, the College will succeed to all rights of F-P in the Ground Lease and it will be merged; the College will remain as Landlord of the Sublease with the Hospital.
8. Similar to the December Resolution, a condominium will be created for the whole campus with the specific designation of certain condominium units. See Attached Exhibit B 1 of 2 and Exhibit B 2 of 2. These units include the new childcare center (unit 2) and the Hospital as units 4a and 4b.
9. All other terms of the previous December Resolution remain the same.

RECOMMENDATION

It is recommended that the Board of Trustees approve this amended resolution to authorize the execution of the Ground Lease Agreement with F-P and confirm the previous December Resolution to the extent not amended, as well as authorize such other associated ancillary documents necessary or appropriate to complete the transactions contemplated by the Ground Lease Agreement.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Firstenberg

Mr. Sorrell

Dr. Sanjay Rai

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**

Resolution Number: **09-09-098**
Adopted on: **9/22/09**

Agenda Item Number: 14
September 22, 2009

Subject: Amended Authorization for Execution of Ground Lease Agreement for Holy Cross Hospital Development on the Science and Technology Park for the Germantown Campus

WHEREAS, the Board of Trustees previously authorized the execution of a Ground Lease Agreement and Program Memorandum of Understanding for the Holy Cross Hospital Development on the Science and Technology Park for the Germantown Campus in Resolution Number 08-12-142 adopted December 15, 2008; and

WHEREAS, certain terms and conditions of the lease transaction upon which the previous resolution was based have changed, including most importantly results of certain actions of the County Council in the applicable draft Master Plan for Germantown that directly affect the Germantown Campus and the proposed Ground Lease to the Foulger Pratt Companies ("F-P"), as outlined in the Background document accompanying this resolution; and

WHEREAS, the revised terms and conditions of the proposed Ground Lease Agreement in response to these changes as outlined in the Background document are acceptable and in the best interests of the College, together with the other unaltered terms and conditions from the previous resolution (including but not limited to the Proposed Program Memorandum of Understanding with Holy Cross Hospital); and

WHEREAS, the general terms of the revised proposed Ground Lease Agreement are outlined in the Background document that accompanies this resolution and this Background document is hereby incorporated herein; and

WHEREAS, based on these terms, both revised and the original that remain, the Board of Trustees supports moving ahead with the satisfaction of various conditions associated with these transactions as described in the Background document; and

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

Resolved, that the College is hereby authorized to negotiate and execute a Ground Lease with F-P for the Holy Cross site, subject to the terms and conditions contained in the referenced Background document and such other conditions as may be deemed appropriate by the President of the College or his designee; and it is further

Resolved, that the terms and conditions of the previous Resolution 08-12-142, to the extent that they are not amended by this resolution, are hereby confirmed, including but not limited to the execution of the Program Memorandum of Understanding with Holy Cross Hospital; and it is further

Resolved, that the College is hereby authorized to enter into and execute such ancillary agreements, covenants and documents, and take such other actions, as may be required for the effective and efficient execution of the Ground Lease and associated transactions, approval processes and actions, to successfully develop the Science and Technology Park at the Germantown Campus; and it is further

Resolved, that the College is hereby authorized to create, execute and amend the underlying condominium documents and plats defining the Campus and the hospital site; and it is further

Resolved, that in order to effectuate the transaction described herein, the Board hereby authorizes, directs and empowers the Interim President, Dr. Hercules Pinkney, or his designee, or the Chair of the Board of Trustees or designee (each an "Authorized Officer") to execute and deliver any and all necessary, appropriate or required College Documents on behalf of the College (with such changes as an Authorized Officer shall determine to be necessary, proper, appropriate, advisable or desirable) and each of the College Documents are hereby in all respects authorized, adopted, specified, accepted, ratified, approved and confirmed as executed by the College; and it is further

Resolved, that all agreements, documents and contracts of the College to be entered into in connection with the development of the Hospital site as part of the Science and Technology Park at the Germantown Campus or the execution and delivery of the College Documents (the "Related Documents") as an Authorized Officer shall determine to be necessary, proper, appropriate, advisable or desirable, including but not limited to (i) any tax certificate necessary or desirable to be executed, (ii) any easements or other interests in real property necessary or desirable for the development, operation or construction of the Hospital site, and (iii) any assignment of rights to payment to the Foundation, be and the same are hereby in all respects authorized, adopted, specified, accepted, ratified, approved and confirmed; and it is further

Resolved, that without in any way limiting the power, authority or discretion elsewhere herein granted or delegated, the College hereby (i) authorizes and directs all of the officers, employees and agents of the College to carry out or cause to be carried out, and to perform, such obligations of the College and such other actions as they, or any one of them, in consultation with the College's general counsel, in connection with the leasing activities shall consider necessary, advisable, desirable or appropriate in connection with this resolution, the College Documents, the Related Documents and related transactions, including, without limitation, and whenever appropriate, the execution and delivery thereof and of all other related documents, instruments, financing statements, certifications and opinions, (ii) delegates, authorizes and directs each Authorized Officer the right, power and authority to exercise his or her own independent judgment and discretion in determining and finalizing the terms, provisions, forms and contents of each of the College Documents, any agreement required by the County or amendments to agreements and the Related Documents herein identified and referred to and to execute and deliver any such documents and (iii) authorizes the Authorized Officers to execute certificates of the College. The execution and delivery by any such officers of the College of any of such documents, instruments, certifications and opinions, or the doing by them of any act in connection with any of the matters which are the subject of this resolution, shall constitute conclusive evidence of both the College's and their approval of all changes, modifications, amendments, revisions and alterations made therein and shall conclusively establish their absolute, unconditional and irrevocable authority with respect thereto from the College and the authorization, approval and ratification by the College of the documents, instruments, certification and opinions so executed and the actions so taken; and it is further

Resolved, that if any one or more provisions of these resolutions should be determined by a court of competent jurisdiction to be contrary to law, then such provisions shall be deemed severable from the remaining provisions hereof and the invalidity thereof shall in no way affect the validity of the other provisions of these resolutions. If any provisions of these resolutions shall be held or deemed to be or shall, in fact, be inoperative, or unenforceable or invalid in any particular case in any jurisdiction or jurisdictions, or in all cases, because it conflicts with any constitution or statute or rule of public policy, or for any other reason, such circumstance shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering

any other provision or provisions wherein contained inoperative or unenforceable or invalid to any extent whatever.

HP:abg

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

Agenda Item Number: 15A
September 22, 2009

**DETERMINATION OF RESIDENCY FOR BASE REALIGNMENT AND CLOSURE EMPLOYEES
AND THEIR DEPENDENTS**

BACKGROUND

The Maryland General Assembly has enacted House Bill 923, which exempts Base Realignment and Closure (BRAC) employees (civilian personnel or defense contractors) and their dependents from paying out-of-state or out-of-county fees at community colleges. Dependents of BRAC employees will be the only civilian dependents afforded such exemption. All other College, "non-military" residency exemptions are for employees and exclude dependents.

RECOMMENDATION

It is recommended the Board adopt this resolution, thereby granting BRAC employees and their dependents in-county or in-state tuition and fees.

BACK UP INFORMATION

Board Resolution
College Policy 45003

RESOURCE PERSON

Ms. Hopkins

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

Resolution Number: **09-09-099**
Adopted on: **9/22/09**

Agenda Item Number: 15A
September 22, 2009

Subject: Determination of Residency for BRAC Employees and their Dependents

WHEREAS, the Maryland General Assembly House Bill 923 was enacted on May 19, 2009; and

WHEREAS, House Bill 923 exempts Base Realignment and Closure (BRAC) employees (civilian personnel or defense contractor) and their dependents from paying out-of-state or out-of-county fees at community colleges effective July 1, 2009; and

WHEREAS, House Bill 923 amends Education Article of the Maryland Annotated Code 16-310(a) (6) and (b) (4), and authorizes community college boards of trustees to waive out-of-state and out-of-county fees for students who reside in the State, but do not meet the in-state or in-county residency requirement for tuition purposes if they have moved to the State as an employee; or a family member of an employee as part of BRAC; and

WHEREAS, a BRAC employee or family member will be exempt from the College's three-month residency requirement; and

WHEREAS, a BRAC employee or family member of a BRAC employee attending a community college who receives in-state or in-county tuition under House Bill 923 is counted as an in-state resident for purposes of calculating State aid for community colleges; and

WHEREAS, the Board of Trustees has the authority to set tuition policy for the College; now therefore be it

Resolved, College Policy 45003, 1.F.6 is amended as the attachment indicates; and furthermore now therefore be it

Resolved, that the Interim President or designee is charged with implementing procedures to support this change in policy.

HP:abg

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

Agenda Item Number: 15B
September 22, 2009

MODIFICATION OF BOARD POLICY ON CONTINUING EDUCATION

BACKGROUND

In recognizing Workforce Development and Continuing Education programs as a vital part of the College's Mission in providing opportunities for students and serving the community, the Board of Trustees authorized the College President to establish guidelines and procedures to implement a Workforce Development and Continuing Education policy.

Upon review of College policy 54001, Continuing Education, it is recommended that the policy be updated to include language that more adequately reflects the program scope and organizational structure.

RECOMMENDATION

It is recommended that the Board of Trustees approve the changes in Montgomery College Policy 54001, Continuing Education, as attached.

BACK-UP INFORMATION

Board Resolution
Revised Montgomery College Policy 54001, Continuing Education

RESOURCE PERSON(S)

Mr. Payne
Dr. Long

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

Resolution Number: **09-09-100**
Adopted on: **9/22/09**

Agenda Item Number: 15B
September 22, 2009

Subject: Modification of Board Policy on Continuing Education

WHEREAS, in accordance with the Board of Trustees policy on Continuing Education, Continuing Education programs include the administration of off-campus credit courses and development and administration of all noncredit offerings; and

WHEREAS, these programs are vital to the College's Mission in providing opportunities for students and partnerships with the community at-large in the furtherance of workforce creation; and

WHEREAS, The College President is authorized to establish guidelines and procedures to implement the Continuing Education Policy; and

WHEREAS, as part of the review process, it is recommended that language contained in the policy be updated to reflect the program scope and organizational structure; and

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

Resolved, That effective September 22, 2009, Montgomery College Policy 54001, entitled Continuing Education, be revised as presented.

HP:abg