

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

**June 20, 2018
Regular Meeting**

The Board of Trustees of Frederick Community College met in regular session on Wednesday, June 20, 2018 in the Chris T. Matthews Board Room (A201). In attendance: Myrna R. Whitworth, Vice Chair; Debra S. Borden; Nick Diaz; Tom Lynch; and Dr. John Molesworth. Former Trustee Roger A. Wilson's position has been filled by Mr. Ellis Barber, who was unable to attend. Also in attendance: President Elizabeth Burmaster, Secretary/Treasurer of the Board; Education Liaison Janice Spiegel; Kari Melvin, Recording Secretary; Dr. Gregory Coldren, Chair, Faculty Association (FA); Natalie Bowers, Chair-Elect, FA; Administrative Staff Association Executive Committee members Britney Carter (outgoing), Heather Hinkle, Jennifer Moxley (outgoing), Sarah Radinsky, and Danielle Stoffer; Jack Jenkins, Chair, Support Personnel Association; Evan Evans, Chair, College Senate; Dana McDonald, Vice President (VP) for Fiscal Services/Auxiliaries; Dr. Wayne Barbour, VP for Learning Support; Dr. Tony Hawkins, Provost/Executive Vice President (EVP) for Academic Affairs, Continuing Education, and Workforce Development; John Wichser, Chief of Operations (COO); Joseph McCormick, Chief Information Officer (CIO); Dr. Kenneth Urban, Interim EVP for Finance and Human Resources; Edmund O'Meally, PK Law, College legal counsel; and other members of the College and staff.

CALL TO ORDER

The meeting was called to order by Board Vice Chair Myrna Whitworth at 7:04 p.m. The Vice Chair recognized the Affinity Group representatives and others present.

APPROVAL OF MINUTES

The Vice Chair called for approval of the minutes of the May 16, 2018 board conversation and regular meeting of the board.

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

PRESIDENT'S MONTHLY REPORT

President Burmaster first wished Trustee Borden a happy birthday. Everyone present joined in singing happy birthday to her.

President Burmaster then gave highlights from her written report, which the Board members received in their meeting packet. Also included in the President's written report was the CIP Construction Projects Update. She announced faculty continuous contract and promotions: James Hatch (CBT), Matthew Lochman (Mathematics), Sandra Moorman (Nursing), and Patricia Sheppard (Science) were approved for continuous contract; Cynthia Baush (CHA), Teresa Calzonetti (Science), Ivy Chevers (CHA), Anne Hofmann (English), Val Lochman (Mathematics), Magin LaSov Gregg (English), Wen Nellis (Science), Susan McMaster (CBT), Jason Santelli (CHA), and Perry Wood (Science) were promoted from Assistant Professor to Associate Professor; and Sarah Bigham (Social Science – Education) and Natasha Cleveland (Science) were made full Professor.

President Burmaster noted that FCC was highlighted in the Campus Compact Mid-Atlantic Model Programs, including the Rising Entrepreneur Workshop; the FCC Foundation has awarded 30 high school scholarships (merit, dual enrollment, Routzahn, and Frederick Singles) totaling \$97,400 for 2018-19; applications are being accepted for the second cohort of the Parents Lead program, designed specifically to help parents attend

FCC and earn a degree; and the memorandum of understanding between FCC, Hood College, and Mount St. Mary's University was signed on June 14 for an agreement on tri-articulation for cybersecurity.

INFORMATION/DISCUSSION ITEMS

FY 2019 Board Conversation Recommendations – The Board of Trustees discussed possible topics for the discussions that occur during the 6:00 to 7:00 p.m. hour, prior to the regular board meeting, for FY 2019. The following topics were identified for the meeting dates indicated: Mission Review – FCC Planning Process and BOT Annual Strategic Priorities for August 15, 2018; Frederick County Public Schools Joint Meeting on Dual Enrollment for September 12, 2018; Global Learning at FCC for October 17, 2018; Strategic Advisory Team (SAT) Workgroup Updates for November 14, 2018; Maryland State Plan for Postsecondary Education for January 16, 2019; Tour of Jefferson Hall Renovation for February 20, 2019; Sabbatical Reports for March 20, 2019; General Assembly Legislative Session Update for April 17, 2019; and, SAT Progress Reports for May 15, 2019. It was decided to leave the board conversation topic for June 19, 2019 open at this time.

Annual Update on Hardware and Software Maintenance Renewals – CIO McCormick presented this item. 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 2019 (July 2018 through June 2019) totals \$500,677.66 and includes: \$63,274.24 to Daly for Palo Alto Firewall software/hardware; \$50,671.67 to Dell for VMWare software; \$57,000.00 to Augustsoft for

Lumens iPro software; \$71,463.92 to Bell Industries for Microsoft Campus Agreement software; \$230,010.83 to Blackboard for Learning Management System software; and, \$28,257.00 to Digital Information for Adobe 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 Trustees Whitworth and Lynch, submitted the following slate of officers for the FCC Board of Trustees for FY 2019: Debra S. Borden, Chair, and Dr. John Molesworth, Vice Chair. The Nominating Committee members contacted the nominees and each expressed a willingness to serve in these positions, if elected. Board Vice Chair Whitworth turned the meeting over to President Burmaster to conduct the election of Board members for the office of Chair and Vice-Chair for FY 2019. 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 Lynch, the Board unanimously elected Debra S. Borden as Chair and Dr. John Molesworth as Vice Chair of the Board of Trustees of Frederick Community College for FY 2019.

Approval of the Annual Update for the 2018-2019 Employee Handbook with Full-Time and Adjunct Faculty Addendum and CEWD Adjunct Faculty Addendum – Interim EVP Urban and Provost/EVP Hawkins presented this item. The Employee Handbook and Full-Time and Adjunct Faculty and CEWD Adjunct Faculty Addendums are a transparent, accessible compilation of current College practice, policies, and procedures that have been approved by the Board of Trustees. Links to policies, procedures, or forms

that are applicable are provided. The Board of Trustees established the Employee Handbook and Full-Time and Adjunct Faculty and CEWD Adjunct Faculty Addendums in 2016 and are updated and approved annually.

An annual review of the Employee Handbook and Full-Time and Adjunct Faculty and CEWD Adjunct Faculty Addendums was conducted. The proposed revisions are for clarification and to reflect current procedure. Work will be done this upcoming year to combine the Full-Time and Adjunct Faculty and CEWD Adjunct Faculty Addendums to reflect the change in the Academic Affairs, Continuing Education, and Workforce Development Team.

Interim EVP Urban and Provost/EVP Hawkins recommended approval of the Annual Update for the 2018-2019 Employee Handbook with Full-Time and Adjunct Faculty Addendum and CEWD Adjunct Faculty Addendum.

On a motion made by Trustee Lynch and seconded by Trustee Diaz, the Board unanimously approved the Annual Update for the 2018-2019 Employee Handbook with Full-Time and Adjunct Faculty Addendum and CEWD Adjunct Faculty Addendum, as presented.

Approval of Renewal Premiums – Property Coverage to Affiliated FM for a cost of \$58,410.00 and Casualty Insurance to Utica National for a cost of \$133,848.00, totaling \$192,258.00 for FY 2019 – VP McDonald presented this item. In March 2018, the College released an RFP for insurance brokerage services for property and casualty insurance. At the April 2018 Board of Trustees meeting, this RFP was awarded to BB&T Insurance Services to provide the insurance brokerage services for the College. BB&T Insurance Services has obtained quotes for the College property and casualty insurance for the fiscal

year beginning July 1, 2018. All quotes will be received net of commission since the College now pays BB&T Insurance services directly for their services.

Based on quotes received and negotiated by BB&T Insurance Services, the most favorable rates were received from Affiliated FM for property coverage and from Utica National for casualty coverage. Both of these are the current insurance carriers for the College. For both property and casualty insurance, rates are influenced by the number of current and past claims. The loss ratio for the College has been declining over the past three years and has influenced favorable rates with current carriers.

The estimated premium for property insurance is \$58,410.00, which includes an increase to the full limits on business income/extra expense. The estimated premium for casualty insurance is \$133,848.00, which includes the addition of coverage for social engineering. The combined total of \$192,258.00 represents a 0.2% increase over FY 2018 (net of commission). The cost of insurance will be funded through the FY 2019 College operating budget.

BB&T Insurance Services also obtained quotes for cyber liability, international, and student athlete accident coverage, which are separate policies under \$25,000 and do not require Board of Trustees approval.

VP McDonald recommended approval to award property coverage to Affiliated FM for a cost of \$58,410.00 and casualty insurance to Utica National for a cost of \$133,848.00 totaling \$192,258.00 for FY 2019.

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

Approval of Piggyback Contract with Ciber Global, LLC for IT Professional Consulting Services – PeopleSoft in the amount of \$214,921.00; Piggyback of the Maryland Education Enterprise Consortium (MEEC) Contract #91372 – CIO McCormick presented this item. The College needs to upgrade the PeopleSoft Campus Solutions environment from version 9.0 to 9.2. This is an eight-month engagement (beginning August) that requires many stakeholders from the College and the consulting firm chosen. The Maryland Education Enterprise Consortium (MEEC) contract #91372 provides members a document called a TORP or Task Order Request Proposal. This is similar in many ways to a traditional RFP form. The IT team provided this form to multiple agencies who can meet the College consulting needs for this upgrade. Ciber Global, LLC came back as the lowest overall cost to the College. The College has checked references and confirmed pricing. The cost of this purchase is \$214,921.00 and funds are available in the CIP budget 85-800050-8000140.

CIO McCormick recommended approval of the use of the MEEC Contract #91372 for this purchase.

On a motion made by Trustee Diaz and seconded by Trustee Borden, the Board unanimously approved the piggyback contract with Ciber Global, LLC, as presented.

Approval of Piggyback Contract with Daly Computers, Inc. for HP Managed Print Services; Piggyback of the Virginia Information Technology Agency (VITA) Contract #VA-130405 – CIO McCormick presented this item. The College contracts for ongoing printer toner, maintenance, and support for all HP printers. The former agreement has expired and the IT team has reviewed other contract options for cost savings. This request is for approval of a piggyback with Daly Computers, Inc. through the Virginia Information

Technology Agency (VITA) contract #VA-130405. The agreement covers FY 2019. Based on an analysis of July through December 2017 HP printing, it is estimated that the College would see a decrease in costs by as much as 23%. The College would be billed per page (mono/color) each month based on the provided schedule and funds are available in the IT operating budget 16-302251.

CIO McCormick recommended approval of the use of the VITA contract #VA-130405 for this purchase.

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

Approval of Award Recommendation – RFB #18-FP-14 Security Cameras and Installation for Buildings D, G, H, L, P and Parking Deck to I-Comm, Inc. in the amount of \$107,600.00 – COO Wichser presented this item. The College recently solicited bids from agencies interested in providing construction/installation services related to the security camera project. The work includes, but is not limited to, additional security cameras at the Athletics Center (Building D), Gambrill Hall (Building G), the Student Center (Building H), Linganore Hall (Building L), Plant Operations (Building P), and the Parking Deck. The additional security cameras will also be connected to existing video surveillance and security software. The scope of work also includes, but is not limited to: new security cameras at interiors and exteriors of buildings; replacement of two existing security cameras at the Parking Deck; removal of existing analog cameras in the Student Center (Building H); relocation of existing security computer equipment to a new server rack in the Student Center (Building H); additional storage added to the existing servers and new switches or, alternatively, two new servers to replace the existing servers located in

Gambrill Hall (Building G); and, any and all permits required. Construction phase is scheduled to start on July 1, 2018, with final completion of the academic buildings by August 15, 2018, and all remaining buildings by September 17, 2018.

A formal RFB was advertised on eMaryland Marketplace and posted to the College Bid Board. A pre-bid conference was held at the main campus to review the project scope of work, address questions, and allow inspection of the proposed job site. Twelve agencies attended the pre-bid conference. An addendum to the RFB was posted on the College Bid Board. Bid package proposals were received from seven agencies. However, two bids were deemed non-responsive. I-Comm, Inc. was the low responsive bidder with a total bid price of \$107,600.00. Funds for the proposed award amount are within the College approved CIP budget for this project (85-800085-8000170 / Systemics / Miscellaneous Renovations).

COO Wichser recommended approval to award RFB #18-FP-14 for security cameras and installation for Buildings D, G, H, L, P and Parking Deck to I-Comm, Inc. in the amount of \$107,600.00.

On a motion made by Trustee Molesworth and seconded by Trustee Diaz, the Board unanimously approved the award to I-Comm, Inc., as presented.

Approval of Award Recommendation – RFB #18-FP-21 Construction Services for Building H Loading Dock Canopy to GRC General Contractor, Inc. in the amount of \$74,956.00 – COO Wichser presented this item. The College recently solicited bids from General Contractors for Construction Services related to the Building H loading dock project. The work includes, but is not limited to, the construction of a new canopy at the existing Building H loading dock, including architectural, structural, and electrical work as follows: a new steel frame loading dock canopy with standing seam metal roof located

between Buildings H and E; new canopy lighting; removal of existing dock bumpers and replacement with new dock bumpers; and, new concrete filled pipe bollards. Construction phase is scheduled to start on July 2, 2018, with final completion of the project scheduled for September 28, 2018.

A formal RFB was advertised on eMaryland Marketplace and posted to the College Bid Board. A pre-bid conference was held at the main campus to review the project scope of work, address questions, and allow inspection of the proposed job site. Six agencies attended the pre-bid conference. An addendum to the RFB was posted on the College Bid Board. Bid package proposals were received from four agencies. However, one bid was deemed non-responsive. GRC General Contractor, Inc. was the low responsive bidder with a total bid price of \$74,956.00. Funds for the proposed award amount are within the College approved CIP budget for this project (85-800030-8000110 / Student Center).

COO Wichser recommended approval to award RFB #18-FP-21 for construction services for Building H loading dock canopy to GRC General Contractor, Inc. in the amount of \$74,956.00.

On a motion made by Trustee Lynch and seconded by Trustee Borden, the Board unanimously approved the award to GRC General Contractor, Inc., as presented.

Approval of Award Recommendation – RFP #18-FP-22 for Jefferson Hall Furniture to Price Modern in the amount of \$111,506.00 – COO Wichser presented this item. The College solicited proposals from qualified firms to provide and install furniture for offices, waiting areas, work areas, and other parts of the reconfigured Jefferson Hall.

A formal request for proposals (RFP) was advertised on eMaryland Marketplace and posted to the College Bid Board. A pre-proposal conference was held to review the

project scope of work, address questions, and allow inspection of the proposed job site. Five firms attended the pre-proposal conference. Addendums to the RFP were posted on the College Bid Board. Proposals were received from four firms. However, one proposal was deemed non-responsive. The remaining three technical proposals were reviewed by the evaluation committee. All three firms were short-listed and selected to present oral presentations and submit price proposals. Price Modern was recommended for the award based on the results of the overall combined scores. Funds for this award are within the College approved CIP budget for this project (85-800115-8000197 / Jefferson Hall Reconfiguration).

COO Wichser recommended approval to award RFP #18-FP-22 for Jefferson Hall furniture to Price Modern in the amount of \$111,506.00.

On a motion made by Trustee Lynch and seconded by Trustee Molesworth, the Board unanimously approved the award to Price Modern, as presented.

Approval of Guaranteed Maximum Price (GMP) for the Jefferson Hall Reconfiguration Project to J. Vinton Shafer and Sons (Quandel) in the amount of \$1,549,732.00 – COO Wichser presented this item. In August 2017, the College solicited proposals from firms interested in providing construction manager at risk (CMatR) services for the reconfiguration of Jefferson Hall (RFP 18-FP-01). The objective of the RFP was to select a CMatR firm to provide professional management and construction services during the design and construction of the Jefferson Hall Reconfiguration 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 Board approved the recommendation to award RFP# 18-FP-01 for CMatR services to J. Vinton Schafer and Sons (Quandel) at the October 2017 Board meeting. The design phase has been completed. The CM and J. Vinton Shafer and Sons (Quandel) have obtained competitive pricing from the various trades for the schedule of values. This request is for approval of the actual construction cost in the amount of \$1,549,732.00. Construction phase is scheduled to start on June 21, 2018 with final completion by December 29, 2018.

The proposed award amount of \$1,549,732.00 is within the College approved CIP budget for this project (85-800115-8000197 / Jefferson Hall Reconfiguration).

COO Wichser recommended approval of GMP in the amount of \$1,549,732.00, to J. Vinton Shafer and Sons (Quandel) for the Jefferson Hall Reconfiguration project.

On a motion made by Trustee Lynch and seconded by Trustee Diaz, the Board unanimously approved the GMP to J. Vinton Shafer and Sons (Quandel), as presented.

Approval of Piggyback Contract with HP Secure, Inc. for Hardware and Software Support for System Galaxy in the amount of \$303,100.35; Piggyback of Frederick County, MD Contract #16-001 – COO Wichser presented this item. The purpose/goal of the building access controls project is to replace the current College building access controls and identification card system, which is propriety and outdated (software and hardware is no longer supported by the current service provider or the manufacturer), with a new non-proprietary system. Frederick County uses the System Galaxy Building Access Control system, which they had procured and awarded through a competitive bid process in the spring of 2005. The System Galaxy Building Access Control System is a non-propriety system and also the County standard. In the summer of 2016, they procured and awarded a contract to HP Secure, Inc. for hardware and software support for System Galaxy Building Access Control.

The College would like to utilize the services of HP Secure, Inc. to provide remote and on-site software support, software upgrades, hardware upgrades, new installation and on-call services for hardware and software support. HP Secure, Inc. has provided a proposal for their services, utilizing their pricing and services in the Frederick County, Maryland Contract Service Agreement #16-001. The hourly rates established by this piggyback are far below the hourly rates invoiced for similar services on the current building access system.

The proposal from HP Secure, Inc. is for licensing, software maintenance, and installation services only, and includes all existing doors plus all classroom doors at a proposed cost of \$303,100.35. This price also includes a 5% owner contingency. All equipment will be purchased at a later date through a formal bid process. This work will allow the College to lock down with a single action from the security office. Funds for this project are available in the CIP budget (85-800085-8000170 - Systemics/Miscellaneous Renovations).

COO Wichser recommended approval of the use of the Frederick County Maryland Contract Service Agreement #16-001 for this purchase.

On a motion made by Trustee Diaz and seconded by Trustee Molesworth, the Board unanimously approved the piggyback contract with HP Secure, Inc., as presented.

Approval of Sole Source Procurement: Lyrasis for Maryland Digital Library Subscription – Provost/EVP Hawkins presented this item. Lyrasis is the management organization for the Maryland Digital Library (MDL), a statewide consortium of academic libraries, and includes the libraries of almost all post-secondary educational institutions in the state. Its primary purpose is to purchase online research databases that member libraries use to support student learning. As such a large buying agent, MDL is able to negotiate significant discounts for members. The Lyrasis invoice amount is a fraction of what FCC would pay if it were to subscribe to the databases directly. The College has no recourse to any other comparable discount.

Membership in a local bibliographic utility also provides the significant advantage of access to extensive training programs. As a Lyrasis member, FCC receives discount-priced training in Baltimore and other regional locations.

The majority of the FCC digital collection subscriptions are purchased through the MDL/Lyrasis consortium and use continues to grow, increasing 28% in FY18. The annual cost of the MDL subscription through Lyrasis is \$28,561.65 for FY2019. Funds for this subscription are available in the operating budget for the library.

Provost/EVP Hawkins recommended approval of the sole source procurement to Lyrasis for FY 2019.

On a motion made by Trustee Lynch and seconded by Trustee Diaz, the Board unanimously approved the sole source procurement to Lyrasis, as presented.

Approval of Amended Employment Agreement for President Burmaster – Edmund O’Meally, College legal counsel from PK Law, presented this item. At the direction of the Board of Trustees, Mr. O’Meally made revisions to the Employment Agreement for President Burmaster. The proposed agreement extends her term of employment by one year, ending on June 30, 2023. Other revisions are non-substantive to reflect the history of the contract and all other terms remain unchanged.

Vice Chair Whitworth called for a motion.

On a motion made by Trustee Borden and seconded by Trustee Diaz, the Board unanimously approved the amendment to President Burmaster’s Employment Agreement, as presented.

TRUSTEE COMMENTS

Trustee Diaz announced that he is in the middle of teaching a course with the Institute for Learning in Retirement on mathematics. He added that he finds it fascinating to teach adults, having never taught students older than 14 before.

ADJOURNMENT

The regular meeting adjourned at 7:54 p.m.

NEXT MEETING

**The next regular meeting of the Board will be held on Wednesday, August 15, 2018
at 7:00 p.m. in the Chris T. Matthews Board Room (A201).**

**Elizabeth Burmaster
Secretary/Treasurer**

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