

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

**June 16, 2021
Regular Meeting**

The Board of Trustees of Frederick Community College met in regular session on Wednesday, June 16, 2021 in the FCC Conference Center (E126AB). A virtual option to participate was provided due to the COVID-19 public health emergency. Participating in person were: Trustees Dr. John Molesworth, Chair; Tom Lynch, Vice Chair; Ellis Barber; Nick Diaz; Gary Fearnow; and Carolyn Kimberlin. Trustee Dr. April Miller was unable to participate. Also participating were President Elizabeth Burmaster, Secretary/Treasurer of the Board; Janice Spiegel, Director of Education and Special Initiatives; Kari Melvin, Recording Secretary; Melissa Bard, Vice President (VP) for Human Resources; Jerry Boyd, Special Assistant (SA) to the President for Institutional Effectiveness; Dr. Nora Clark, VP for Learning Support; Lewis Godwin, Chief of Operations (COO); Dr. Cathy Jones, VP for Finance; and Joseph McCormick, Chief Information Officer (CIO). Participating virtually were Dr. Tony Hawkins, Provost/Executive Vice President (EVP) for Academic Affairs, Continuing Education, and Workforce Development (AACEWD); Dr. Perry Wood, Chair, Faculty Association (FA); Shelby Carmon and Brian Holt, Support Staff Association (SSA) Executives; Karen Santelli, SSA Executive and College Senate Secretary; Kelli Ackiewicz, Administrative Staff Association (ASA) Executive; Emma Wachter, President, Student Government Association (SGA); Deborah Powell, Executive Director for the Office of Institutional Advancement and the FCC Foundation; Fred Hockenberry, Director of Bookstore; and Jennifer McAninley, Academic Advisor.

CALL TO ORDER

The meeting was called to order by Board Chair Molesworth at 4:31 p.m.

APPROVAL OF MINUTES

The Chair called for approval of the minutes of the May 19, 2021 regular meeting.

On a motion made by Vice Chair Lynch and seconded by Trustee Diaz, the Board unanimously approved the minutes, as presented.

PUBLIC PRESENTATIONS

Reading of Resolution for Trustee Nick Diaz – President Burmaster stated that this is the last Board meeting for Trustee Nick Diaz as his term ends on June 30, 2021. She presented Trustee Diaz with a signed “Resolution of Appreciation” and read the following text of the resolution into the record:

Whereas, Frederick Community College has greatly benefited from the dedicated service of Nick Diaz as Trustee of Frederick Community College, and

Whereas, he has championed the College’s interests and needs consistently and effectively before Frederick County officials, members of the Frederick County Delegation and other State and local officials, and

Whereas, he has served as a member of the Board of Trustees of Frederick Community College, evidencing the esteem with which he is regarded by his fellow Trustees, and

Whereas, he has attended and participated in numerous College activities, County events and State meetings, representing the College with enthusiasm and effectiveness.

Now, therefore, be it resolved, that the Board of Trustees, Administration, Faculty, Staff and Students of Frederick Community College express sincere gratitude to Nick Diaz

for his distinguished service, loyal advocacy and considerable endeavors on behalf of the College and its students, and be it further

Resolved, that all those associated with Frederick Community College extend wishes for continued health, happiness and a long-lasting relationship with Frederick Community College.

The resolution was signed by Dr. John Molesworth, Chair, Board of Trustees, and Elizabeth Burmaster, President.

President Burmaster then presented a Governor's Citation issued to Nick Diaz from Governor Hogan on behalf of the State of Maryland. She also presented Trustee Diaz with an engraved crystal trophy in recognition of his 15 years of service.

Trustee Diaz said one of the things he is particularly proud of during his 15 years of service is attending graduations and pinning ceremonies. It is the most enjoyable part of being a Trustee to see the results of all of the hard work and dedication of the College community in taking care of our students. Another of his achievements is having supported President Burmaster the last seven years. She has treated each Trustee as an individual. Trustee Diaz commented that he has tried to bring a little humor and light fare to Board meetings, especially when he was Chair. He added that he is happy to have encouraged Trustee Kimberlin to join the Board and that the Board is in great hands.

Recognition of Outgoing Chair Dr. John Molesworth – President Burmaster stated that this is the last meeting for Dr. John Molesworth as Chair. She thanked him for his service, particularly over the last 15 months during the pandemic. She presented Chair Molesworth with a framed Joe Osmann print and an engraved crystal trophy in recognition of his years serving as Chair.

Chair Molesworth said it is a great privilege to work with everyone. He can't speak highly enough of this Board and the College community.

PRESIDENT'S MONTHLY REPORT

Board members received the President's written report in their meeting packet. Also included in the President's written report were the CIP Construction Projects Update and HEERF Executive Brief. President Burmaster referred Trustees to her written report and noted that new SGA officers have been elected.

INFORMATION/DISCUSSION ITEMS

Schedule of Board Meetings for 2022 – President Burmaster presented this item. A schedule of Board meetings for 2022 was prepared in accordance with the regular meeting schedule of the Board of Trustees, which is the third Wednesday of every month (excluding July and December). The March and April meetings were moved to the second Wednesday of the month due to holidays. The meeting dates for 2022 are: January 19, February 16, March 9, April 13, May 18, June 15, August 17, September 21, October 19, and November 16. All meetings will begin at 5:30 p.m. The Board will return to having Board Conversations, which will now begin at 4:30 p.m.

This item was presented for information only – no action was taken or requested.

Annual Update on Hardware and Software Maintenance Renewals – CIO McCormick presented this item. Hardware and software purchases approved by the Board of Trustees have annual renewal and/or maintenance fees built into the procurement. A list of these fees that exceed \$25,000 is provided for information so that the Board of Trustees is made aware of these expenditures.

The estimated software renewal costs for FY 2022 (July 2021 through June 2022) totals \$552,067.93 and includes: \$73,827.00 to Blackwood for Palo Alto Firewall software/hardware; \$57,500.00 to Dell for VMWare software; \$60,009.00 to Augusoft for Lumens iPro software; \$92,676.66 to Bell Industries for Microsoft Campus Agreement software; \$201,692.69 to Blackboard for Learning Management System software; \$37,574.58 to Digital Information for Adobe software; and \$28,788.00 to Hyland for Perceptive Content software.

This item was presented for information only – no action was taken or requested.

ACTION ITEMS

Board Nominating Committee Report and Election of Board Officers – The Board Nominating Committee, comprised of Chair Molesworth and Trustees Diaz and Miller, submitted the following slate of officers for the FCC Board of Trustees for FY 2022: Tom Lynch, Chair, and Carolyn Kimberlin, Vice Chair. The Nominating Committee members contacted the nominees and each expressed a willingness to serve in these positions, if elected. Chair Molesworth turned the meeting over to President Burmaster to conduct the election of Board members for the office of Chair and Vice Chair for FY 2022. President Burmaster asked if there were additional nominations from the floor. There being none, she declared that nominations were closed and called for a motion.

On a motion made by Trustee Diaz and seconded by Trustee Fearnow, the Board unanimously elected Tom Lynch as Chair and Carolyn Kimberlin as Vice Chair of the Board of Trustees of Frederick Community College for FY 2022.

Approval of the Annual Update for the 2021-2022 Employee Handbook with Faculty Addendum – VP Bard and Provost/EVP Hawkins presented this item. The

Employee Handbook with Faculty Addendum was established by the Board of Trustees in 2016 and is updated and approved annually. An annual review of the Employee Handbook with Faculty Addendum was conducted in the spring. The proposed revisions are for clarification and reflect current practice.

VP Bard and Provost/EVP Hawkins recommended approval of the Annual Update for the 2021-2022 Employee Handbook with Faculty Addendum.

On a motion made by Vice Chair Lynch and seconded by Trustee Barber, the Board unanimously approved the Annual Update for the 2021-2022 Employee Handbook with Faculty Addendum, as presented.

Approval of Renewal Premiums – Property Coverage to Affiliated FM and Casualty Insurance to Utica National for FY 2022 – VP Jones presented this item. McGriff Insurance Services has obtained quotes for the College property and casualty insurance for FY 2022 beginning July 1, 2021. All quotes are net of commission since the College pays McGriff Insurance directly for their services.

Based on quotes received and negotiated by McGriff Insurance Services, the most favorable rates continue to be from the current carriers: Affiliated FM for property coverage and Utica National for casualty coverage. For both property and casualty insurance, the number of current and past claims influence the premium rates. The increase in Affiliated FM reflects a market price adjustment. For casualty insurance, Utica’s policy is based on FCC completing the risk management recommendations and the implementation of a Safety Committee/Program during FY 2021.

The estimated premium for property insurance is \$84,055. The estimated premium for casualty insurance is \$169,777. The combined total of \$253,832 represents a 4.7%

increase over FY 2021 (net of commission). The FY 2022 College operating budget includes funding for this insurance.

McGriff Insurance Services also obtained quotes for cyber liability and international coverage. These two insurance policies are below the \$25,000 threshold, but were provided for information in the renewal premium spreadsheet which Board members received in their meeting packet. The student-athlete accident coverage insurance renews August 1, 2021. McGriff Insurance Services is working to receive quotes and available options for the renewal. If the student-athlete accident insurance renewal is over \$25,000, the Board of Trustees will have to convene to take action before July 30, 2021.

VP Jones recommended approval to award property coverage to Affiliated FM for an estimated cost of \$84,055 and casualty insurance to Utica National for an estimated cost of \$169,777 totaling \$253,832 for FY 2022.

On a motion made by Trustee Kimberlin and seconded by Trustee Fearnow, the Board unanimously approved the renewal premiums, as presented.

Approval of FY 2022 Operating Budget, Tuition and Fee Schedule, Capital Budget, and Salary/Wage Scales – VP Jones presented this item. She provided an overview of the FY 2022 proposed operating budget of \$59,732,461, which represents an increase of \$7,076,081 or 13.0% from the FY 2021 budget. It is important to note that this increase follows a \$3,478,722 decrease or 6.2% in FY 2021 due to the pandemic. Also included is the County approved Capital budget for FY 2022, totaling \$8,191,400. The salary and wage scales have been updated to reflect budgeted increases in compensation and in the minimum wage increases.

The operating budget includes an increase of \$1/credit for in-county tuition, which will increase in-county tuition from \$128/credit to \$129/credit. Out-of-county tuition will increase by \$2/credit, and out-of-state tuition will increase by \$3/credit. All changes in tuition and fee rates are effective with the fall 2021 semester.

The consolidated service fee increased by 60 cents to \$26.00/credit from \$25.40/credit and the student activity fee remains unchanged at \$3.34/credit in FY 2022.

Tuition and fee revenue reflects a 24% increase in credit registration. With the FY 2022 increase in credit tuition rates and increase in credit registration, the credit tuition and fees represents 27% of total revenue. The non-credit registration reflects a decrease of 8% over FY 2021 due to an anticipated slower post-pandemic economic recovery. The overall net increase in combined credit and non-credit tuition and fees is 23%. The reduction in non-credit enrollment will decrease revenue from tuition and fees by \$135,199 in FY 2022.

Revenues are projected to total \$59,732,461 from all sources and include: \$17,374,494 in tuition and fees; \$16,234,779 in State funding (includes retirement contribution); \$21,341,502 (cash) and \$446,617 (in-kind) in County funding; and \$4,335,069 in other income.

Expenditures increased by \$7,076,081 or 13% from the FY 2021 budget. The FY 2022 budget includes a 2% cost of living adjustment (COLA) increase for regular full-time and regular part-time administrators and support staff, full-time faculty, credit adjunct faculty, clinical/field experience staff, CEWD adjunct faculty, CEWD instructional specialists, part-time variable schedule employees, and coaches. It also includes the

reinstatement of some frozen positions. A process of prioritizing expenditures necessary to reopen the College was completed.

The capital budget of \$8,191,400 includes funding toward the Linganore Hall Renovation/Addition, Facilities Renewal, Classroom Technology Upgrades, Technology Upgrades, and FCC Systemics.

VP Jones recommended approval of the FY 2022 operating budget of \$59,732,461, capital budget of \$8,191,400, tuition and fee schedule, and salary/wage scales.

On a motion made by Vice Chair Lynch and seconded by Trustee Barber, the Board unanimously approved the FY 2022 operating budget of \$59,732,461, capital budget of \$8,191,400, tuition and fee schedule, and salary/wage scales, as presented.

Approval of FY 2022 Auxiliary Enterprise Budgets – VP Jones presented this item. Frederick Community College Auxiliary Enterprises include the Bookstore, Carl & Norma Miller Children’s Center, and Dining Services. These business-type activities generate revenue from sales and provide services to the College.

Due to the impacts of the COVID-19 pandemic and the College Roadmap to Resilience and Recovery Plan (3R Plan), the Children’s Center and Dining Services will not return to operation until August 2, 2021. These auxiliary budgets have been adjusted to reflect a gradual return to post-pandemic operations. The financial goal will be to make a slight profit for FY 2022. The projected auxiliary enterprise budgets for FY 2022 reflect contributions of \$165,000 to the College for indirect cost reimbursement to the operating fund.

The College Bookstore has remained open throughout FY 2021 with modified service and sales processes. The Bookstore FY 2022 budget reflects a decrease in revenue

primarily due to the discontinuation of textbook rentals. The slight increase in expenditures for compensation in the Bookstore reflects the increased use of work-study students and a reduction of the use of hourly employees.

VP Jones recommended approval of the FY 2022 Auxiliary Enterprise budgets.

On a motion made by Trustee Kimberlin and seconded by Trustee Diaz, the Board unanimously approved the FY 2022 Auxiliary Enterprise budgets, as presented.

Approval of Award Recommendation – RFB #21-FS-02 Book Store Automated Locker System to Breakwater Tech LLC for the amount of \$55,800 – VP Jones presented this item. FCC recently requested bids from qualified vendors to provide three smart locker systems, each consisting of 45 floor-mounted lockers. The lockers will be installed at three as yet to be determined locations at the College main campus and/or the Monroe Center.

The smart locker system will allow the College Bookstore to provide contactless pickup locations for textbooks and other merchandise sold through the Bookstore website. Contactless pickup helps minimize the risk associated with the spread of the COVID-19 virus. Pickups will not require College staff to be present to retrieve items and are convenient for evening and weekend students. The smart lockers track pickups and provide increased security related to delivery.

It is the intent to complete this project by August 1, 2021.

A formal request for bids (RFB) was advertised on eMaryland Marketplace Advantage and posted to the College Bid Board on April 12, 2021. A pre-bid conference was not held. Addendum 1 was posted on the College Bid Board on April 22, 2021. Sealed

bids were due by 2:00 p.m. on May 3, 2021, followed by a virtual public bid opening at 3:00 p.m. The College received four bids. One bid was non-responsive.

Breakwater Tech LLC was the low responsive bidder with a total bid price of \$55,800. Breakwater Tech LLC has provided the required information as outlined in the RFB document. The College has checked references and confirmed pricing by Breakwater Tech LLC.

Funds for the proposed award amount of \$55,800 are available through the CARES/HEERF funds.

VP Jones recommended approval to award RFB #21-FS-02 Book Store Automated Locker System to Breakwater Tech LLC in the amount of \$55,800.

Trustee Kimberlin asked if this has been around for a while. VP Jones answered yes, it is the Amazon concept of lockers that is just now getting into colleges and universities.

On a motion made by Vice Chair Lynch and seconded by Trustee Diaz, the Board unanimously approved the award to Breakwater Tech LLC, as presented.

Approval of Award Recommendation – RFP #21-PR-01 Selection of Executive Search Services for President’s Position to Academic Search, Inc. for the amount of \$72,500 – VP Jones presented this item. FCC recently requested proposals from eligible executive search consulting firms to assist in an executive search for qualified candidates for the position of President of Frederick Community College. The College is conducting a national search as President Elizabeth Burmaster is retiring on July 31, 2021.

It is anticipated that the search will be completed in April 2022.

A formal request for proposals (RFP) was advertised on eMaryland Marketplace Advantage and posted to the College Bid Board on April 15, 2021. Addendum 1 was posted on the College Bid Board on May 5, 2021. Sealed technical and price proposals were due by 2:00 p.m. on May 12, 2021. The College received three proposals.

An evaluation committee was assigned the responsibility of evaluating the results of the RFP. The evaluation committee reviewed all technical proposals and generated a short-list of proposals to move forward in the process based on the following criteria: responsiveness of the work proposal, experience, location, services, and timeline. Price proposals were opened only for the short-listed technical proposals.

Oral Interviews were conducted with the short-listed firms. The oral interviews were an opportunity for the firms to introduce their key personnel and share their experience, understanding of the project, and their project approach. Firms were also provided the opportunity to explain why they were uniquely qualified for this project. The evaluation team scored each oral interview.

Based on the overall combined technical, oral, and price scores, Academic Search, Inc. received the highest total points. They submitted a responsive proposal with the required information as outlined in the RFP document. The College has checked references and confirmed pricing by Academic Search, Inc.

Funds for the proposed award amount of \$72,500 have been included in the FY 2022 Operating Budget.

VP Jones recommended approval to award RFP #21-PR-01 Selection of Executive Search Services for President's Position to Academic Search, Inc. in the amount of \$72,500.

On a motion made by Vice Chair Lynch and seconded by Trustee Diaz, the Board unanimously approved the award to Academic Search, Inc., as presented.

Approval of Renewal of Contract for American Sign Language (ASL) Interpreting Services – VP Clark presented this item. In November 17, 2017, utilizing College General Procurement Procedures, the Board of Trustees approved an RFP for American Sign Language, Interpreting Services on an as-needed basis, with Sign Language USA as our first bidder and HIS Sign as the second bidder, operating as a backup. While the College employs one full-time ASL interpreter and one coordinator of services, who is also a licensed interpreter, the need and time demand is such that other resources are a necessity.

The objective of the RFP was to select an ASL Interpreting Services agency to facilitate communication with Deaf or hard of hearing students, employees, and visitors at FCC. This includes ASL interpreting for both credit and non-credit courses, activities and events, and miscellaneous assignments for the College. Services are provided on the main campus of FCC, the Monroe Center, and other specified off-College premises for FCC classes or other College-sponsored events or programs. All contracted services include live interpreting.

The initial term of the contract was for eighteen months, beginning January 1, 2018 and ending June 30, 2019, with the option to be renewed for four additional one-year options, providing service has been satisfactory, funds are available, and the offeror has been in compliance with contract requirements. FCC has been satisfied with the performance and responsiveness of these agencies. Each has agreed to keep all current pricing as initially agreed upon in November 2017. Hourly rates for Sign Language USA are \$70.00 for regular business hours, \$70.00 for after hours, and \$70.00 for emergency.

Hourly rates for HIS Sign are \$75.00 for regular business hours, \$95.00 for after hours, and \$95.00 for emergency.

VP Clark recommended approval to award a one-year contract renewal for ASL Interpreting Services to Sign Language USA as the primary supplier and HIS Sign as the secondary supplier, beginning July 1, 2021, and extending through June 30, 2022.

Vice Chair Lynch said it is essential for us to have this. VP Clark added that Disability Access Services did an amazing job making sure our students were able to fully participate remotely during the pandemic.

On a motion made by Trustee Barber and seconded by Trustee Kimberlin, the Board unanimously approved the one-year contract renewal, as presented.

Approval of Award Recommendation – RFP #21-LS-01 Learning Support Consulting Services to MGT Consulting Group in the amount of \$108,150 – VP Clark presented this item. FCC recently requested proposals from qualified firms to review and assess the business processes of selected student services areas to include Admissions, Welcome Desk, Records & Registration, Financial Aid, Student Finance, Testing Center, Counseling & Advising, Multicultural Student Services, Office of Adult Services, Veterans and Military Services, and Services for Students with Disabilities. In addition, the College requested an assessment of the structure of the Learning Support Team, including staffing levels and workflow, with the expectation that the review will result in recommendations that will improve institutional effectiveness, operational practices, and virtual student services.

The expected outcomes will be increased operational efficiencies, clearly defined work roles, and a seamless student experience from application to completion as the

College works to build capacity to successfully respond to the needs of students now in a pandemic, and for the future.

It is the intent to complete this consulting work by October 29, 2021.

A formal request for proposals (RFP) was advertised on eMaryland Marketplace Advantage and posted to the College Bid Board on March 24, 2021. Site visits were held on April 6-7, 2021. Addendum 1 was posted on the College Bid Board on April 14, 2021. Sealed technical and price proposals were due by 2:00 p.m. on April 21, 2021. The College received five proposals.

An evaluation committee was assigned the responsibility of evaluating the results of the RFP. The evaluation committee reviewed all technical proposals and generated a short-list of proposals to move forward in the process based on the following criteria: responsiveness of the work proposal, experience, qualifications, technical competence, and key personnel. Price proposals were opened only for the short-listed technical proposals.

Oral Interviews were conducted with the short-listed firms. The oral interviews were an opportunity for the firms to introduce their key personnel and tell the evaluation team about their experience, understanding of the project, and their project approach. Firms also had the opportunity to explain why they were uniquely qualified for this project. The evaluation team scored each oral interview.

Based on the overall combined technical, oral, and price scores, MGT Consulting Group received the highest total points. They submitted a responsive proposal with the required information as outlined in the RFP document. The College has checked references and confirmed pricing by MGT Consulting Group.

Funds for the proposed award amount of \$108,150 are available in HEERF funds.

VP Clark recommended approval to award RFP #21-LS-01 Learning Support Consulting Services to MGT Consulting Group in the amount of \$108,150.

Trustee Fearnow commented that he is glad to see the College is engaging in initiatives like this using HEERF funds. His concern about these types of funds is the creation of overhead, but this is something that will make us more efficient and cut costs. Trustee Kimberlin added that students will really need this support because of the pandemic.

On a motion made by Trustee Fearnow and seconded by Trustee Barber, the Board unanimously approved the award to MGT Consulting Group, as presented.

Approval of Piggyback Contract with Daly Computers for HP Managed Print Services Contract Extension; Piggyback of the Virginia Information Technology Agency (VITA) Contract #VA-191121-DALY, Printing Devices and Managed Print Services, for HP Managed Print Services – CIO McCormick presented this item. The College currently contracts with Daly for ongoing printer toner, maintenance, and support for HP Printers. The College is billed on a monthly basis per page. The per page cost includes the aforementioned services. This piggyback is to request an extension of the current contract until June 30, 2022 using the Virginia Information Technology Agency (VITA) contract #VA-191121-DALY. An extension will allow time for the College to move past COVID-19 support activities and dedicate time to a full print contract analysis across multiple agreements and vendors.

The College would be billed per page (mono/color) each month per the provided master agreement and funds are available in the IT operating budget.

CIO McCormick recommended approval of the use of the Virginia Information Technology Agency (VITA) contract #VA-191121-DALY, with Daly Computers Inc. for a contract extension of HP Managed Print Services through June 30, 2022.

On a motion made by Vice Chair Lynch and seconded by Trustee Kimberlin, the Board unanimously approved the piggyback contract with Daly Computers Inc., as presented.

Approval of Sole Source with Innovative Interfaces for maintenance renewal of the Virtua/VTLS Circulation and Cataloging System in the amount of \$25,023.77 for FY 2022

– CIO McCormick presented this item. The Virtua/VTLS system is the circulation and cataloging system for the Learning Commons. It provides access to a cataloging/circulation software which holds a comprehensive inventory of all physical library materials and e-books, tracks all check-ins/check-outs, and automates all overdue notices. In addition, Virtua includes an online public-facing catalog for ease of searching, and comprehensive technical support in lieu of hiring a systems librarian. The catalog holds records for over 50,000 items and supports an average of over 4,000 circulation transactions a year.

The Virtua/VTLS environment is hosted remotely. Innovative Interfaces has worked with the College for years in customizing catalog structures, business processes, and requirements of the system. This request now comes to the Board as the annual renewal expense has exceeded \$25,000 for FY 2022.

CIO McCormick recommended approval of the sole source with Innovative Interfaces for the maintenance renewal of the Virtua/VTLS Circulation and Cataloging System in the amount of \$25,023.77 for FY 2022.

Vice Chair Lynch expressed appreciation that FCC has a much more conservative internal policy than State law in requiring the Board to approve procurements over \$25,000.

On a motion made by Vice Chair Lynch and seconded by Trustee Diaz, the Board unanimously approved the sole source procurement with Innovative Interfaces, as presented.

Approval of the award of the Guaranteed Maximum Price (GMP) in the amount of \$11,646,776 to Keller Construction for the Building L Renovation project – COO Godwin presented this item. In June 2019, the College solicited proposals from firms interested in providing construction manager at risk (CMatR) services for the renovation of Building L (RFP 19-FP-19). The objective of the RFP was to select a CMatR firm to provide professional management services during the design and construction of the Building L Renovation project. The CMatR is a delivery method which entails a commitment by the Construction Manager (CM) to deliver the project within a Guaranteed Maximum Price (GMP) which is based on the construction documents and specifications at the time of the GMP. The CMatR provides professional services and acts as a consultant to the owner in the design development and construction phases. In addition to acting in the owner's interest, the CMatR must manage and control construction costs to not exceed the GMP because contractually any costs exceeding the GMP that are not change orders, are the financial liability of the CMatR.

The CMatR contract is a cost-plus-a-fee contract with a guaranteed maximum. It is the sum of the CM's fee, the CM's contingency, the General Conditions construction, all the subcontracts, plus an estimate for unbid subcontracts. The fee is a fixed lump sum, but can also be a percentage. It is broken down into two parts, design and construction.

The CMatR process involves two funding approvals by the Board. The first approval is needed to award the management contract to the CM including the initial cost for pre-construction services. The second approval to the selected firm is to approve the GMP. This occurs just prior to the start of the construction phase.

The first approval was received when the Board approved the recommendation to award RFP#19-FP-19 for CMatR services to Keller Construction at the June 2019 Board meeting.

The design phase has been completed, the CM, Keller Construction, has obtained competitive pricing from the various trades for the schedule of values and this is the request for the second approval for this process, which is Board approval for the GMP in the amount of \$11,646,776. The total GMP includes \$10,059,528 for the renovation and \$1,587,248 for the Data Center.

The construction phase is scheduled to occur from July 2021 to September 2022.

The proposed award amount of \$11,646,776, which includes CM and owner contingencies, is within the College approved Linganore Hall Renovation CIP budget and the Data Center CIP budget for this project.

COO Godwin recommended approval to award the GMP in the amount of \$11,646,776 to Keller Construction for the Building L Renovation project.

Trustee Barber commended the work on this. He said he has seen projects like this being cancelled because costs have been increasing every 30 days. Trustee Fearnow asked if there is a period of time the prices will be honored. COO Godwin answered that these prices are locked in for the duration of the project. Trustee Barber asked if there are bonds. COO Godwin answered yes and they are the ones at risk if they do not complete the

services. Vice Chair Lynch commented that he feels comfortable moving forward with the not to exceed amount, knowing we are covered in the case of a bonding issue.

On a motion made by Trustee Barber and seconded by Vice Chair Lynch, the Board unanimously approved the award to Keller Construction, as presented.

Approval of Award Recommendation – RFP #21-OP-01 Charter Bus Transportation Service to Wolf’s Bus Lines, Inc. in an amount not to exceed \$75,000, for the initial contract term of one year, from July 1, 2021 through June 30, 2022, and up to four additional one-year renewal options under the same terms and conditions and as long as funds are available for this purpose – COO Godwin presented this item. FCC recently requested proposals from qualified firms to provide Charter Bus Transportation Service for the College athletic teams, local or regional student sponsored trips, local or regional trips for the Institute for Learning and Retirement (ILR) program participants, academic trips in support of credit or non-credit classes and trips or transportation needed for administrative purposes.

The initial contract term is for a period of one year, from July 1, 2021 through June 30, 2022. FCC reserves the right to renew the contract for up to four additional one-year renewal options under the same terms and conditions and as long as funds are available for this purpose.

A formal request for proposals (RFP) was advertised on eMaryland Marketplace Advantage and posted to the College Bid Board on April 22, 2021. Due to lack of vendor inquiries, an addendum was not posted. Sealed technical and price proposals were due by 2:00 p.m. on May 12, 2021. The College received four proposals. One proposal was non-responsive.

An evaluation committee was assigned the responsibility of evaluating the results of the RFP. The evaluation committee reviewed all technical proposals and generated a short-list of proposals to move forward in the process based on the following criteria: responsiveness of the work proposal, company equipment, company safety record, and safety records of drivers. Price proposals were opened only for the short-listed technical proposals. After review of the submitted price proposals, additional pricing information was requested from the short-listed vendors, and firms were asked to submit pricing based on actual College day trips in calendar year 2019.

Based on the combined technical and price scores, Wolf's Bus Lines, Inc. received the highest total points. They submitted a responsive proposal with the required information as outlined in the RFP document. The College has checked references and confirmed pricing by Wolf's Bus Lines, Inc.

Funds for the proposed award are available in the Rentals and Leases budgets of the authorized budget approvers for transportation requests, as per the College Travel and Transportation Policy and Procedures.

COO Godwin recommended approval to award RFP #21-OP-01 Charter Bus Transportation Service to Wolf's Bus Lines, Inc. in an amount not to exceed \$75,000, for the initial contract term of one year, from July 1, 2021 through June 30, 2022, and up to four additional one-year renewal options under the same terms and conditions and as long as funds are available for this purpose.

On a motion made by Trustee Kimberlin and seconded by Trustee Barber, the Board unanimously approved the award to Wolf's Bus Lines, Inc., as presented.

Approval of Sole Source Procurement from Maryland Correctional Enterprises (MCE) for Furniture for the Building L Renovation Project in the amount of \$357,065 –

COO Godwin presented this item. Under Section 14-103 of the Finance and Procurement Article, Annotated Code of Maryland, any time the College uses State funding for an approved capital improvement program (CIP) project, the College is required to utilize the services of Maryland Correctional Enterprises (MCE) to procure furniture for that project. The College will purchase furniture from MCE with State funds through the approved CIP budget for the Building L Renovation project. Any furniture that MCE cannot provide, the College can then procure through other sources.

The College Capital Planning and Project Management staff worked with the Building L program managers to develop a list of furniture for the Building L Renovation project. Over the past several months, they have worked with the MCE account representative to work out specifications and obtain pricing. The finalized list of furniture to be procured through MCE totals \$357,065.00. The lead time for the procurement of the furniture is approximately 16 weeks.

The proposed award amount of \$357,065.00 is within the College approved CIP budget for this project.

COO Godwin recommended approval of the sole source procurement from MCE in the amount of \$357,065.00, as required by State law.

On a motion made by Vice Chair Lynch and seconded by Trustee Barber, the Board unanimously approved the sole source procurement with MCE, as presented.

TRUSTEE COMMENTS

Chair Molesworth stated that this is the last Board meeting for President Burmaster. He recognized her for seven great years as President and commented that FCC is a much better place as she leaves it. On behalf of the Board, he wished her well in retirement.

Trustee Fearnow added that the most impressive thing about President Burmaster is her presence, polish, and passion; that passion is about Frederick Community College and the Frederick community. He continued that President Burmaster and her team have met every challenge over the last seven years superbly and she should be commended for the team she is leaving in place. All participating in the meeting this evening joined Trustee Fearnow in a standing ovation for President Burmaster.

Chair Molesworth then presented a Governor's Citation issued to President Burmaster from Governor Hogan on behalf of the State of Maryland.

President Burmaster expressed gratitude. She said the sign of leadership is how you bring people together and she has never worked with a finer group of people. Change are the things that happen and transition is the psychological process of an ending and new beginning. FCC is perfectly poised now for the most exciting transition and new beginnings. She commented that the Trustees have been the best Board of Trustees there could be and they do their homework. President Burmaster said she will miss everyone.

Chair Molesworth announced that Trustee Kimberlin will be the Chair of the presidential search committee.

Vice Chair Lynch thanked Chair Molesworth and Trustee Diaz. He added they have been delightful to work with and their time has been extraordinary in moving us forward.

ADJOURNMENT

The regular meeting adjourned at 5:33 p.m.

NEXT MEETING

The next regular meeting of the Board will be held on Wednesday, August 25, 2021.

Elizabeth Burmaster

Secretary/Treasurer

**Prepared by Kari Melvin
Office of the President
Frederick Community College**