MONTGOMERY COLLEGE
BOARD OF TRUSTEES

RECORD OF RESOLUTIONS
September 27, 2010

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BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 8A
September 27, 2010

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: **10-09-063** Agenda Item Number: 8A
Adopted on: **9/27/2010** September 27, 2010

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, 2010, to and including August 31, 2010; and

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

Resolved, that the Board of Trustees accepts the attached report and confirms the action of the President.

DPP:abg

Attachments

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including June 1, 2010, to and Including June 30, 2010

STAFF

STAFF EMPLOYMENTS

Effective Date	Name	Position Title	Grade	Location
06/07/2010	Baugh, Catherine A	Senior Project Manager	K	Collegewide Cap Prjt/Oper
06/21/2010	Campen, Darrin G	Instructional Dean	P	Soc. Sci, History, Health & PE
06/21/2010	Cantu, Thomas R	Instructional Designer	K	Distance Learning
06/21/2010	Holm, Valerie A	Accountant	K	Finance Office
06/21/2010	Knight, Michele N	Instructional Designer	K	Distance Learning
06/07/2010	Lattiboudeaire, Milton L	Safety & Security Officer	E	Facilities Security TP/SS
06/07/2010	Moreno Uribe, Maria M	Safety & Security Officer	E	Facilities Security TP/SS
06/28/2010	Sherman, Ruby J	Accounting Supervisor	L	Finance Financial Reporting
06/21/2010	Tyagi, Naresh	Accountant	K	Finance Office
06/07/2010	Verdezoto, Danilo J	Library Assistant /PT	F	IT Learning Center Library RV

STAFF SEPARATIONS

06/30/2010	Berman, Bruce G	Vice President of Advancement	R	Institutional Advancement
06/30/2010	Epelman, Edward[1]	Blg Equip Mechanic	H	Facilities Operations TP/SS
06/30/2010	Fisher, Earldine L[1]	WD & CE Prog Asst	F	WD & CE
06/30/2010	Helmick, Carol M[1]	Accounting Associate	H	Finance Office
06/23/2010	Holm, Valerie A	Accountant	K	Finance Office
06/30/2010	Jacobs, Robert W[1]	Bursar	L	Finance Accounts Receivable
06/30/2010	Samaras, Valessia	Dir of Development	O	Institutional Advancement
06/30/2010	Tucker, Thomas J	Special Asst, VP/Provost	Q	Provost GT

STAFF EMPLOYMENTS: Ethnicity and Gender

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

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	**TOTAL**
Female	3	1	0	0	0	**4**
Male	3	1	0	0	0	**4**
TOTAL	**6**	**2**	**0**	**0**	**0**	**8**

FACULTY

FACULTY EMPLOYMENTS: None

FACULTY SEPARATIONS: None

[1] Retirement

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including July 1, 2010, to and Including July 31, 2010

STAFF

STAFF EMPLOYMENTS

Effective Date	Name	Position Title	Grade	Location
07/06/2010	Bolea, Marc A	Analyst/Programmer	K	Information Technology RV
07/19/2010	Galen, Alexander N	ESOL & Literacy Program Coor	K	WD & CE/MCPS - ESOL
07/19/2010	Jackson, Charlie	Media Technology Specialist	G	IT Learn Ctr Aud/Vis Instrc GT
07/06/2010	Kamara, Joseph T	Instructional Assistant	G	Student Development GT

STAFF SEPARATIONS

07/09/2010	Baradi, Gabriel Ivan J. A	Administrative Aide	F	Information Technology RV
07/09/2010	Liller, Mary E	Senior Admin Aide	G	Office of Info Tech
07/28/2010	Manuel, Wilmara H	Adult Re-entry Program Dir	L	Student Development
07/09/2010	Ortiz, Shiela M	Admin Aide	F	Student Life RV
07/09/2010	Ryan, Andrew J	CTL Coordinator	K	Center for Teaching & Learn RV

STAFF EMPLOYMENTS: Ethnicity and Gender

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

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	**TOTAL**
Female	1	1	1	0	0	**3**
Male	0	1	0	1	0	**2**
TOTAL	**1**	**2**	**1**	**1**	**0**	**5**

FACULTY

FACULTY EMPLOYMENTS: None

Effective Date	Name	Position Title	Location

FACULTY SEPARATIONS

07/08/2010	Hensley, Kristin A	Assistant Professor	Biology RV
07/26/2010	Irey, Jill[2]	Professor	Applied Tech RV

FACULTY SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	**TOTAL**
Female	2	0	0	0	0	**2**
Male	0	0	0	0	0	**0**
TOTAL	**2**	**0**	**0**	**0**	**0**	**2**

[2] Deceased

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including August 1, 2010, to and Including August 31, 2010

STAFF

STAFF EMPLOYMENTS

Effective Date	Name	Position Title	Grade	Location
08/02/2010	Blumgart, Daniel L	Safety & Security Officer	E	Facilities Security GT
08/02/2010	Chen, Xiaole	Accountant	K	Finance Office
08/21/2010	Chukwuka, Uju A	Instructional Associate	J	Health Sciences TP/SS
08/16/2010	Crawford, Chanee D	Safety & Security Officer	E	Facilities Security RV
08/30/2010	Crutchfield, Mark C	Athletic Director	L	Student Athletics RV
08/16/2010	Ekrami, Amirhadi	Computer Support Specialist	I	Information Technology RV
08/02/2010	Kerpelman, Janene K	Safety & Security Officer	E	Facilities Security RV
08/16/2010	Milstead, Timothy W	Building Equipment Mechanic	H	Facilities Operations GT
08/30/2010	Odubayo, Florence F	Instructional Associate	J	Health Sciences TP/SS
08/02/2010	Pollard, DeRionne P	President	X	Office of the President
08/09/2010	Rahimi, Alexander K	Instructional Assistant	G	Science, Engineering & Math
08/24/2010	Turay, Ibrahim	Safety & Security Officer	E	Facilities Security RV
08/02/2010	Wilson, Jeffrey M	Safety & Security Officer	E	Facilities Security RV

STAFF SEPARATIONS

08/21/2010	Helberg, Sherman[1]	Dir of Admiss & Enrollment Mgt	P	Admission Records Regis Office
08/06/2010	Karthigesan, Subramaniam	Lead Building Service Worker	D	Facilities Maintenance RV
08/02/2010	Manuel, Wilmara H	Adult Re-entry Program Dir	L	Student Development
08/27/2010	Sushka, Nicole R	Service Learning Coordinator	I	Student Development

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	**TOTAL**
Female	1	4	0	1	0	**6**
Male	4	2	0	1	0	**7**
TOTAL	**5**	**6**	**0**	**2**	**0**	**13**

STAFF SEPARATIONS: Ethnicity and Gender

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

[1] Retirement

FACULTY

FACULTY EMPLOYMENTS

Effective Date	Name	Position Title	Location
08/23/2010	Acquah, Sandra	Assistant Professor	Biology RV
08/23/2010	Agostini, Michelle P	Associate Professor	Health Sciences TP/SS
08/23/2010	Bagshaw, Joanne	Associate Professor	Humanities/Soc Sci/Educ GT
08/23/2010	Cutler, Alan H	Associate Professor	Physics/Eng/Geoscience RV
08/23/2010	Dong, Zhou	Assistant Professor	Business/Science/Math/Tech GT
08/23/2010	Dundon, Ariana F	Assistant Professor	Math RV
08/23/2010	Fleming, Lila C	Assistant Professor	Health/Exercise/PE RV
08/23/2010	Gentile, Christina M	Assistant Professor	Reading, ESL & Linguistics RV
08/23/2010	Goupil, Stephan A	Assistant Professor	Business/Science/Math/Tech GT
08/25/2010	Holbrook, Ronald W	Professor	Applied Technologies RV
08/23/2010	Houser, Erin E	Instructor - N/T	Student Development GT
08/23/2010	Hubley, Katherine R	Assistant Professor	Communication Arts Technology RV
08/23/2010	Jayasekera, Dilrukshi I	Assistant Professor	Chemistry RV
08/23/2010	Johnson, Aaron D	Associate Professor	Humanities/Soc Sci/Educ GT
08/23/2010	Kim, Grace S	Assistant Professor	Reading, ESL & Linguistics RV
08/23/2010	Kuhns, Chad A	Assistant Professor	Math RV
08/23/2010	LeBlanc, Michael E	Assistant Professor	Arts/Humanities/SocialSciences TP/SS
08/23/2010	Mac Dowell, Jennette M	Professor	Health Sciences TP/SS
08/23/2010	Petrides, Bette D	Assistant Professor	Provost - Evening/Weekend RV
08/23/2010	Razavi, Rebecca H	Assistant Professor	English/Lit/Prof Writing RV
08/23/2010	Roessner-Ankney, Lynn M	Assistant Professor	Arts/Humanities/SocialSciences TP/SS
08/23/2010	Witte, Tracie L	Assistant Professor	Sociol/Anthr/Crim Justice RV
08/25/2010	Yagodich, Dina M	Assistant Professor	Business/Science/Math/Tech GT

FACULTY SEPARATIONS

08/20/2010	Moore, Laura	Associate Professor	Sociol/Anthr/Crim Justice RV
08/09/2010	Porter, Sean	Assistant Professor	Health Sciences TP/SS

FACULTY EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	**TOTAL**
Female	11	2	1	3	0	**17**
Male	6	0	0	0	0	**6**
TOTAL	**17**	**2**	**1**	**3**	**0**	**23**

FACULTY SEPARATIONS: Ethnicity and Gender

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

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 8B
September 27, 2010

GRADUATES RECEIVING THE ASSOCIATE DEGREE AND THE ONE-YEAR PROGRAM CERTIFICATE IN SPRING, 2010

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

Board Resolution
List of Graduates (Trustees only)

RESOURCE PERSON

Ms. Rochelle Hopkins

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-09-064** Agenda Item Number: 8B
Adopted on: **9/27/2010** September 27, 2010

Subject: Graduates Receiving the Associate Degree and the One-Year Program Certificate in Spring, 2010

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 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

DDP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-09-065** Agenda Item Number: 8C
Adopted on: **9/27/2010** September 27, 2010

Subject: Retirement Recognition of Mr. Leroy Harris

WHEREAS, Mr. Harris has served Montgomery College with dedication and distinction for more than 15 years and retired from the College as of November 30, 2009; and

WHEREAS, in his capacity as a General Maintenance Worker within the Office of Facilities (1994 - 2009), he provided a valuable service to faculty, staff, and students through his assistance in the daily upkeep of the grounds on the Rockville Campus; and

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

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

WHEREAS, the President of the College, the Senior Vice-President for Administrative and Fiscal Services, and the Associate Vice-President for College Facilities recommends this public recognition of Mr. Harris on the occasion of his retirement; now therefore be it

Resolved, that the members of the Board of Trustees express their sincere appreciation to Mr. Leroy Harris for his many contributions to the College, and extend to him their best wishes that his retirement years be fulfilling and productive; and be it further

Resolved, that this resolution become a part of the minutes of this Board of Trustees meeting and a copy be presented to Mr. Leroy Harris.

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-09-066** Agenda Item Number: 8D
Adopted on: **09/27/2010** September 27, 2010

Subject: Retirement Recognition and Bronze Medallion Award to Fredrick Pevey

WHEREAS, Mr. Fredrick Pevey has served Montgomery College with dedication and distinction for 35 years and retired on December 31, 2009; and

WHEREAS, Mr. Pevey started to work at Montgomery College on July 29, 1974 as an administrative clerk for the Auxiliary Enterprises unit at the Rockville Campus and progressed in his career throughout his tenure to retire as the Marketing and Graphics Manager for the Auxiliary Services unit; and

WHEREAS, during his tenure Mr. Pevey was known by his colleagues as a dedicated individual who took pride in his work as the Contract Services Director whose responsibilities included overseeing food services, vending, copies and Summer Dinner Theatre for the College; and

WHEREAS, Mr. Pevey was Managing Director of Summer Dinner Theatre for the period 1977-2009; and

WHEREAS, Mr. Pevey contributed to student success for 32 years by employing and mentoring hundreds of students not only for the Summer Dinner Theatre each summer, but for the MC Copies, MC Munchies and all Concession operations as well; and

WHEREAS, Mr. Pevey contributed to student success by employing approximately 100 Summer Dinner Theatre students each summer for 32 years, took over MC Munchies snack shop operation in 1988, created the MC Copies operation in 1991, and has managed food service and vending contracts for over 30 years; and

WHEREAS, among his many accomplishments, Mr. Pevey negotiated pouring rights contracts with the Pepsi Cola corporation in 1999 and again in 2005 which has contributed $1,999,500 to date, by way of commissions, philanthropic contributions to student scholarship and academic initiatives, supporting performing and fine arts programs, support of commencement web-casting, athletic endeavors such as new equipment, marketing and promotional support and product donations to commencement and other college events; and

WHEREAS, Mr. Pevey has received numerous accolades for his commitment to serving the College community so effectively; and

WHEREAS, Mr. Pevey was recommended for the Outstanding Service Award by his supervisor, Mr. Robert Cephas, for going beyond expected performance in conducting his duties and was selected to receive the award on July 27, 1988; and

WHEREAS, Mr. Pevey was then again recommended for the Outstanding Service Award by Dr. Kathleen Carey-Fletcher for providing exceptional service to community members, students, staff and faculty for his leadership with the Summer Dinner Theatre and thus rewarded for his hard work on February 5, 1998; and

WHEREAS, the President of the College, the Senior Vice-President for Administrative and Fiscal Services, and the Director of Auxiliary Services recommend this public recognition of Mr. Pevey on the occasion of his retirement; and

WHEREAS, College policy provides for the awarding of a Bronze Medallion to recognize distinguished service to the College; now therefore be it

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

Resolved, That Mr. Fredrick Pevey is awarded the Bronze Medallion in recognition of his distinguished service to the College, and as an expression of gratitude for his dedication and professional commitment to the College; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting and a copy be presented to Mr. Fredrick Pevey.

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 9A
September 27, 2010

AFFIRMATION OF APPROVAL
CHANGE ORDER FOR WEST CAMPUS PARKING GARAGE
TAKOMA PARK/SILVER SPRING CAMPUS

BACKGROUND

This resolution serves to affirm the approval the West Campus Parking Garage project final change order to Donley's LLC, Richmond, VA, which was approved via a poll of the Board of Trustees beginning on July 29, 2010, with final approval on July 31, 2010.

The new West Campus Parking Garage opened for use at the Takoma Park/Silver Spring Campus in January 2010. Construction of the garage was authorized by the Board of Trustees as part of an omnibus resolution approved in December 2007 (Resolution #07-12-151). This resolution approved the financing and legal arrangements for the project with the College serving as the agent of the Montgomery College Foundation. The Foundation provided the financing conduit for the project with a public revenue bond offering raising the funds for the construction of the facility. This funding was supplemented by the Board's approval in June 2008 (Resolution #08-06-070) of construction contingency funding that was included in the College's Capital Budget for this purpose.

On November 20, 2008, the Foundation and Donley's LLC signed a contract for the construction of the facility. The scope of work for the project included not only the construction of the parking garage but also the installation of an ice-storage plant connected to the West Campus' central plant operation in the basement of the adjacent Morris and Gwendolyn Cafritz Foundation Arts Center, the reconstruction of both Blair Drive and King Street, and the re-surfacing of the surface parking lot located north of the garage. The project reached substantial completion in November 2009 and, in accordance with the bond offering documents, the Foundation made its first payment to the bond holders at that time. The completion of the ice-plant, road work, and parking lot resurfacing was planned to occur on a separate schedule and this work was all successfully accomplished by mid-2010.

Negotiations over final cost components included in the change order now before the Board were recently concluded. Negotiations were non-adversarial and outside mediation was not required. From a series of early proposals totaling approximately $627,000, agreement was reached on a final change order for $557,286. This change order provides for additional costs associated with the installation of the underground utilities ($54,768), modification of the caisson elevations supporting the structure ($14,451), additional general conditions due the general contractor ($185,232), unforeseen conditions as part of the King Street roadwork ($162,585), and other miscellaneous construction activities ($44,524). In addition, the change order includes work required by the Fire Marshall and the State elevator inspector ($59,129) as well as various changes requested by the College as part of completing the project ($36,597). Approval of this change order will mutually conclude negotiations between the College and Donley's and allow for the final close-out of the project.

Board of Trustees approval is required for all capital construction change orders over $25,000. Due to the need to pay the contractor prior to the next scheduled Board of Trustees meeting, a

poll of the Board of Trustees was required to approve the Capital Budget change order portion ($467,129.77) of the payment. Sufficient funds were available in the FY2011 Capital Budget West Campus Parking Garage – Phase 2 project. No time extension applied to this change order. The final payment on the construction contract included $11,575 retainage plus the $557,286 final change order for a total of $568,861. The Foundation completely used both the original available bond funding and all accrued interest income ($101,731.23) to pay the retainage and a portion of the final change order. The remainder ($467,129.77) came from the project's Capital Budget West Garage construction contingency. The West Campus Garage capital project had a balance of just under $700,000 to cover this portion of the change order. After all approvals were received, the Bond Trustee's share of the final payment was made on August 18, 2010 and final payment of the College's Capital Budget share was made on August 20, 2010.

RECOMMENDATION

It is recommended that the Board of Trustees affirm the approval by poll of the Board of Trustees of the West Campus Parking Garage Capital project share of $467,129.77 (final actual share) of the final change order with Donley's LLC, Richmond, Virginia for construction of the West Campus Parking Garage at the Takoma Park/Silver Spring Campus.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS:

Mr. Capp
Mr. Sheeran
Mr. Sorrell

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-08-059** Agenda Item Number: 9A
Adopted on: **07/31/2010** September 27, 2010

Subject: Affirmation of Approval, Change Order for West Campus Parking Garage, Takoma Park/Silver Spring Campus

WHEREAS, on December 10, 2007, by Board Resolution #07-12-151, the Board of Trustees approved an omnibus resolution which among its various provisions authorized the construction arrangements for the West Campus Parking Garage project on the Takoma Park/Silver Spring Campus; and

WHEREAS, on June 16, 2008, by Board Resolution #08-06-070, the Board of Trustees requested a supplemental appropriation to the FY2008 Capital Budget for the West Campus Parking Garage project for appropriation authority to fund a project construction contingency; and

WHEREAS, the Montgomery College Foundation and Donley's LLC, Richmond, Virginia, signed a contract for the construction of the West Campus Parking Garage project on November 20, 2008; and

WHEREAS, the Associate Vice President for College Facilities recommended approval of a change order totaling $557,286, to be partially funded from the remaining balance in the Revenue Bond account, including interest income which calculated at the time of payment, provided by the Montgomery College Foundation and the remainder funded by the construction contingency of the College's West Campus Parking Garage – Phase 2 capital project account; and

WHEREAS, the Chief Business Officer certified that sufficient funds were available in the FY2011 Capital Budget for the capital budget portion of this change order ($467,129.77 final actual share); and

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

WHEREAS, in order to obtain the necessary approval so that final payment on the construction contract could be made to Donley's LLC, a telephone poll of Board members was conducted beginning on July 29, 2010, with final approval on July 31, 2010; and

WHEREAS, an affirmation of any action by a poll of the Boart of Trustees is required at the next possible public session of the Board of Trustees; and

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

Resolved, that the Board of Trustees hereby affirms the change order approved by a poll on July 31, 2010, by Resolution #10-07-059, to the construction contract with Donley's LLC, Richmond, Virginia, for the West Campus Parking Garage on the Takoma Park/Silver Spring Campus in the amount of $557,286, which was partially funded from the balance in the

Revenue Bond account provided by the Montgomery College Foundation and the remainder by the construction contingency of the College's West Campus Parking Garage – Phase 2 capital project account ($467,129.77).

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 9B
September 27, 2010

AFFIRMATION OF CAPITAL BUDGET FUND TRANSFER PLANNED LIFECYCLE ASSET REPLACEMENT PROJECT TO COMMONS RENOVATION PROJECT

BACKGROUND

This resolution serves to affirm the approval of the Capital Budget fund transfer which was approved via a poll of the Board of Trustees beginning on July 29, 2010, with final approval on July 31, 2010.

In accordance with County fiscal procedures, the Board is authorized to transfer funds among College projects within the Capital Budget. Additional construction contingency funds totaling $67,000 were needed in the FY2011 TP/SS Commons Renovation project this summer in order to pay the final mediated settlement change order of $339,000 to KBE Construction. Funds were available in the FY2011 Planned Life Cycle Asset Replacement (PLAR) project that could be used for this purpose.

According to County regulations, no more than 10% of the total appropriation can be moved from a capital project. The amount to be moved, $67,000, was within that parameter. Due to the time constraints imposed by the mediated settlement of the final change order, a poll of the Board of Trustees was required to approve the necessary fund transfer. The Board must approve all fund transfers between capital projects.

RECOMMENDATION

It is recommended that the Board of Trustees affirm their approval of the transfer of $67,000 from the Planned Life Cycle Asset Replacement project to the Commons Renovation project which was conducted via a poll of the Board of Trustees.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSON(S)

Mr. Capp
Mr. Sheeran
Mr. Sorrell

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-08-057** Agenda Item Number: 9B
Adopted on: **07/31/2010** September 27, 2010

Subject: Affirmation of Capital Budget Fund Transfer, Planned Life Cycle Asset Replacement Project to the Commons Renovation Project

WHEREAS, in accordance with College policy on the Capital Budget, a movement of funds between projects authorized in the Capital Budget must be consistent with County fiscal procedures authorizing such transactions, and the County has indicated that the Board of Trustees is authorized to transfer a maximum of 10% from any one College project to projects within the College's Capital Budget; and

WHEREAS, additional funds were needed in the Takoma Park/Silver Spring Campus Commons Renovation project this summer for final project expenses due to a mediated settlement agreement with deadlines for payment before the next scheduled Board of Trustees meeting; and

WHEREAS, funds totaling $67,000 were available in the FY2011 Capital Budget Planned Life Cycle Asset Replacement (PLAR) project that could be used for this purpose and Board approval was required for the transfer between capital projects; and

WHEREAS, the Chief Business Officer certified that the funds were available in the FY2011 Capital Budget for the transfer and also certified that the amount to be transferred, $67,000 was within the 10% limit; and

WHEREAS, in order to obtain the necessary approval, a poll of the Board of Trustees was conducted beginning on July 29, 2010, with final approval on July 31, 2010; and

WHEREAS, an affirmation of any action by poll of the Board of Trustees is required at the next possible public session of the Board of Trustees; and

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

Resolved, That the Board of Trustees hereby affirms the transfer of $67,000 from the Planned Life Cycle Asset Replacement project in the FY2011 Capital Budget to the Commons Renovation project in order to provide additional funds for final project expenses as approved by a poll of the Board of Trustees on July 31, 2010, by Resolution #10-07-057.

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 9C
September 27, 2010

AFFIRMATION OF APPROVAL
CHANGE ORDER FOR FINAL CONSTRUCTION CONTRACT MEDIATION AGREEMENT
COMMONS BUILDING RENOVATION, TAKOMA PARK/SILVER SPRING CAMPUS

BACKGROUND

This resolution serves to affirm the approval the Commons Renovation project final change order to KBE (Konover) Construction Corporation, Columbia, MD, which was approved via a poll of the Board of Trustees beginning on July 29, 2010, with final approval on July 31, 2010.

On March 17, 2008, pursuant to Board Resolution #08-03-025, the Board of Trustees awarded KBE a $5,955,899 contract for the Commons Building Renovation at the Takoma Park/Silver Spring Campus. Construction was completed last fall and classes began in the building in January 2010.

During construction a number of disputes arose related to change order claims presented by the contractor. While the majority of project change order claims were resolved by mutual agreement, 43 change order requests remained unresolved, including 42 technical change order claims and one (1) delay claim. The College rejected 28 of the change order claims and the delay claim. KBE challenged the College's rejection of those claims appealing those decisions, as allowed for under the construction contract, to the College President. In all cases, in answering those appeals, the College President reiterated or amplified the College's initial position. The College and KBE agreed that 14 change order claims merited consideration, but could not agree on price. Counterproposals were offered by and rejected by both KBE and the College.

As parties were unable to reach agreement, mediation was recommended as the next means of dispute resolution, as stipulated in the construction contract. The mediation was conducted on July 15, 2010. The College was represented by its outside counsel, Ober-Kaler, and by the Office of Central Facilities. KBE was represented by in-house counsel and principal project team members. Mediation services were provided by Adrian Bastianelli from Peckar, Abramson, P.C. Ultimately, a global settlement strategy encompassing all outstanding items was adopted in lieu of arguing each item individually.

An initial demand of $573,000 was requested by KBE. The College's initial offer was $60,000, representing its opinions of costs due on account of merited claims. Settlement was reached close to the mid-point, at a value of $ 339,000. Assessment of the complexity of technical issues at hand, assessment of the College's contract documents, assessment of the contractor's arguments, assessment of effective use of College resources and assessment of likely costs for continued legal and expert witness counsel, were all factors considered in reaching settlement agreement.

The contractor's price for the work, $339,000, represented the result of the mediation agreement reached on July 15, 2010. No time extension applied to this change order. Due to the time constraints imposed by the mediated settlement agreement, a poll of the Board of Trustees was required to approve the final change order. Sufficient funds were available in the

FY2011 Capital Budget Commons Renovation project for this additional work, contingent upon Board of Trustees approval (also by a poll) of a $67,000 movement of funds between capital projects for this purpose.

RECOMMENDATION

It is recommended that the Board of Trustees affirm the approval by poll of the Board of Trustees of the final change order for Contract #518 with KBE Construction Corporation, Columbia, Maryland, in the amount of $339,000, which settled all outstanding construction contract claims per the July 15, 2010 mediation agreement for the Commons Building Renovation, Takoma Park/Silver Spring Campus.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS:

Mr. Capp
Mr. Sheeran
Mr. Sorrell

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-08-058** Agenda Item Number: 9C
Adopted on: **07/31/2010** September 27, 2010

Subject: Affirmation of Approval, Change Order for Final Construction Contract Mediation Agreement, Commons Building Renovation, Takoma Park/Silver Spring Campus

WHEREAS, on March 17, 2008, by Board Resolution #08-03-025, the Board of Trustees awarded a contract for $5,955,899 to Konover (KBE) Construction Corporation, Contract #518, for the Commons Building Renovation at the Takoma Park/Silver Spring Campus; and

WHEREAS, the College and KBE Construction Corporation, as provided for in the construction contract documents, agreed to settle all open change claims through a mediation process and a mediation agreement dated July 15, 2010; and

WHEREAS, due to deadlines contained in the mediated settlement agreement, Board of Trustees approval was required prior to the next scheduled public meeting; and

WHEREAS, the Associate Vice President for College Facilities recommended approval of a change order totaling $339,000 for the settlement; and

WHEREAS, the Chief Business Officer certified that, contingent upon Board of Trustees approval of a $67,000 movement of funds between projects in the FY2011 Capital Budget, sufficient funds were available in the FY2011 Capital Budget Commons Renovation project for the change order; and

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

WHEREAS, in order to obtain the necessary approval so that final payment could be made to KBE Construction according to the terms of the mediation agreement, a poll of the Board of Trustees was conducted beginning on July 29, 2010, with final approval on July 31, 2010; and

WHEREAS, an affirmation of any action by poll of the Board of Trustees is required at the next possible public session of the Board of Trustees; and

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

Resolved, that the Board of Trustees hereby affirms the approval by a poll of the Board of Trustees on July 31, 2010, Resolution #10-07-058, of the final change order to the construction contract with KBE Construction Corporation, Columbia, Maryland, Contract #518, Takoma Park/Silver Spring Campus, Commons Building Renovation in the amount of $339,000 as provided for in the final construction contract mediation agreement.

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-08-061** Agenda Item Number: 9D
Adopted on: **07/31/2010** September 27, 2010

Subject: Affirmation of Poll, Board of Trustees Resolution and Award of Silver Medallion and Emeritus Status to Dr. Hercules Pinkney

WHEREAS, a poll of the Board was taken on July 31, 2010 and a resolution to award the Silver Medallion and Emeritus Status to Dr. Hercules Pinkney was passed; and

WHEREAS, Dr. Hercules Pinkney rendered more than 29 years of invaluable service and dedication to Maryland Community Colleges,13 of which were at Montgomery College prior to his retirement on June 30, 2009; and

WHEREAS, as Vice President and Provost of the Germantown Campus (2000 – 2009), where he was the chief academic and student services officer and had overall responsibilities for the administration of Information Technology Programs, Distance Learning, Service Learning, the Center for Teaching and Learning, Student Employment Services, and the Carl D. Perkins Grant Program, and as Assistant Dean and Acting Provost for Continuing Education (1979 – 1983), Dr. Pinkney served Montgomery College students, faculty, and staff with distinction; and

WHEREAS, Dr. Hercules Pinkney was the College's point person for an innovative project in collaboration with Montgomery County, the University of Maryland at College Park, business leaders, and others to construct a million square foot Science and Technology Park, a County-operated technology incubator, and a 130 thousand square foot Bioscience Education and Conference Center on the Germantown Campus; and

WHEREAS, as a member of the Montgomery College advocacy team, he played a major role in helping to secure $64 million in State and County resources for construction of the Bioscience Education and Conference Center that also included funding for a second entrance and exit to the southern end of the Germantown Campus; and

WHEREAS, Dr. Hercules Pinkney led efforts to raise more than $10 million in federal, state, and County funds to support the infrastructure of the planned Science and Technology Park; and

WHEREAS, he served as the College's representative in the successful negotiation of a Memorandum of Understanding between the College and Holy Cross Hospital that has the potential of yielding over $600,000 in revenue for the College over a five-year period; and

WHEREAS, Dr. Hercules Pinkney successfully solicited student scholarships in excess of $250,000, including a single $100,000 endowed scholarship; and

WHEREAS, he participated in the attainment of a $1 million donation from philanthropist Paul Peck to establish the Paul Peck Center for Applied Science and Technology offering a new Biomanufacturing Certificate Program to meet industry needs; and

WHEREAS, Dr. Hercules Pinkney served as principal investigator for a four-year $600,000 grant from the *Partnerships for Innovation* of the National Science Foundation to help create a comprehensive educational and training continuum to foster innovation in biotechnology; and

WHEREAS, in conjunction with former President Dr. Charlene Nunley, he successfully negotiated a Memorandum of Understanding between Montgomery College and the University of Maryland at College Park to physically relocate the upper two years of a baccalaureate degree in life sciences from the Universities at Shady Grove to the Germantown Campus that will make it possible for students to attain both an associate's degree and a bachelor's degree while participating in internships and part-time employment opportunities in the business incubator and/or Science and Technology Park without leaving the Campus; and

WHEREAS, during his tenure as Vice President and Provost of the Germantown Campus, as enrollment increased from 4,000 students in fall 2000 to over 6,000 students in fall 2008, he participated in the hiring of outstanding faculty and staff and the opening and operation of the Germantown Academic Center and Germantown Innovation Center in the Goldenrod Building; and

WHEREAS, under his leadership, Service Learning expanded from one campus to become an institutionalized Collegewide program; and

WHEREAS, Dr. Hercules Pinkney was named 2003 Educator of the Year by the African American Chamber of Commerce; and

WHEREAS, Governor Martin O'Malley in 2007 appointed Dr. Hercules Pinkney to a 15-member Life Sciences Advisory Board charged with developing a comprehensive strategic plan for Maryland's life sciences industry that was recognized at the BIO 2009 International (Biotechnology) Conference in Atlanta, Georgia; and

WHEREAS, Dr. Hercules Pinkney was appointed by County Executive Ike Leggett to the County Executive's Economic Advisory Committee to advise the Executive on County economic development issues; and

WHEREAS, Dr. Hercules Pinkney served as a member of the Board of Directors of Leadership Montgomery and the Gaithersburg-Germantown Chamber of Commerce where he served as the 2005 Chairman of the Board; and

WHEREAS, Dr. Hercules Pinkney is a visionary leader who has a unique understanding and approach to the partnership between education, government, and the private sector; and

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

WHEREAS, College policy provides for the awarding of a Silver Medallion to recognize outstanding service to the College; now therefore be it

Resolved, That in recognition of his long-time loyalty and invaluable service, the members of the Board of Trustees express their sincere appreciation to Dr. Hercules Pinkney for his many contributions to the College, and extend to him their best wishes that his retirement years be fulfilling and productive; and be it further
Resolved, That Dr. Hercules Pinkney is awarded the Silver Medallion in recognition of his outstanding service to the College, and as an expression of gratitude of the College for his exemplary dedication and professional commitment to further the goals of the College; and be it further

Resolved, That Dr. Hercules Pinkney is granted the status of Vice President and Provost Emeritus, and that he be accorded such recognition and honors as may be appropriate to persons holding this rank; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy of this resolution and the Silver Medallion be presented to Dr. Hercules Pinkney.

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-08-062** Agenda Item Number: 9E
Adopted on: **07/31/2010** September 27, 2010

Subject: Affirmation of Poll, Retirement Recognition and Award of the Gold Medallion and Emeritus Status to Dr. Hercules Pinkney

WHEREAS, a poll of the Board was taken on July 31, 2010 and a resolution to award the Gold Medallion and Emeritus Status to Dr. Hercules Pinkney was passed; and

WHEREAS, Dr. Hercules Pinkney, Interim President of Montgomery College and Secretary/Treasurer to the Board of Trustees, has led this College with outstanding commitment and passion for ten months and will conclude this service on August 1, 2010; and

WHEREAS, Dr. Pinkney was asked to serve as the Interim President by the Board of Trustees on September 4, 2009 to restore stability, rebuild confidence, and prepare the College for the future; and

WHEREAS, in committing to these three goals, Dr. Pinkney summarized the College's focus in one powerful mantra: *Montgomery College is **strong**. Montgomery College is **family**. Montgomery College is **one***; and

WHEREAS, he is known as a great supporter of faculty, staff, and students on both a personal level and in advocating for their needs before policymakers; and

WHEREAS, Dr. Pinkney's tenure as Interim President was characterized by his unwavering commitment to protect access to higher education, which resulted in him being recognized as a highly respected community leader when he received the Leadership Montgomery Outstanding Leader Award on June 10, 2010; and

WHEREAS, Dr. Pinkney effectively used his platform as Interim President to tell the many compelling stories of Montgomery College's students – their hopes, their dreams, their fears, their struggles, and their accomplishments; and

WHEREAS, despite his brief tenure, his term in office was marked by numerous accomplishments including the closing out of a $25 million capital campaign; the restoration of over $4 million in public funds to the operating budget; implementation of a successful strategy for communicating to the College community; and successful completion of contract negotiations with all three of the College's employee unions; and

WHEREAS, Dr. Pinkney is a modest leader with a collaborative, open, and transparent leadership style, one particularly suited to leading a multi-campus, diverse community college; and

WHEREAS, the Board appreciates Dr. Pinkney's willingness to come out of retirement to serve an institution that he truly loves and feels has played a significant role in his life and the lives of his family; and

WHEREAS, the members of the Board of Trustees wish to recognize him as an outstanding leader of this fine college, expressing their sincere appreciation to Dr. Hercules Pinkney for his many contributions to Montgomery College, the community, and the State of Maryland; now therefore be it

Resolved, That the Board of Trustees of Montgomery College extends its best wishes and hopes that Dr. Hercules Pinkney's retirement years are productive, fulfilling, and relaxing; and be it further

Resolved, That Dr. Hercules Pinkney is granted the status of Interim President Emeritus, and that he be accorded such recognition and honors as may be appropriate to persons holding this rank; and be it further

Resolved, That Dr. Hercules Pinkney is awarded the Gold Medallion in recognition of his many outstanding contributions to Montgomery College as its 8th President, and his service to the broader local communities; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy be presented to Dr. Hercules Pinkney.

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 9F
September 27, 2010

AFFIRMATION OF SOLE SOURCE AWARD OF CONTRACTS
CO-PRODUCTION AGREEMENT between MONTGOMERY COLLEGE and ADVENTURE THEATRE, FOR the PLAY "THE HAPPY ELF" by HARRY CONNICK, JR. and THE PERFORMANCE RIGHTS LICENSE between HARRY CONNICK, JR. ET AL. and MONTGOMERY COLLEGE and CO-PRODUCER ADVENTURE THEATRE

BACKGROUND

This resolution serves to affirm the approval of the award of contracts to Harry Connick, Jr. et al. and Adventure Theatre, which were awarded via a poll of the Board of Trustees beginning on August 25, 2010, with final approval on August 27, 2010.

The Instructional Dean, Rockville Campus Speech, Dance, and Theatre Department, in conjunction with the Vice President of the Office of Institutional Advancement, is requesting approval for two agreements, and authorization to enter into additional agreements and make expenditures pursuant to the terms of these two agreements, associated with a proposed production of Harry Connick Jr.'s holiday play for children, THE HAPPY ELF. This proposed production is truly a "life-changing" opportunity for Montgomery College students and the Montgomery College community. For the students, working with a Broadway director and professional actors will vastly enhance their educational experience and will be an invaluable addition to their resumes.

In April 2010, representatives for Harry Connick, Jr. approached Adventure Theatre, a children's theatre company in Glen Echo Park, with a request to produce Mr. Connick's play, THE HAPPY ELF, so that Mr. Connick and his co-writers might make some necessary revisions before they open the play on Broadway in 2011. Adventure Theatre was unable to produce the play in their space, but their artistic director, Michael Bobbitt, contacted Montgomery College's Dean for the Arts, Deborah Preston, to suggest a co-production to take place on the Rockville Campus.

After several weeks of negotiation, Montgomery College agreed in principle to participate in a co-production with Adventure Theatre. This co-production of THE HAPPY ELF would have the following characteristics: First and foremost, Montgomery College students are guaranteed eight to twelve ensemble roles in the production, with the remaining eight roles to be filled by professional actors. The play is to be directed by Tony Award-winning Broadway director, John Rando, with design, choreography, and music direction to be assigned primarily to Montgomery College faculty and staff and/or Adventure Theatre staff. A professional stage manager will be engaged with the understanding that Montgomery College technical theatre students will serve as the crew for the production. Montgomery College and Adventure Theatre will split both the costs and the revenues 75%/25% (Montgomery College/Adventure Theatre). It is possible that Harry Connick, Jr. will be involved in the rehearsal process, and an email from his agent verifies that Mr. Connick will attend a performance at his own expense. The only fee to be paid to Mr. Connick will be his share of the royalties as outlined in the attached licensing agreement; the royalties, at 6% of gross revenue, are estimated at $8100.

Not only is the production of THE HAPPY ELF a once-in-a-lifetime experience for our students, it is an unprecedented opportunity for Montgomery College to associate ourselves with a beloved celebrity, Harry Connick, Jr. The Office of Institutional Advancement regards Mr.

Connick's planned visit as a chance to enhance the reputation of the College, raise friends and funds, and leverage future gifts. It is understood, however, that use of Harry Connick's name, likeness and biography is subject to prior review and approval by Harry Connick, Jr. or his agents.

Moreover, for the College community and beyond, this show allows us to attract and entertain a demographic (families with young children) that we have previously served only a few Saturdays per year with the Performing Arts Center's Children's Series. Meanwhile our students, faculty, and staff will be learning best practices in children's theatre from the longest-running children's theatre program in the area, Adventure Theatre. As a production partner, Adventure Theatre is an important factor in our formula for success. Established 60 years ago, Adventure Theatre brings to the co-production not only their expertise as highly-successful producers of children's theatre, but also their experience in working with Equity personnel, and an impressive track record for selling out shows (about 10,000 tickets for each production). They are ready to use their marketing expertise and their mailing list of over 15,000 households to promote THE HAPPY ELF. Best of all, Adventure Theatre upholds a commitment to give back to the community through public service projects related to every production, and they are national pioneers in strategies for making the arts accessible to children with disabilities. In short, their skills are complementary to and their values compatible with those of Montgomery College.

For most academic productions, Board approval is not required. However, we are seeking approval in this case because of the high-profile nature of the project and because the Live Stage Performance Agreement and the Co-Production Agreement with Adventure Theatre constitute sole-source agreements that obligate the College to enter into additional contracts (e.g., professional actors and a stage manager) and make expenditures in excess of $25,000. The production costs for THE HAPPY ELF will be about double what we would normally spend on a student musical in this calendar slot, though the anticipated ticket revenues will be more than quadrupled. Montgomery College's share of the production expenses are estimated at $86,000 (projected budget including contingency costs), with an absolute cap of $93,750 (75% of the total contract value). The "unusual" expenses for this production include the eight professional actors and one professional stage manager, a greater dollar amount for royalties (based on higher ticket revenues), some travel and lodging for out-of-town personnel, and some increased expenses for marketing. (The show will run for 20 performances instead of the usual five, and the Speech, Dance, and Theatre Department wants to meet the industry-standard goal of selling 77% of all seats.) Montgomery College's share of anticipated ticket revenues will be about $102,000, for a modest profit of approximately $16,000—an amount that will increase, obviously, if the play sells out. In addition, there are numerous opportunities for fund-raising through Institutional Advancement, especially considering the possibility that Mr. Connick will attend, free of charge, one or more events that will be organized.

Based on the above, approval of this project is justified as the Montgomery College/Adventure Theatre co-production of THE HAPPY ELF is a unique educational opportunity for students and a golden opportunity for Montgomery College to associate its name with the highly respected entertainer and philanthropist, Harry Connick, Jr.

RECOMMENDATIONS

It is recommended that the Board of Trustees approve the co-production agreement with Adventure Theatre, for the production of Harry Connick Jr.'s holiday play for children, THE HAPPY ELF, and performance rights agreement with Harry Connick, Jr. for the play, on a sole source basis, for a total contact amount of $125,000, with both the expenses and the revenues split 75%/25% between Montgomery College and Adventure Theatre.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Ms. Matuskey
Dr. Preston
Mr. Sears
Dr. Ackerman
Mr. Sorrell
Dr. Wormack

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-08-060** Agenda Item Number: 9F
Adopted on: **08/27/2010** September 27, 2010

Subject: Affirmation of Sole Source Award of Contracts Co-Production Agreement between Montgomery College and Adventure Theatre, for the Play "The Happy Elf" by Harry Connick, Jr. and the Performance Rights License between Harry Connick, Jr. et al. and Montgomery College and Co-Producer AdventureTheatre

WHEREAS, this resolution serves to affirm the approval of the award of contracts to Harry Connick, Jr. et al. and Adventure Theatre, which were awarded via a poll of the Board of Trustees beginning on August 25, 2010, with final approval on August 27, 2010.

WHEREAS, the Speech, Dance, and Theatre Department of the Rockville Campus and the Office of Institutional Advancement request approval of two agreements and a budget associated with the Montgomery College/Adventure Theatre co-production of Harry Connick Jr.'s holiday play for children, THE HAPPY ELF, to support the academic program in theatre and the fundraising efforts of Institutional Advancement; and

WHEREAS, the co-production of THE HAPPY ELF is a special educational opportunity for Montgomery College students; and

WHEREAS, the association with Harry Connick, Jr. will enhance donor relations, media coverage and recognition of the College's performing arts programs; and

WHEREAS, Adventure Theatre is the organization which brought the College this opportunity and is most qualified to be its co-production partner; and

WHEREAS, the director of procurement affirms that a sole source procurement for this program is justified given the unique nature of Adventure Theatre's expertise and involvement and the sole source control and ownership of the intellectual property involved; and the chief business officer certifies that funds are available in the FY2011 Fine, Visual, and Performing Arts 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 President of the College recommends the following action; now therefore be it

Resolved, That the Board of Trustees approves the attached licensing agreement for "THE HAPPY ELF Live Stage Performance Rights," the Co-Production Agreement between Montgomery College and Adventure Theatre, and the Production Budget, which estimates the expenditure of $86,000 of College funds and authorizes the obligations which these agreements require, including but not limited to, expenditure of funds for production of the play and execution of the various contracts required for actors and the stage manager.

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 10
September 27, 2010

AWARD OF CONTRACT, EVENT AND ROOM MANAGEMENT SYSTEM, BID NO. 509-053

BACKGROUND

The Vice President for Instructional and Information Technology/Chief Information Officer has requested a contract award for the purchase of a class, event, and space resource management hosted scheduling system. Room and event management activities and processes have been refined over the years to improve the scheduling of credit and non-credit classes, College/community events, rooms, and resources. However, the current system is labor-intensive and often manual scheduling processes limit the most efficient space utilization. After an assessment of the current system, a Collegewide committee, composed of key administrators and staff, determined that the College's scheduling requirements continue to become more complicated, and that the current manual processes and limited systems functionality are not adequate to address the complexity and volume of the College's operations. It was recommended that the current scheduling system be replaced with a hosted scheduling system that would be compatible and integrated with the College's Enterprise Resource Planning System and to meet future requirements.

On May 6, 2009, a solicitation was issued for the purchase of a class, event, and space resource management hosted scheduling system. Three (3) responses were received on May 22, 2009. A committee consisting of staff from the Offices of Enrollment Management, Workforce Development & Continuing Education, Facilities, Institutional Research, Planning and Institutional Effectiveness, and Information Technology evaluated the responses. CollegeNET, Inc., Portland, Oregon, was the highest ranked bidder meeting College requirements. CollegeNET, Inc. is a developer of advanced class, event, space, and resources management software and services, providing scheduling and analytics solutions to more than 800 colleges and universities. The total price for the first year including the software license, implementation, training, and hosted services is $207,000. The licensing annual maintenance fee is $48,000, plus a not-to-exceed amount of $100,000 annually for on-going training and business development services, depending on usage. The contract term is for one-year and may be renewed for four one-year terms. Recommendation of award of this contract was deferred consistent with the College FY2010 Budget Savings Plan. Board of Trustees approval is required for competitive sealed proposal awards valued above $25,000.

RECOMMENDATIONS

It is recommended that the Board of Trustees award a contract for the purchase of a class, event, space, and resource management hosted scheduling system to CollegeNET, Inc., Portland, Oregon, for a one-year term, beginning September 30, 2010, for a total price for the first year including the software license, implementation, training and hosted services of $207,000. The licensing annual maintenance fee is $48,000, plus a not-to-exceed amount of $100,000 annually for on-going training and business development services, depending on usage. It is further recommended that the contract be renewed for four one-year terms under the same terms and conditions, at the sole option of the College, provided that services are satisfactory, funding is available, and it is in the best interest of the College.

BACK-UP INFORMATION

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

RESOURCE PERSONS

Ms. Duggan
Dr. Russell
Mr. Sorrell
Dr. Wormack

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-09-067** Agenda Item Number: 10
Adopted on: **09/27/2010** September 27, 2010

Subject: Award of Contract, Event and Room Management System, Bid No. 509-053

WHEREAS, the Vice President for Instructional and Information Technology/Chief Information Officer has requested a contract award for the purchase of a class, event, and space resource management hosted scheduling system that replaces the current outdated system and supports collegewide needs; 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 FY2011 Capital Budget; and

WHEREAS, pursuant to Md. (Educ.) Code Ann. Sec. 16-311(c), a request for proposal was publicly advertised in a County newspaper on May 6, 2009, and posted on the College Procurement and State of Maryland websites, downloaded by 55 vendors; three (3) responses were received, read aloud, and recorded, beginning at 3:00 p.m. on Thursday, May 22, 2009; and

WHEREAS, upon evaluation it was determined that the proposals submitted by CollegeNET, Inc., Portland, Oregon, was the highest evaluated vendor meeting College requirements and is therefore the most responsible and responsive bidder; and

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

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

Resolved, that a contract for the purchase of a class, event, space, and resource management hosted scheduling system be awarded to CollegeNET, Inc., Portland, Oregon, for a one-year term, beginning September 30, 2010, for a total price of $207,000 for the first year including the software license, implementation, training, and hosted services. The licensing annual maintenance fee is $48,000, plus a not-to-exceed amount of $100,000 annually for on-going training and business development services, depending on usage; and be it further

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

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 11A
September 27, 2010

SOLE SOURCE AWARD OF CONTRACTS
MULTI-PLATFORM ADVERTISING SERVICES
TELEVISION AND ONLINE ADVERTISING SERVICES

BACKGROUND

The Vice President of Advancement has requested two additional television and online advertising services contracts, on a sole source basis, to heighten public awareness of the College; enhance the College's image and reputation; support the College's mission, goals, and objectives; and increase student enrollment. The College has traditionally awarded sole source contracts to multiple media sources such as national, regional, and local county newspapers and area radio stations and has recently expanded its advertising to include television. The College's diverse student body stretches across demographic boundaries of age, race, socio-economic factors, career fields, and interests. Such diversity requires deployment of a strategic mix of advertising and marketing approaches and tactics to attract and retain students. College advertising therefore targets a wide array of audience demographics through a mix of personal outreach and engagement efforts and print, radio, online, and television mediums. In addition to supporting enrollment goals, mass media advertising helps to raise the College's profile, which attracts highly qualified job applicants, engages the business community and potential donors, and influences the perceptions of elected and appointed officials.

Fall 2010 is showing changing enrollment patterns currently being examined by College leadership, and it appears that Fall 2010 enrollment will fall short of its projections and below the record enrollment growth of Fall 2009. Specific programs, such as biotechnology and cyber security, which coincide with workforce development priorities, are seeing even greater enrollment fluctuations, thereby highlighting the need for continuous advertising and marketing. County and State appropriations are based in part on student enrollment and projections. Recruitment and marketing of College services to potential students are therefore critical to the College's financial stability.

During FY2011, the Office of Institutional Advancement, Office of Communications, will not use traditional radio advertisements due to a decreasing marketing budget and the prohibitive costs of radio advertising. Instead, the Office of Communications is pursuing advertising mediums that allow for messages to be repeated in multiple ways with measurable results and has designed a strategy to use news, sports, and other live broadcasts on network television (versus cable television and its pre-recorded shows) coupled with online content, and new media such text messaging. Local television networks, such as WUSA 9 and WJLA/WTBD (formerly NewsChannel 8), are taking proactive approaches to engaging viewers through targeted online radio spots and text promotions (WUSA 9) and hyper-local news with geographic and demographic targeting (WJLA/WTBD). Demographic data provided by these advertising vendors demonstrate access to a wide cross-section of Montgomery College's target populations. Of particular interest is the number of television viewers reporting "only some college education" (602,295 for WUSA 9) and those reporting that they plan to take college courses in the next 12 months (497,289 for WJLA/WTBD), and the ability to target online advertising to these self-identified populations of potential students. These numbers and others,

such as data by African-American, Asian, and Spanish-speaking population viewerships, bode well for maximizing the College reach of targeted audiences.

The purchase of the following two multi-platform advertising services contracts will advertise and promote under-enrolled programs and expand communications.

1. **WUSA 9**, a division of Gannett, Inc., Washington, DC, has designed and offered the College a special contract that will include on-air ads tailored to program-specific audiences during targeted primetime programming, online banner ads, and text messaging with full production. This special opportunity has been extended to the College to promote, for example, its Cyber Security program (during *C.S.I.: NY*), or its Health Sciences programs (during *The Doctors*). Commercials will also air during *9 News Now*, *College Football*, *NFL Today*, *Insider Edition*, and *The Saturday Early Show*. WUSA 9 will create and produce 157 commercials for the College, and the College will have full rights to use these spots on its website, MCTV, YouTube, Facebook, etc. WUSA 9's text messaging component will complement the Montgomery College ALERT! system (which publishes campus delays/closings, weather, and emergency alerts) and will allow the College to send registration and financial aid information, payment due dates, and collegewide event and general information through an opt-in service.

   WUSA 9 is an active part of the community, participating in many outreach programs and activities, such as School Supplies, Food Drives, Black History Month, and Hispanic Heritage Month, among many others, and the contract will provide opportunities for the College to co-sponsor events with WUSA 9 that support the College mission and enhance its image. WUSA 9 reaches 353,670 households in Montgomery County, and its online presence at WUSA9.com attracts over 4 million page views per month, which is ideal for recruiting traditional students, continuing education students, and distance/online learners.

   The total FY2011 cost for the contract with WUSA 9, including television, online, and text messaging services, is $51,075.

2. **WJLA/ABC7/WTBD (formerly NewsChannel 8)**, a division of Allbritton Communications Company, Arlington, Virginia, has designed and offered the College a special contract that will include television and online advertising services. On March 15, 2010, the Board of Trustees approved a sole source contract award to WJLA-TV, ABC 7/NewsChannel 8, (Resolution No. 10-03-018), for television and online advertising services. Based on the success of that advertising campaign and the ongoing need for these services, the College desires to partner again with WJLA/ABC7/WTBD and their new website TBD.com. Through ABC7/WTBD's comprehensive package, the College will continue to have on-air access to over 2.5 million viewers and online access to an estimated 10 million monthly page views and 1 million unique monthly visitors in the Washington, DC metro area, including Montgomery County. The online access is especially important as it will allow the College to segment its audiences and interact with them through different delivery channels in one interactive ad. Production services will include scripting, filming, editing, and final cut including sole rights to final production, which will belong to the College to air as it wishes.

   The WJLA/ABC7/WTBD comprehensive package will include 60-second education vignettes focused on College programs and aired during primetime programming, including *Live! Regis and Kelly, ABC 7 News @ Noon, Live News, Live Evening News,* and *Good Morning Washington*; Web drivers during key months to drive enrollment; online interactive banner ads; and on-air interview segments, ideal for recruiting traditional students, continuing education students, and distance/online learners; building community awareness of College programs and initiatives; and strengthening local partnerships.

The total FY2011 cost for the contract with WJLA/ABC7/WTBD, including television and online advertising services, is $90,000.

Board approval is required for sole source procurements valued above $25,000.

RECOMMENDATIONS

It is recommended that the Board of Trustees award a contract for multi-platform advertising services, including television, online, and text messaging services, to WUSA 9, a division of Gannett Inc., Washington, DC, for a total FY2011 not-to-exceed amount of $51,075, for a five-year term beginning October 1, 2010.

It is recommended that the Board of Trustees award a contract for multi-platform advertising services to ABC7/WTBD/WTBD.com, a division of Allbritton Communications Company, Arlington, Virginia, for a total FY2011 not-to-exceed amount of $90,000, for a five-year term beginning October 1, 2010.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Eaton
Mr. Sears
Mr. Sheeran
Mr. Sorrell
Dr. Wormack

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-09-068** Agenda Item Number: 11A
Adopted on: **9/27/2010** September 27, 2010

Subject: Sole Source Award of Contracts, Multi-Platform Advertising Services, Television and Online Advertising Services

WHEREAS, the Vice President of Advancement has requested the purchase of multi-platform advertising services, including television, online, and text messaging services to advertise and promote under-enrolled programs and expand communications with the College community, on a sole source basis; and

WHEREAS, WUSA 9, a division of Gannett, Inc., Washington, DC, has extended to the College an opportunity to promote its programs using televised commercials during primetime targeted programming and online at WUSA9.com; and

WHEREAS, the contract with WUSA 9 will include text messaging capability which will allow the College to send registration and financial aid information, payment due dates, collegewide event and general information, etc. through an opt-in service; and

WHEREAS, the Director of Procurement affirms that the sole source request is justified since WUSA 9 TV has offered to the College a specifically-tailored advertising services package to feature and enhance under-enrolled programs and offer a new method of distributing general College information; and the Chief Business Officer certifies that funds are available in the FY2011 Operating Budget; and

WHEREAS, on March 15, 2010, the Board of Trustees approved a sole source contract award to WJLA-TV, ABC 7/NewsChannel 8, a division of Allbritton Communications Company, Arlington, Virginia (Resolution No. 10-03-018), for television and online advertising services, and based on the success of that advertising campaign and the ongoing need for these services, the College desires to partner again with WJLA/ABC7/WTBD (formerly NewsChannel 8) and their new website TBD.com.; and

WHEREAS, the Director of Procurement affirms that the sole source request is justified since ABC 7/WTBD/WTBD.com has offered to the College a specially-tailored and comprehensive advertising services package to feature College programs and initiatives; and the Chief Business Officer certifies that funds are available in the FY2011 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 President of the College recommends the following actions; now therefore be it

Resolved, That a contract be awarded for the purchase of multi-platform advertising services, including television, online, and text messaging services to WUSA 9, a division of Gannett, Inc., Washington, District of Columbia, on a sole source basis, for a total FY2011 amount of $51,075, for a five-year term beginning October 1, 2010 and be it further

Resolved, That a contract be awarded for the purchase of television and online advertising services to ABC7/WTBD/WTBD.com, a division of Allbritton Communications Company, Arlington, Virginia, on a sole source basis, for a total FY2011 not-to-exceed amount of $90,000, for a five-year term, beginning October 1, 2010.

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 11B
September 27, 2010

SOLE SOURCE AWARD OF CONTRACT, ADOBE EDUCATION ENTERPRISE LICENSE AGREEMENT

BACKGROUND

The Vice President for Instructional and Information Technology/Chief Information Officer has requested a contract for the purchase of the Adobe Education Enterprise Site License, on a sole source basis. In 1993, Adobe created the *portable document format (pdf)* that allows users to capture and view information from almost any application, on any computer system, and to share it with virtually with anyone, anywhere. Individuals, businesses, agencies, and educational institutions have standardized information sharing using Adobe products to communicate and share information.

In the past, the College purchased copies of Adobe tools either per machine or on an individual basis. Currently, the College licenses more than 600 copies of Adobe products. Adobe products are used throughout the College for creating print, web, video, audio, and mobile content in the classrooms as well as a standard on staff and academic personal computers. Adobe products are widely-taught and used on all three campuses and sites. The College has determined that purchasing an enterprise site license of the products is more beneficial; is a more efficient way of handling upgrades and compliance; and addresses the increasing demand and need of Adobe products. The College has negotiated a $65 per seat price. An enterprise site license offers a cost savings of more than 75% off the standard purchase price. The total price for the two-year term for the Adobe Education Enterprise agreement site license including upgrades, maintenance and compliance is $260,000. The Education Enterprise agreement is only offered exclusively through Adobe and its selected reseller, which is Bell TechLogix, and no other vendor meet College requirements.

RECOMMENDATIONS

It is recommended that the Board of Trustees award a contract for the purchase of an Adobe Education Enterprise Site License to Bell TechLogix, Richmond, Virginia, (Adobe's authorized reseller), for a two-year term, beginning September 27, 2010, for an annual not-to-exceed amount of $130,000. It is further recommended that the contract be renewed for an additional one-year term under the same terms and conditions and 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. Russell Mr. Sheeran Mr. Sorrell Dr. Wormack

MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-09-069** Agenda Item Number: 11B
Adopted on: **09/27/2010** September 27, 2010

Subject: Sole Source Award of Contract, Adobe Education Enterprise License Agreement

WHEREAS, the Vice President for Instructional and Information Technology/Chief Information Officer has requested a contract award for the purchase of Adobe Education Enterprise agreement, on a sole source basis; and

WHEREAS, Adobe products are widely-taught and used on all three campuses and sites; purchasing the Adobe Education Enterprise site license is more beneficial, and a more efficient way of handling upgrades, compliance, and the anticipated demand for the product as the campuses and enrollment expand; and the Enterprise site license is a cost savings to the College; and

WHEREAS, the Director of Procurement confirms that the Education Enterprise agreement is offered exclusively through Adobe and its selected reseller, Bell TechLogix, and no other vendor meets College requirements; and the Chief Business Officer certifies that funds are available in the FY2011 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 President of the College recommends the following action; now therefore be it

Resolved, That a contract be awarded to Bell TechLogix, Richmond, Virginia, (Adobe's authorized reseller), for the purchase of an Adobe Education Enterprise license, for a two-year period, beginning September 27, 2010, for an annual not-to-exceed amount of $130,000; and be it further

Resolved, That the contract be renewed for an additional one-year term under the same terms and conditions and 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.

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 12
September 27, 2010

ACCEPTANCE OF MHEC 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 final 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.

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

2010 Performance Accountability Report (Trustees only)

RESOURCE PERSON(S)

Dr. Blaylock
Dr. Lynch
Ms. Wessman

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-09-070** Agenda Item Number: 12
Adopted on: **09/27/2010** September 27, 2010

Subject: Maryland Higher Education Commission Performance Accountability Report, 2010

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 2010 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 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 27, 2010, and that the report be sent to the Maryland Higher Education Commission.

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 13
September 27, 2010

MODIFICATION OF BOARD POLICY ON ALLOCATION, RECRUITMENT, APPOINTMENT, SALARY PLACEMENT AND ADVANCEMENT OF PART-TIME FACULTY

BACKGROUND

In accordance with the College's policy on allocation, recruitment, appointment, salary placement and advancement of part-time faculty, part time faculty have become a significant portion of the College's workforce. With the recent approval of a collective bargaining agreement with Service Employees International Union, Local 500, certain working conditions have changed for part-time faculty members. As approximately 20% of our part-time faculty members are not eligible to become a part of the unit, there is a need to be sure that those part-time faculty who are not in the unit have policy and procedures to govern them.

Upon review of College policy 32103, Allocation, Recruitment, Appointment, Salary Placement and Advancement of Part-time Faculty, it is recommended that the policy be updated to become a general policy statement and to include in procedure those items that are more detailed in nature.

RECOMMENDATION

It is recommended that the Board of Trustees approve the changes in Montgomery College Policy 32103, Allocation, Recruitment, Appointment, Salary Placement and Advancement of Part-time Faculty as attached.

BACK-UP INFORMATION

Board Resolution
Revised Montgomery College Policy 32103, Allocation, Recruitment, Employment, Salary Placement, and Advancement of Part-Time Faculty

RESOURCE PERSON(S)

Ms. Lawyer
Ms. Bokor

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-09-071** Agenda Item Number: 13
Adopted on: **09/27/2010** September 27, 2010

Subject: Modification of Board Policy on Allocation, Recruitment, Appointment, Salary Placement and Advancement of Part-time Faculty

WHEREAS, in accordance with the Board of Trustees policy on allocation, recruitment, appointment, salary placement and advancement of part-time faculty, part time faculty have become a significant and contributing portion of the College's workforce; and

WHEREAS, circumstances surrounding the employment of part-time faculty have changed in recent years; and

WHEREAS, a critical component of our part-time faculty workforce are not represented by the collective bargaining agreement; and

WHEREAS, the non-represented part-time faculty support the needs of our students; and

WHEREAS, to ensure that all applicants for part-time faculty employment are treated equitably; and

WHEREAS, all non-represented part-time faculty employees are evaluated in accordance with standards of teaching and non-teaching experience, academic preparation, and other relevant criteria established for faculty; and

WHEREAS, it is recommended that the policy be changed to reflect a general policy statement and those items of detail be placed in procedure; and

WHEREAS, the President of the College is authorized to establish guidelines and procedures to allocate, recruit, employ, and determine salary placement and advancement of part-time faculty; now therefore be it

Resolved, That effective September 27, 2010, Montgomery College Policy 32103, entitled Allocation, Recruitment, Appointment, Salary Placement and Advancement of Part-Time Faculty, be revised as presented.

DPP:abg

Chapter: Personnel Modification No. 004

Subject: **Allocation, Recruitment, Employment, Salary Placement, and Advancement of Part-Time Faculty**

I. The Board of Trustees approves the salary schedule for part-time faculty members and, as part of the annual budget process, approves funds for the employment of part-time faculty members during the fiscal year.

II. The President or designee is authorized to employ all part-time faculty.

III. To assure that all applicants for part-time faculty employment are treated equitably, candidates will be evaluated in accordance with standards of teaching and non-teaching experience, academic preparation, and other relevant criteria established for faculty.

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

Board Approval: September 21, 1987; June 17, 2002; June 29, 2005 (Administrative Correction Only)**;** September 27, 2010

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 14
September 27, 2010

APPROVAL OF 2006-2016 COLLEGE-WIDE FACILITIES MASTER PLAN

BACKGROUND

The Collegewide Facilities Master Plan (2006–2016) was presented to the Board of Trustees at the June Board meeting for review and discussion. The Board is asked at the September meeting to act on the final plan and approve its transmittal prior to October 1 to the Maryland Higher Education Commission for their consideration and approval.

In January 2004, the Board of Trustees approved the 2002-2012 Collegewide Facilities Master Plan for the three campuses, as well as Workforce Development and Continuing Education, and Central Administration. This five-part plan was the framework for the College's subsequent capital requests for funding projects on all three campuses. Since the adoption of the plan, the Board has approved one amendment (March 2010) that adopted the Facilities Master Plan for the Germantown Campus that incorporates current plans for a Science and Technology Park, as well as certain roadways included in Montgomery County's sector plan for the Germantown area into the development plan for the Campus.

With new opportunities and challenges facing the College on all fronts, the President directed that the College prepare a comprehensive update of the Collegewide Facilities Master Plan to support the increasing enrollment growth of the College, define facilities needs, and justify major new facilities initiatives anticipated as a result of this effort. In 2006, the College initiated an update to the master plan with the selection of Cho Benn Holback + Associates for this purpose.

The extensive evaluation effort expended during the master planning process reinforced the anecdotal impression that insufficient space constrains the College's academic programs and services across all campuses and units. The problems range from fragmented support services that reduce department productivity and hinder discipline identity to inflexible teaching environments and physical accessibility issues. To make matters worse, the College's enrollment growth is outstripping the current plan for new buildings on all three campuses. Even with the opening of the final approved building (Cultural Arts Center) on the Takoma Park/Silver Spring Campus in August 2009 as part of the campus expansion project, and two planned projects authorized by the Board to include the Rockville Science Center and Germantown Bioscience Education Center, the College will still have a projected space deficit of approximately 576,000 net square feet in 2016 without the construction of additional facilities, or nearly 32% of the current College space inventory.

The proposed 10-Year Collegewide Facilities Master Plan provides a detailed response that addresses all of the capacity needs of the College. In addition to a 10-year facilities plan for new buildings, renovations, and various site improvements, this planning effort includes a 20-year land use plan that identifies future development opportunities at each campus. In response to the fiscal realities confronting the State and County, the final master plan will propose a project phasing plan that identifies the desired sequence and responses to the College's needs. Detailed cost estimates for all of the projects included in the 10-year plan are also included in the master plan.

RECOMMENDATION

It is recommended that the College-Wide Facilities Master Plan (2006-2016) prepared by Cho Benn Holback + Associates be approved to guide the long-range planning for the College's growth and support the College's capital program through 2016.

BACK-UP INFORMATION

Board Resolution
Facilities Master Plan Executive Summary (Trustees only)

RESOURCE PERSON

Mr. Capp

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-09-072** Agenda Item Number: 14
Adopted on: **09/27/2010** September 27, 2010

Subject: Approval of the 2006-2016 College-Wide Facilities Master Plan

WHEREAS, in accordance with the Code of Maryland Regulations (COMAR), the Maryland Higher Education Commission requires (COMAR 13B.07.04.02) that each community college prepare a facilities master plan as the foundation of a sound capital budget process for the purpose of establishing a framework for the orderly development of all capital improvements to support the role and mission of the institution, and that institutions regularly review the plans and update them "whenever major changes occur to the role and mission statements, or other plan components which have significant facilities implications"; and

WHEREAS, on January 20, 2004, by Resolution #04-13, the Board of Trustees approved the College-Wide Facilities Master Plan (2002-2012) that has guided the development of the College since that time; and

WHEREAS, the Board of Trustees approved a facilities master plan amendment that provided for the new location of the Science and Technology Park on the Germantown Campus as a result of the actions of Montgomery County in its master plan update, as well as indicating the location of the proposed Holy Cross Hospital development within the Science and Technology Park as part of the long-range plan for the growth of the Germantown Campus (March 2010); and

WHEREAS, the President of the College requested that a new Collegewide Facilities Master Plan be undertaken because of the opportunities and challenges presently before the College as it looks to the future of the Germantown, Rockville, and Takoma Park/Silver Spring Campuses; the Office of Workforce Development and Continuing Education; and Central Administration; and

WHEREAS, on March 22, 2005, by Resolution #05-23, the Board of Trustees authorized the multiyear selection of three firms and their engagement by the College in the preparation of facility planning and programming services and, in January 2007, the College awarded a consultant contract to Cho Benn Holbeck + Associates for the preparation of an update of the College's Facilities Master Plan; and

WHEREAS, the College's facilities master planning process has followed the State of Maryland guidelines; included an extensive data collection effort that has resulted in a defensible planning framework; and involved numerous meetings, planning sessions and reviews over the past two years with representatives from the campuses, Workforce Development and Continuing Education, and Central Administration in the preparation of the resultant document; and

WHEREAS, the Chief Facilities Officer requests approval of the Collegewide Facilities Master Plan; and

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

Resolved, That the Board of Trustees approves the Collegewide Facilities Master Plan

(2006-2016) prepared by Cho Benn Holbeck + Associates for the Germantown Campus, the Rockville Campus, the Takoma Park/Silver Spring Campus, the Office of Workforce Development and Continuing Education, and Central Administration; and be it further

Resolved, That the President is authorized to transmit the Collegewide Facilities Master Plan (2006-2016) to the Maryland Higher Education Commission.

DPP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 15
September 27, 2010

BOARD OF TRUSTEES SCHEDULE OF MEETINGS FOR FY2011

BACKGROUND

The Maryland Open Meetings Act is based on the General Assembly's policy determination in favor of open decision-making by governmental bodies. It is essential to the maintenance of a democratic society that, except in special and appropriate circumstances: (1) public business be performed in an open and public manner; and (2) citizens be allowed to observe the performance of public officials and the deliberations and decisions that the making of public policy involves. In addition, Montgomery College Board of Trustees Bylaws state that the Board shall give reasonable advance notice of its open meetings. The notice shall be in writing and shall include the date, time, and place of the meeting and shall be publicized by posting to the Board's website and any other method reasonably designed to give public notice.

RECOMMENDATION

It is recommended that the Board adopt the attached schedule of meetings for FY2011.

BACK-UP INFORMATION

Board Resolution
Montgomery College Board of Trustees Schedule of Meetings for FY2011

RESOURCE PERSON

Ms. Graham

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-09-073** Agenda Item Number: 15
Adopted on: **09/27/2010** September 27, 2010

Subject: Board of Trustees Schedule of Meetings for FY2011

WHEREAS, the Maryland Open Meetings Act is based on the General Assembly's policy determination in favor of open decision-making by governmental bodies. It is essential to the maintenance of a democratic society that, except in special and appropriate circumstances: (1) public business be performed in an open and public manner; and (2) citizens be allowed to observe the performance of public officials and the deliberations and decisions that the making of public policy involves; and

WHEREAS, Montgomery College Board of Trustees Bylaws state that the Board shall give reasonable advance notice of its open meetings; and

WHEREAS, the notice shall be in writing and shall include the date, time, and place of the meeting and shall be publicized by posting to the Board's website and any other method reasonably designed to give public notice; and

WHEREAS, attached to this resolution is a Schedule of Meetings for FY2011 that includes meetings with various constituent groups of the College, and those meetings may be changed based on availability; and

WHEREAS, the public will be notified of any change in meeting dates in accordance with the Board of Trustees Bylaws and the Maryland Open Meetings Act; and

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

Resolved, That the Board of Trustees adopts the attached Schedule of Meetings for FY2011.

Attachment

DPP:abg

Montgomery College
Board of Trustees
2010 - 2011 Calendar of Events

Date	Time	Event	Location
September 20	**6 p.m.**	**Executive Session****	MK 318
September 27	6 p.m.	Board Briefing***	MK 318
	7 p.m.	**Regular Business Meeting**	Trustee Board Room, MK 115
September 29	9a.m. – 5 p.m.	Board Retreat	WD&CE Gaithersburg 402-403
October 18	6 p.m.	Constituent Conversation with Foundation Board*	Trustee Board Room, MK 115
	7 p.m.	**Executive Session****	MK 318
October 25	6 p.m.	Board Briefing***	Rockville Campus, room TBA
	7 p.m.	**Regular Business Meeting**	Rockville Campus, room TBA
October 29	2 p.m.	Dr. Pollard's Inauguration	Rockville Campus Gym
November 8	6 p.m.	Constituent Conversation with Faculty Governance*	Trustee Board Room, MK 115
	7 p.m.	**Executive Session****	MK 318
November 15	6 p.m.	Board Briefing***	Germantown Campus, room TBA
	7 p.m.	**Regular Business Meeting**	Germantown Campus, room TBA
December 6	6 p.m.	Constituent Conversation with Staff Senate*	Trustee Board Room, MK 115
	7 p.m.	**Executive Session****	MK 318
December 13	6 p.m.	Board Briefing***	MK 318
	7 p.m.	**Regular Business Meeting**	Trustee Board Room, MK 115
January 3	**6 p.m.**	**Executive Session****	MK 318
January 10	6 p.m.	Board Briefing***	Takoma Park/Silver Spring Campus, room TBD

	7 p.m.	**Regular Business Meeting**	Takoma Park/Silver Spring Campus, room TBD
January 20-21 (Thu-Fri)	BD	Possible BOT Retreat Date	TBD
February 7	**6 p.m.**	**Executive Session****	MK 318
February 28	6 p.m.	Board Briefing***	MK 318
	7 p.m.	**Regular Business Meeting**	WD&CE 402/203
March 7	6 p.m.	Constituent Conversation with Alumni Board*	Trustee Board Room, MK 115
	7 p.m.	**Executive Session****	MK 318
March 21	6 p.m.	Board Briefing***	MK 318
	7 p.m.	**Regular Business Meeting**	Trustee Board Room, MK 115
April 4	6 p.m.	Constituent Conversation with Student Governance*	Trustee Board Room, MK 115
	7 p.m.	**Executive Session****	MK 318
April 25	6 p.m.	Board Briefing***	MK 318
	7 p.m.	**Regular Business Meeting**	Trustee Board Room, MK 115
May 9	**6 p.m.**	**Executive Session****	MK 318
May 16	6 p.m.	Board Briefing***	MK 318
	7 p.m.	**Regular Business Meeting**	Trustee Board Room, MK 115
May 20 (Friday)	8 a.m.	Commencement	Rockville Campus, room TBA
June 9-10 (Thu-Fri)	TBD	Spring Retreat	TBD
June 13	**6 p.m.**	**Executive Session****	MK 318
June 20	6 p.m.	Board Briefing***	MK 318
	7 p.m.	**Regular Business Meeting**	Trustee Board Room, MK 115

This annual Board meeting calendar is based on a previous Board calendar model and accommodates important College and BOT events, furlough days, and holidays. All Board meetings are scheduled on Mondays, however not all meetings will fall on the second or third Monday of each month. Executive Sessions are scheduled on a different day than Regular Business (Public) meetings and will follow Constituent Conversations when applicable.

*	The annual dinner meetings with the internal constituents groups have been restructured. Each meeting will be a one-hour, structured, topic-specific "constituent conversation." Light refreshments will be provided.
**	Dinner will be served at Executive Sessions.
***	Board Briefings will be held prior to Regular Business (Public) meetings to discuss Board matters. Dinner will be served.

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 16
September 27, 2010

AWARD OF CONTRACT, INAUGURATION EQUIPMENT AND EVENT SERVICES, BID NO. 511-005

BACKGROUND

The Interim Senior Vice President for Academic and Student Services has requested a contract for the purchase of equipment and services for the Inauguration of our ninth president, Dr. DeRionne P. Pollard, to be held on October 29, 2010. The Inauguration Planning Committee considered several locations for this event including the Music Center at Strathmore Hall; the North Bethesda Marriott and Conference Center; the Robert E. Parilla Performing Arts Center (Rockville Campus), the Physical Education Center (Rockville Campus), and the Board of Trustees Conference Room (Mannakee).

On August 27, 2010, a solicitation was issued for the purchase of inauguration equipment and event services. Three (3) responses were received on September 20, 2010. An evaluation committee consisting of staff from the Offices of Institutional Advancement, the Performing Arts Center and the Office of Procurement, reviewed, evaluated, and ranked all responses based on established criteria. Party Plus, Baltimore, Maryland, was the highest ranked vendor meeting College requirements. References were checked; and past performance has been satisfactory. The total not-to-exceed amount for all services which include seating, flooring protection, audio and video projection and stage construction is $36,945. Board approval is required for competitive sealed proposals valued above $25,000.

RECOMMENDATION

It is recommended that the Board of Trustees approve a contract award for the purchase of Inauguration Event Services to Party Plus, Baltimore, Maryland, for a not to exceed amount of $36,945. The Inauguration Event services include seating, flooring protection, audio and video projection and stage construction.

BACK-UP INFORMATION

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

RESOURCE PERSONS

Mr. Sears
Mr. Sorrell
Dr. Wormack

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-09-074** Agenda Item Number: 16
Adopted on: **09/27/2010** September 27, 2010

Subject: Award of Contract, Inauguration Event Services Bid No. 511-005

WHEREAS, the Interim Senior Vice President for Academic and Student Services has requested a contract for the purchase of equipment and services for the president's inauguration to be held on October 29, 2010; and

WHEREAS, the Inauguration Planning Committee considered several locations for this event including: the Music Center at Strathmore Hall; the North Bethesda Marriott and Conference Center; the Robert E. Parilla Performing Arts Center (Rockville Campus), the Physical Education Center (Rockville Campus) and the Board of Trustees Conference Room (Mannakee); and

WHERAS, the Physical Education Center on the Rockville Campus was approved as the event location and met College requirements; and

WHEREAS, pursuant to Md. (Educ.) Code Ann. Sec. 16-3112(c), an invitation to bid was posted on the College Procurement and State of Maryland websites, downloaded by thirteen (13) vendors, and three (3) responses were received, read aloud, and recorded beginning at 3:00 p.m. on September 20, 2010; and

WHEREAS, the Director of Procurement certifies that specifications were developed by appropriate College staff and that no other vendor can meet College space and price considerations; and the Chief Business Officer certifies that funds are available in the FY2011 Workforce Development and Continuing Education Operating Budget; and

WHEREAS, Board approval is required for competitive sealed proposal awards valued above $25,000; and

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

Resolved, That a contract be awarded for the purchase of inauguration equipment and event services to Party Plus, Baltimore, Maryland, for a not to exceed amount of $36,945.

DPP:agb