

MONTGOMERY COLLEGE BOARD OF TRUSTEES

RECORD OF RESOLUTIONS June 20, 2005 Board Meeting

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MONTGOMERY COLLEGE BOARD OF TRUSTEES

RECORD OF RESOLUTIONS June 20, 2005 Board Meeting

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

Resolution Number: **05-44**
Adopted on: 06/20/05

Agenda Item Number: _____
June 20, 2005

Subject: Retirement of Mrs. Alice Tercijonas

WHEREAS, Mrs. Alice Tercijonas has served Montgomery College with dedication and distinction for more than twelve years and retired from the College as of May 27, 2005; and

WHEREAS, Mrs. Tercijonas worked as a Student Aide for three years in the Business, Science, Mathematics, and Technology Division, Germantown, while earning an Associates of Applied Science in Computer Applications, with honors; and

WHEREAS, She became a part-time Administrative Aide in the Dean's Office of the Business, Science, Mathematics, and Technology Division, Germantown (1996 – 2005), and was an asset to the Division as her work always exceeded standards; and

WHEREAS, for several years Mrs. Tercijonas maintained the Business, Science, Mathematics, and Technology Division's Office in the evening to serve part-time faculty, students, and the Instructional Dean; and

WHEREAS, Mrs. Tercijonas staffed the Business, Science, Mathematics, and Technology Division's Satellite Office in the Applied Sciences Building, where she worked independently to support the Natural Sciences, Business, Management, Accounting, and Legal Studies faculty for over two years; and

WHEREAS, she demonstrated outstanding initiative to ensure book orders were accurate and timely, part-time faculty evaluations were completed, and course files maintained; and

WHEREAS, faculty often requested Mrs. Tercijonas to personally handle their word processing needs; and

WHEREAS, faculty, staff, and students have expressed their appreciation for her diligence and attention to their needs; and

WHEREAS, the President of the College recommends this public recognition of Mrs. Alice Tercijonas on the occasion of her retirement; now therefore be it

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

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting and a copy be presented to Mrs. Alice Tercijonas.

CRN:abg

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

Resolution Number: **05-45**
Adopted on: 06/20/05

Agenda Item Number: _____
June 20, 2005

Subject: Retirement of Ms. Martha Turner

WHEREAS, Ms. Martha Turner has served Montgomery College with dedication and distinction for sixteen years and retired from the College as of November 1, 2004; and

WHEREAS, as Library Assistant at the Rockville Campus Library, Office of Information Technology, Ms. Turner was an asset to the Library as she made significant contributions and her work always exceeded standards; and

WHEREAS, she demonstrated outstanding initiative, team work and professionalism at all times; and

WHEREAS, Ms. Turner always worked conscientiously in providing timely services to help students succeed; and

WHEREAS, Ms. Turner has been praised for her attention to detail, work ethic, customer service, high quality work standards and consistent outstanding service to the Rockville Campus Library and the other Libraries within the College; and

WHEREAS, her high quality of service was reflected in her performance evaluations; and

WHEREAS, her supervisor and other colleagues identified Ms. Turner as an exemplary employee and was chosen as Employee of the Month in 1996; and

WHEREAS, co-workers, staff, and faculty have expressed their appreciation for her thoroughness and diligence; and

WHEREAS, Ms. Turner received a special Staff Recognition Award (1997) for accepting additional duties and flexed work schedule to incorporate nights and Saturdays during staff shortages and for her cooperation and professional attitude toward maintaining a high quality public service organization; and

WHEREAS, the President of the College recommends this public recognition of Ms. Turner on the occasion of her retirement; now therefore be it

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

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting and a copy be presented to Ms. Martha Turner.

CRN:abg

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

Resolution Number: **05-46**
Adopted on: 06/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Retirement Recognition and Emerita Status
to Professor Virginia Mayes**

WHEREAS, Professor Virginia Mayes has served Montgomery College with dedication and distinction for thirteen years and will retire from the College as of July 1, 2005; and

WHEREAS, Professor Mayes has served as a full-time faculty member, teaching in the computer applications, business, and management disciplines and for Workforce Development and Continuing Education; and

WHEREAS, Professor Mayes served on many College committees including the Academic Assembly, the Academic Regulations Committee, and the Diversity Committee; and

WHEREAS, her contributions to the discipline have included serving as the Germantown faculty representative for the Management Academic Area Review and the Management Outcomes Assessment; and

WHEREAS, Professor Mayes has served as a Campus Facilitator for the Cultural Diversity Institute and was a member of the American Council on Education Team to Internationalize the Curriculum; and

WHEREAS, Professor Mayes was a Center for Teaching and Learning Fellow in 2000 and made a presentation at the Seventh Annual Community College Showcase based on her Center for Teaching and Learning work; and

WHEREAS, Professor Mayes is also active in her local community, sharing freely of her knowledge, expertise, and humanity; and

WHEREAS, Professor Mayes will be especially missed for her dedication to the business and management discipline; and

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

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

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

Resolved, That Professor Virginia Mayes is granted the status of Professor Emerita, and that she be awarded such recognition and honors as may be appropriate to persons holding this rank; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy of this resolution be presented to Professor Virginia Mayes.

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

Resolution Number: **05-47**
Adopted on: 06/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Award of Bronze Medallion and Recognition
of Retirement of Ms. Sandra W. Wright**

WHEREAS, Ms. Sandra W. Wright has served Montgomery College with dedication and distinction for thirty-four years and will retire from the College as of July 1, 2005; and

WHEREAS, in her earlier capacities as Student Assistant for Employee Services; Secretary II for College Facilities; Secretary III for Public Information; Senior Instructional Technician for Management Technology, Rockville Campus; Secretary to the Vice President; Administrative Aide to the Chief Administrative Officer; Administrative Aide to the President; and Administrative Manager for the Office of the President; she consistently performed her duties with the highest degree of professionalism and conscientiousness which resulted in the smooth operation of those offices; and

WHEREAS, later in her capacity as Administrative Aide to the President and Administrative Manager for the Office of the President, Ms. Wright performed in an outstanding manner and has been invaluable to the overall functioning of the Office of the President; and

WHEREAS, Ms. Wright performed her work responsibilities in an exemplary fashion and her work was always of the highest quality; and

WHEREAS, she maintained the utmost attention to accuracy, detail, and orderliness in her day-to-day responsibilities; and

WHEREAS, Ms. Wright dealt with a variety of staff, faculty, students, and the community with diverse backgrounds who needed information, requested appointments, or had complaints, and always did so in a highly professional manner making certain these people felt that they had been well served; and

WHEREAS, her commitment to her work is evidenced in the efficient manner in which she carried out her duties, as reflected in her overall high ratings on her performance evaluations, the many letters of appreciation from the College community, and the awarding of Outstanding Service Awards in 2001, 1998, 1995, and 1987, and Staff Special Recognition Awards in 1993 and 1992; and

WHEREAS, mere words cannot adequately describe her contributions and the sustained and distinguished service that Ms. Wright has given the College and the community it serves over the past thirty-four years; and

WHEREAS, the President of the College recommends this public recognition of Ms. Sandra W. Wright on the occasion of her retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Ms. Sandra W. Wright for her valuable contributions and service to the College and also extend to her their best wishes for happy and productive retirement years; and be it further

Resolved, That Ms. Sandra W. Wright is awarded the Bronze Medallion in recognition of her distinguished service to the College and community, and as an expression of gratitude of the College for her 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 of the resolution be presented to Ms. Sandra W. Wright.

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

Resolution Number: **05-48**
Adopted on: 06/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Award of Silver Medallion and Recognition
of Retirement of Dr. Frank Tusa**

WHEREAS, Dr. Frank Tusa has served Montgomery College with dedication for thirty-three years as College Archivist, Director of Management Services, Director of Employee Relations, Director of Human Resources, and Director of Policy Development, and is retiring on June 30, 2005; and

WHEREAS, he completed the collection, evaluation, and processing of historical records and was instrumental in establishing the College Museum; and

WHEREAS, Dr. Tusa led the development and implementation of various College policies and procedures, prepared personnel reference handbooks; and reviewed contracts and specifications; and

WHEREAS, he helped institute appropriate authority, control, and responsibility through new management procedures for the Board of Trustees and the administration; and

WHEREAS, Dr. Tusa led the College in the establishment of collective bargaining with the American Association of University Professors (AAUP) and the American Federation of State, County and Municipal Employees (AFSCME), assembling the College negotiating team, and developing negotiation objectives; and

WHEREAS, he organized and led successful collective bargaining with the AAUP in the initial and subsequent contracts and in separate salary negotiations at other times, and implemented those contracts and salary agreements; and

WHEREAS, he provided leadership for negotiation of the first AFSCME contract covering six years; and

WHEREAS, he ensured that College obligations under terms of collective bargaining were met consistently over many years; and

WHEREAS, his leadership of collective bargaining from its earliest days strengthened the institution; and

WHEREAS, Dr. Tusa worked extensively with the Staff Senate, Faculty Congress, and other governance groups to address College issues; and

WHEREAS, Dr. Tusa assumed the leadership of the combined Office of Personnel and Office of Employee Relations as the first Director of Human Resources at the College; and oversaw the expansion of the Human Resources Office staff and structure as the College grew from 1000 to over 1400 full-time positions; and

WHEREAS, under his leadership, the Office of Human Resources conducted and implemented a major position classification study; and

WHEREAS, Dr. Tusa implemented the first Human Resource Information System, the first module of the SCT Banner information system introduced at the College; and

WHEREAS, in recent years he developed policies and procedures covering controversial and complicated topics such as intellectual property and appropriate use of College assets; and

WHEREAS, Dr. Tusa reviewed and recommended action in difficult personnel appeals and grievance actions; and

WHEREAS, he received Outstanding Service Awards in 1995 and 1998; and

WHEREAS, Dr. Tusa remained current in his field through professional development and shared his extensive knowledge and experience with professional organizations and the College staff throughout his career; and

WHEREAS, he is respected and admired by his colleagues for his loyalty and commitment to the institution and for his extensive and dedicated service to the College in multiple roles; 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/emerita with appropriate title, subject to approval of the Board of Trustees"; and

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

WHEREAS, the Chief Policy, Planning, and Research Officer, the Executive Vice President for Administrative and Fiscal Services, and the President of the College recommend this public recognition of Dr. Frank Tusa on the occasion of his retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Dr. Frank Tusa 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. Frank Tusa be awarded the Silver Medallion in recognition of his outstanding service to the College and community, and as an expression of gratitude of the College for his dedication and professional commitment to the College; and be it further

Resolved, That Dr. Frank Tusa is granted the status of Director of Policy Development 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 be presented to Dr. Frank Tusa.

CRN:abg

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

Agenda Item Number: _____

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: **05-49**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

Subject: Personnel Actions Confirmation

WHEREAS, by State Law the Board of Trustees has the authority and responsibility for appointments to the College; and
HEREAS, the attached summary indicates related personnel actions taken by the College during the period from and including May 1, 2005, to May 31, 2005; 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.

Attachment

CRN:abg

MONTGOMERY COLLEGE

SUMMARY OF PERSONNEL ACTIONS
From and Including May 1, 2005, to and Including May 31, 2005

STAFF

STAFF EMPLOYMENTS

Effective Date	Name	Position Title	Grade	Location
5/16/05	Ambawala, Zainab H	Instructional Asst/PT	G	Student Development GT
5/16/05	Baiza Vasquez, Alfides	Blg Service Worker	A	Facilities Maintenance RV
5/02/05	Beldina, Craig A	Property Control Supervisor	G	Procurement Receiving Store RV
5/16/05	Corvera, Nestor A	Safety & Security Officer	E	Facilities Security RV
5/02/05	Ellison, John W	Blg Service Worker Lead	D	Facilities Maintenance GT
5/16/05	Greenfield, Steven R	WD & CE Prog Dir	J	WD & CE
5/31/05	Makris, Antoinette P	Safety & Security Officer	E	Facilities Security GT
5/02/05	Marks, Roger A	Instructional Lab Coord	I	Visual Comm Technology RV
5/16/05	Mossavari, Nima	Safety & Security Officer	E	Facilities Security RV
5/16/05	Pavlov, Michael V	Safety & Security Officer	E	Facilities Security RV
5/16/05	Sears, David M	Vice Pres Of Inst Advancement	R	Institutional Advancement
5/23/05	Stewart, Brad J	Vice President and Provost	R	Provost TP
5/16/05	Tucker, Bridget S	Library Assistant	F	IT Learning Center Library GT

STAFF SEPARATIONS

5/20/05	Berry, Robert C	Library Assistant 10 Mos/PT	F	IT Learning Center Library RV
5/15/05	Case, Lloyd A ¹	Dir of IT Planning & Resources	P	Office of Info Tech
5/31/05	Kashanipour, Yassaman	Admin Aide	F	Biology RV
5/20/05	Privitera, Linda M ¹	Admin Aide	F	Health Sciences
5/20/05	Santiago, Silvia	Librarian - 10 Mos PT	K	IT Learning Center Admin RV
5/27/05	Tercijonas, Alice ¹	Admin Aide PT	F	Business/Science/Math/Tech GT

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	0	2	0	1	0	3
Male	5	2	3	0	0	10
TOTAL	5	4	3	1	0	13

STAFF SEPARATIONS: Ethnicity and Gender

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

¹ Retirement

FACULTY

FACULTY EMPLOYMENTS: None

Effective Date	Name	Position Title	Location
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FACULTY SEPARATIONS

5/20/05	Anderson, Jane J ¹	Professor	History/Political Science RV
5/20/05	Anderson, William H ¹	Professor	Business & Econ RV
5/20/05	Baick, Brian S	Instructor	Business & Econ RV
5/20/05	Bernier, Sharon L ¹	Professor - Non-Barg	Health Sciences TP
5/20/05	Bichy, Thomas ¹	Professor - Non-Barg	Health/Exercise/PE RV
5/20/05	Bobys, Richard S	Professor	Sociol/Anthr/Crim Justice RV
5/20/05	Butler, Barbara M	Associate Professor	Nat/App'l Sci,Bus/Mgt,Info Sci TP
5/20/05	Butler, Edward T ¹	Professor	Business/Science/Math/Tech GT
5/20/05	Cowansage, Melissa	Associate Professor	Arts/Humanities/SocialSciences TP
5/20/05	Hawthorne, Ophelia A	Assistant Professor	Nat/App'l Sci,Bus/Mgt,Info Sci TP
5/21/05	Kauppi, Robert ¹	Professor - N/T	Student Development RV
5/21/05	Klevan, Carla R ¹	Professor	Arts/Humanities/SocialSciences TP
5/20/05	Lindberg, James T ¹	Professor	Sociol/Anthr/Crim Justice RV
5/20/05	Mahaney, Ralph E	Professor	Nat/App'l Sci,Bus/Mgt,Info Sci TP
5/20/05	Mayes, Virginia L ¹	Associate Professor	Business/Science/Math/Tech GT
5/20/05	Miller, Jan p	Professor	Arts/Humanities/SocialSciences TP
5/21/05	Nebeker-Monch, Melia L	Instructor	English/Lit/Prof Writing RV
5/20/05	New, Rowland I ¹	Professor - N/T	Student Development RV
5/20/05	Otto, Ruth D ¹	Professor	Arts/Humanities/SocialSciences TP
5/20/05	Patterson, Patricia M	Associate Professor	Health Sciences TP
5/20/05	Pemmarazu, Radhakrishna M	Associate Professor	Business & Econ RV
5/21/05	Sanders-Edwards, Renee S	Associate Professor – N/T	Student Development TP
5/20/05	Smith, Sean M	Assistant Professor	Humanities/Soc Sci/Educ GT
5/21/05	Sorto, Maria A	Assistant Professor	Math RV
5/21/05	Switlick, Dian M	Professor	Education RV
5/21/05	Tcherkassky, Pamela R	Assistant Professor	English/Lit/Prof Writing RV
5/20/05	Van der Slice, Paul ¹	Professor	History/Political Science RV

FACULTY SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	8	5	1	0	0	14
Male	11	0	0	2	0	13
TOTAL	19	5	1	2	0	27

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

Agenda Item Number: _____
June 20, 2005

**AWARD OF CONTRACT, COLLEGEWIDE FOOD, CATERING, AND VENDING SERVICE
OPERATIONS, BID NO. 505-009**

BACKGROUND

The Director of Auxiliary Services has requested a contract for food, catering, and vendor services on all three campuses. The Board of Trustees approved a contract award for food and vending service operations at its meeting of June 24, 1990. The current contract with Compass Group will expire on June 30, 2005. The College continues to desire a partnership with a food service provider to operate food service facilities at the three campuses as well as catering services and vending (free standing snack services). In consideration for these operation rights, the food service company will pay the College a commission on net sales.

Under the current food service and catering provisions, the College receives 2% of net sales (gross sales less taxes) for food service and 27% combined for vending. In Fiscal Year 2004, the College received \$19,764 in food service commissions and \$153,404 in vending commissions.

On February 15, 2005, a Request for Proposals (RFP) was issued, and four responses, including three no bids, were received on March 16, 2005. An evaluation committee consisting of Auxiliary Services staff reviewed and evaluated the sole proposal received. Finding the proposal responsive to the RFP, the College negotiated a contract that would provide the greatest financial return to the College. Compass Group, Charlotte, North Carolina, has proposed to pay the College 2% of net sales (gross sales less taxes) for food service and catering, 26.5% of vended snacks and coffee service, and 34.1% of vended bottled beverages. Based on historical sales, it is anticipated that revenue to the College would be an annual total of \$174,000 or essentially the same as in the previous agreement. Compass Group is the incumbent vendor and has performed satisfactorily. As part of the Compass Group conglomerate, food and catering services are provided by Chartwells, Rye Brook, New York, and vending services are provided by Canteen, Suitland, Maryland.

RECOMMENDATION

It is recommended that the Board of Trustees award a contract for food, catering, and vending services to Compass Group, Charlotte, North Carolina, for a five-year term beginning July 1, 2005, for an annual estimated total contribution to the College of \$174,000. It is further recommended that the contract be renewed for one additional five-year term under the same terms and conditions, provided services and contributions to the College are satisfactory.

BACK-UP INFORMATION

Board Resolution
Bid Summary
Bidders List

RESOURCE PERSONS

Ms. Carey-Fletcher	Mr. Sorrell
Mr. Moore	Ms. Wormack

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

Resolution Number: **05-50**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Award of Contract, Collegewide Food, Catering
and Vendor Service Operations, Bid No. 505-009**

WHEREAS, the Director of Auxiliary Services has requested a contract for food, catering, and vendor services on all three campuses through agreement with a food service provider while the College optimizes a financial return in the form of commissions on net sales; and

WHEREAS, offering food, catering, and vending services provides a convenience to the students and contributes to their overall College campus experience; and

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

WHEREAS, pursuant to Md. (Educ.) Code Ann. Sec. 16-311(c), a Request for Proposals was publicly advertised in a County newspaper on February 15, 2005, and posted to College, County, and State procurement websites; mailed to seven vendors and downloaded from the Internet by sixteen vendors; a pre-bid conference was held on February 24, 2005, attended by two vendors. Four responses, including three no bids, were received, publicly opened, read aloud, and recorded, beginning at 3:00 p.m. on March 16, 2005; and

WHEREAS, upon evaluation, it was determined that the proposal submitted by Compass Group, Charlotte, North Carolina, is responsible and through negotiations has offered the College a financial return to the College; and

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

Resolved, That a contract be awarded for food, catering, and vending services to Compass Group, Charlotte, North Carolina, for a five-year term beginning July 1, 2005, for an annual estimated total contribution to the College of \$174,000; and be it further

Resolved, That the contract be renewed for one additional five-year term under the same terms and conditions, provided services and contributions to the College are satisfactory.

CRN:abg

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

Agenda Item Number: _____
June 20, 2005

AWARD OF CONTRACT, EXCLUSIVE BEVERAGE POURING RIGHTS, BID NO. 505-010

BACKGROUND

The Board of Trustees approved a contract for exclusive pouring rights to The Pepsi Bottling Group at its meeting of October 18, 1999. The current exclusive pouring rights contract expires on June 30, 2005. The College continues to desire a partnership with a soft drink company as the exclusive provider of beverages for the three campuses and off-site locations owned or leased by the College. In consideration for exclusive pouring rights at the College, the vendor would provide additional monetary and philanthropic considerations for guaranteed minimum commissions, support of College athletic endeavors, performing and fine arts programs, and scholarships.

On February 15, 2005, a Request for Proposals was issued and two responses were received. An evaluation committee consisting of Auxiliary Services staff evaluated, rated, and ranked the proposals. Based on their evaluation and the financial considerations proposed to the College, the Director of Auxiliary Services has recommended that a contract be awarded to The Pepsi Bottling Group, Baltimore, Maryland.

The Pepsi Bottling Group proposed contributions totaling \$750,000 over the five-year contract term. The total contribution over the five-year term includes \$125,000 in guaranteed commissions; \$490,000 to athletics, performing and fine arts, commencement webcast support, and scholarship programs; and an estimated \$135,000 for in-kind donations of marketing and promotional support to the College and products for College events. In addition, Pepsi has pledged a one-time contribution of \$75,000 for equipment upgrades and replacements during the first year of the agreement.

RECOMMENDATION

It is recommended that the Board of Trustees award a contract for exclusive beverage pouring rights to The Pepsi Bottling Group, Baltimore, Maryland, for a five-year term beginning July 1, 2005, for an estimated total contribution of \$750,000 including cash and donations. It is further recommended that the contract be renewed for one additional five-year term, under the same terms and conditions, provided services and contributions to the College are satisfactory.

BACK-UP INFORMATION

Board Resolution
Bid Summary
Bidders List

RESOURCE PERSONS

Ms. Carey-Fletcher	Mr. Sorrell
Mr. Moore	Ms. Wormack

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

Resolution Number: **05-51**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Award of Contract, Exclusive Beverage
Pouring Rights, Bid No. 505-010**

WHEREAS, the Director of Auxiliary Services has requested a contract to enter into a partnership with a soft drink company for exclusive pouring rights to supply beverages while the College optimizes a financial return in the form of additional commissions, support of athletic endeavors, performing and fine arts programs, and scholarships; and

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

WHEREAS, pursuant to Md. (Educ.) Code Ann. Sec. 16-311(c), a Request for Proposals was publicly advertised in a County newspaper on February 15, 2005, and posted to College, County, and State procurement websites; mailed to two vendors and downloaded from the Internet by eleven vendors; a pre-proposal conference was held on February 24, 2005, attended by two vendors. Two responses were received, publicly opened, read aloud, and recorded, beginning at 3:00 p.m. on March 16, 2005; and

WHEREAS, upon evaluation it was determined that the proposal submitted by The Pepsi Bottling Group, Baltimore, Maryland, was the highest evaluated offer for exclusive beverage pouring rights offering the maximum financial return to the College; and

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

Resolved, That a contract be awarded for exclusive beverage pouring rights to The Pepsi Bottling Group, Baltimore, Maryland, beginning July 1, 2005, for an estimated total contribution to the College of \$750,000 including cash and donations; and be it further

Resolved, That the contract be renewed for one additional five-year term under the same terms and conditions, provided services and contributions to the College are satisfactory.

CRN:abg

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

Agenda Item Number: _____

**AWARD OF CONTRACT, OFFICE SUPPLIES AND DESKTOP DELIVERY SERVICES,
BID NO. 505-017**

BACKGROUND

The Procurement Director has requested a contract award for the purchase of office supplies for instructional and administrative use. The current contract expires June 30, 2005. E-commerce has revolutionized the office supply industry, and more office supply sales are being transacted online. To meet demands and streamline processes for ordering and receiving office supplies, the College issued a bid that would allow users to order office supplies via the Web and receive orders directly at their desktops. Empowering end-users to make low-dollar, high-volume purchases online improves operational efficiency and reduces the transactional costs of purchasing office supplies and related resources.

Thirty-four vendors received the bid and six responses were received including one no bid. Staff evaluated the bids received to determine the best value offer at the lowest price to the College. After evaluation it was determined that Rudolph's Office & Computer Supply, Inc., Baltimore, Maryland, offered the best value for the lowest responsible price. The annual estimated value is \$900,000 depending upon continued enrollment increases, expansion of College facilities, and increases in staffing. Affirmative references were received from Anne Arundel Community College, the City of Baltimore, and Prince George's County Government.

RECOMMENDATIONS

It is recommended that the Board of Trustees award a contract for the purchase of office supplies for instructional and administrative use to Rudolph's Office & Computer Supply, Inc., Baltimore, Maryland, for a five-year term beginning July 1, 2005, for a total annual estimated amount of \$900,000, depending upon usage. It is further recommended that the contract be renewed for five one-year terms, at the sole option of the College, under the same terms and conditions, if service is satisfactory, funds are available, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolution
Bid Summary
Bidders List

RESOURCE PERSONS

Mr. Moore
Ms. Wormack

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

Resolution Number: **05-52**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Award of Contract, Office Supplies and
Desktop Delivery Services, Bid No. 505-017**

WHEREAS, the Director of Procurement has requested a contract award for the purchase of office supplies to support the instructional and administrative needs in the College; and

WHEREAS, the Director of Procurement certifies that specifications were developed by appropriate College staff, and the Chief Business Officer certifies that funds have been requested in the FY2006 Operating Budget; and

WHEREAS, pursuant to Md. (Educ.) Code Annotated Section, 16-311(c), an invitation to bid was publicly advertised in a County newspaper on April 12, 2005, and posted to College, County, and State procurement websites; mailed to six vendors and downloaded from the Internet by 28 vendors; a pre-bid conference was held on April 21, 2005, and attended by eight vendors; six responses were received, including one no bid, publicly opened, read aloud, and recorded, beginning at 3:00 p.m. on April 29, 2005; and

WHEREAS, upon evaluation by College staff, it was determined that the bid submitted by Rudolph's Office & Computer Supply, Inc., Baltimore, Maryland, offered the best value; and

WHEREAS, the recommended vendor meets all College requirements and is therefore the lowest responsible bidder; and

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

Resolved, That a contract be awarded to Rudolph's Office & Computer Supply, Inc., Baltimore, Maryland, for the purchase of office supplies and desktop delivery services to support instructional and administrative needs, beginning July 1, 2005, for a five-year term, for a total annual estimated amount of \$900,000 depending upon usage; and be it further

Resolved, That the contract may be renewed for five one-year terms, at the sole option of the College, under the same terms and conditions, if service is satisfactory, funds are available, and it is in the best interest of the College.

CRN:abg

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

Agenda Item Number: _____

**AWARD OF CONTRACT, LEASE-PURCHASE OF DIGITAL BOOKMARK COPIERS
FOR USE BY LIBRARY PATRONS, BID NO. 505-020**

BACKGROUND

The Director of Auxiliary Services has requested the lease-purchase of digital bookmark copiers/printers for the library at each campus. These copiers are coin-operated machines used by patrons visiting the libraries and will replace machines purchased in 1997. The College required that the copiers have the ability to accommodate book copying to save wear and tear on the collections. In addition to accepting both bills and coins for the convenience of the patrons, all machines can be configured to accept swipe cards in the future. The copier specified is used by the Montgomery County, Fairfax County, and District of Columbia public libraries.

A bid was issued and 29 vendors received the bid. Six responses were received on May 17, 2005, including one no bid. Two bids were deemed nonresponsive since their products did not meet College requirements. Xerox Corporation offered the lowest price totaling \$116,012 including trade-in and is therefore the lowest responsible bidder meeting specifications. Affirmative references were received, and the vendor has performed satisfactory services in the past.

RECOMMENDATION

It is recommended that the Board of Trustees award a contract for the lease-purchase of digital bookmark copiers/printers for use by library patrons to Xerox Corporation, McLean, Virginia, for a five-year term, beginning July 1, 2005, for a low bid price of \$116,012 or an annual cost of \$23,024 including the trade-in value.

BACK-UP INFORMATION

Board Resolution
Bid Summary
Bidders List

RESOURCE PERSONS

Ms. Carey-Fletcher
Mr. Moore
Mr. Sorrell
Ms. Wormack

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

Resolution Number: **05-53**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Award of Contract, Lease-Purchase of Digital Bookmark
Copiers for Use by Library Patrons, Bid No. 505-020**

WHEREAS, the Director of Auxiliary Services has requested a contract award for the lease-purchase of digital bookmark copiers/printers for use by library patrons at the three campuses; and

WHEREAS, the Director of Procurement certifies that specifications were developed by appropriate College staff, and the Chief Business Officer certifies that funds have been requested in the FY2006 Auxiliary Services Budget; and

WHEREAS, pursuant to Md. (Educ.) Code Annotated Section, 16-311(c), an invitation to bid was publicly advertised in a County newspaper on April 22, 2005, and posted to College, County, and State procurement websites; mailed to seven vendors and downloaded from the Internet by 22 vendors; six responses were received, including one no bid and two deemed nonresponsive, publicly opened, read aloud, and recorded, beginning at 3:00 p.m. on May 17, 2005; and

WHEREAS, upon evaluation by College staff, it was determined that the bid submitted by Xerox Corporation, McLean, Virginia, meets all College requirements and is therefore the lowest responsible bidder; and

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

Resolved, That a contract be awarded to Xerox Corporation, McLean, Virginia, for the lease-purchase of digital bookmark copiers/printers for use by library patrons, for the low bid price of \$116,012 for a five-year term beginning July 1, 2005.

CRN:abg

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

Agenda Item Number: _____

**SOLE SOURCE AWARD OF CONTRACT, ONLINE AUTOMATED LIBRARY SYSTEM
MAINTENANCE SERVICES**

BACKGROUND

In 1998 the Board of Trustees approved an award of contract for the purchase and installation of, and maintenance and services for, an online automated library system to Endeavor Information Systems, Inc. This system supports the online library cataloguing system and is compatible with Banner, the College's integrated information technology system. The Chief Information Officer has requested renewal of the maintenance contract, which expired in May 2005.

Staff has determined that no other vendor can provide maintenance services since no other vendor can support the Endeavor Information product due to its proprietary nature. Staff will continue to conduct an annual comprehensive evaluation and assessment of the product and the contractor's services to ensure that College needs are being met satisfactorily. The total annual maintenance cost is \$57,000.

RECOMMENDATION

It is recommended that the Board of Trustees award a contract for maintenance services for the online automated library system to Endeavor Information Systems, Inc., Carol Stream, Illinois, for an annual estimated amount of \$57,000. It is further recommended that the contract be renewed for as long as needed under the same terms and conditions, provided funding is available, service is satisfactory, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Bojonny
Mr. Leurig
Mr. Moore
Ms. Wormack

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

Resolution Number: **05-54**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Sole Source Award of Contract, Online
Automated Library System Maintenance Services**

WHEREAS, the Board of Trustees approved an award of contract for the purchase, installation, training, consulting, and maintenance for an automated library system known as Voyager for compatibility with the Banner integrated information system in 1998; and

WHEREAS, the Chief Information Officer has requested a contract award for continued maintenance services for the automated library system, on a sole source basis, since the contract for maintenance expired in May 2005; and

WHEREAS, the Director of Procurement affirms that the sole source request is justified since no other vendor can maintain the automated library system due to the system's proprietary nature and no other product will meet College needs; and the Chief Business Officer certifies that funds are available in the FY2005 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 for maintenance services for the automated library system to Endeavor Information Systems, Inc., Carol Stream, Illinois, on a sole source basis, for an annual estimated amount of \$57,000; and be it further

Resolved, That the contract be renewed for as long as the service is necessary under the same terms and conditions, service is satisfactory, funds are available, and it is in the best interest of the College.

CRN:abg

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

Agenda Item Number: _____

**SOLE SOURCE AWARD OF CONTRACT, WEB-BASED SELF-SERVICE
ASSESSMENT SCHEDULING SOFTWARE AND SERVICES**

BACKGROUND

The Instructional Dean, Business, Management and Information Sciences, Rockville Campus, has requested a contract award for the purchase, installation, maintenance, and services of a Web-based self-service assessment scheduling software, on a sole source basis. The College Assessment Center has been using proprietary software named Exam Tracker since 1999 to conduct assessment test scheduling for students. The application, which was originally designed six years ago, is no longer robust and flexible enough to accommodate the increasing student enrollment and the needs of the "Internet generation." Currently, students and faculty have to schedule test appointments with the campus Assessment Centers either in person or via the telephone. The information is then manually entered into a database. There is a lack of consistent tracking mechanism used by the Centers on the three campuses. Counseling departments are using a paper-and-pencil method for scheduling. A systematic approach to assess our resource usage would be a more efficient and cost effective method to schedule students.

The College desires to improve student services by providing a 24x7 self-service scheduling functionality via the Web. The Web-based self-service scheduling application would include assessment test, academic test, and counseling session scheduling. Students will not be required to come on campus for scheduling, and the volume of manual processing by the Centers' staff will be reduced. A collegewide application will enhance the consistency of the procedures provided by the Centers across the campuses and will also capture support data to track resource usage and assess operational efficiency. College staff conducted a feasibility study to determine whether in-house development, off-the-shelf products, or proprietary development would meet College requirements. Results indicated that it is most economical and efficient to have this functionality developed by the same vendor who developed the current application used by the three campus Assessment Centers, Ameri-Tech Concepts, Inc., Springfield, Virginia. Due to its proprietary nature no other vendor can provide the software, and its Web-based self-service assessment and scheduling services meet College requirements. The total price for the purchase, installation, maintenance, and services is \$40,000. Ameri-Tech Concepts has performed satisfactory services in the past.

RECOMMENDATION

It is recommended that the Board of Trustees approve an award of contract for the purchase, installation, maintenance and services of a Web-based self-service assessment scheduling software to Ameri-Tech Concepts, Inc., Springfield, Virginia, for a total price of \$40,000. It is further recommended that a contract for maintenance be renewed for as long as the service is necessary, under the same terms and conditions, service is satisfactory, funds are available, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS: Mr. Moore Mr. Sorrell Ms. Weesman Wormack

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

Resolution Number: **05-55**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Sole Source Award of Contract, Web-based
Self-Service Assessment Scheduling Software and Services**

WHEREAS, the Instructional Dean, Business, Management and Information Sciences, Rockville Campus, has requested a contract award for the purchase, installation, maintenance, and services for a Web-based self-service assessment scheduling software product for students, on a sole source basis; and

WHEREAS, the College desires to improve student services by providing a 24x7 self-service scheduling functionality via the Web and to use a more systematic, efficient, and cost-effective approach to assess resource usage to schedule students utilizing Exam Tracker software; and

WHEREAS, the Director of Procurement affirms that the sole source request is justified since no other vendor offers the Web-based self-service assessment scheduling software due to its proprietary nature and no other product will meet College needs; and the Chief Business Officer certifies that funds are available in the FY2005 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 for the purchase, installation, maintenance, and services for a Web-based self-service assessment scheduling software to Ameri-Tech Concepts, Inc., Springfield, Virginia, on a sole source basis, for a total price of \$40,000; and be it further

Resolved, That the contract for maintenance be renewed for as long as the service is necessary under the same terms and conditions, service is satisfactory, funds are available, and it is in the best interest of the College.

CRN:abg

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

Agenda Item Number: _____

**SOLE SOURCE AWARD OF CONTRACT, PROJECT OFFICE SOFTWARE,
TRAINING AND CONSULTING SERVICES**

BACKGROUND

The Chief Information Officer has requested a contract for managing, tracking, and coordinating College information technology projects, on a sole source basis. The Office of Information Technology currently manages over 400 active projects. The work of managing the progress and schedules of the various efforts is extensive and currently managed manually. With the advances in technology, tracking and coordination can now be done through software.

To better meet the College's needs, staff researched products to ensure compatibility with Microsoft's file structure within an educational environment, the ability to automate the collection of project time, overall project reporting capability, and "top down" planning support. Staff determined that purchasing the upgraded Project Office software from Pacific Edge Software would be in the best interest of the College. The Board of Trustees had previously approved the purchase of Project Office software in 1999. No other vendor meets College needs, and no other vendor distributes this product due to its propriety nature. The total price for the purchase, installation, training, and consulting services is \$32,000. Pacific Edge Software, Inc. has performed satisfactory services in the past.

RECOMMENDATIONS

It is recommended that the Board of Trustees award a contract for the purchase of Project Office software, training, and consulting services to Pacific Edge Software, Bellevue, Washington, on a sole source basis, for a total price of \$32,000. It is further recommended that the contract be renewed as long as the service is needed, under the same terms and conditions, provided funding is available, service is satisfactory, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Leurig
Mr. Moore
Mr. Sorrell
Ms. Wormack

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

Resolution Number: **05-56**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Sole Source Award of Contract, Project
Office Software, Training and Consulting Services**

WHEREAS, the Chief Information Officer has requested a contract award for Project Office software, training, and consulting services to manage, track, and coordinate College information technology projects, on a sole source basis; and

WHEREAS, the Director of Procurement affirms that the sole source request is justified since no other vendor can provide this software product due to its proprietary nature and no other product will meet College needs; and the Chief Business Officer certifies that funds are available in the FY2005 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 for the purchase of Project Office software, training, and consulting services to Pacific Edge Software, Bellevue, Washington, on a sole source basis for a total price of \$32,000; and be it further

Resolved, That the contract be renewed for as long as the service is necessary, under the same terms and conditions, service is satisfactory, funds are available, and it is in the best interest of the College.

CRN:abg

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

Agenda Item Number: _____

SOLE SOURCE AWARD OF CONTRACT, TECHNOLOGY AVAILABILITY SERVICES

BACKGROUND

The Chief Information Officer has requested a contract for integrated risk management and incident response services into the College information availability plans. Increasingly, the College must respond to and improve incident management planning to support consistent response and decision-making for any event of College integrated systems. Technology availability service plans assist the College Information Technology staff to outline decisions and actions that should be performed to prevent or respond to a situation that disrupts normal business processes. The plan creates flexible strategies and actions for a range of scenarios—from short-term outages to full-blown disasters. The availability plans have clear action steps, including check-lists of required activities, explanation of roles, and definition of resources. The result of the technology availability plan service is a fully documented and validated plan for responding to a broad spectrum of events, both anticipated and unforeseen.

Staff reviewed information availability services sources to determine the most appropriate strategy for managing information and availability services. Staff has determined that the Technology Availability Plan offered by SunGard Services best meets College requirements. SunGard's Availability Services program is a one-stop source that integrates risk management and incident response for the College's information availability plans; delivers solutions to support information availability; and provides a secure, reliable environment to host mission-critical systems and applications. No other vendor meets College needs and offers an integrated, one-stop source for ensuring College information technology systems' uninterrupted access to mission-critical data and systems. The total price for the SunGard availability services plan is \$39,000. SunGard has performed satisfactory services for the College in the past and also provides these and similar services to Montgomery County and Montgomery County Public Schools.

RECOMMENDATION

It is recommended that the Board of Trustees approve an award of contract for the purchase of technology availability plan services to SunGard, Inc., Wayne, Pennsylvania, on a sole source basis, for a total price of \$39,000.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Leurig
Mr. Moore
Mr. Sorrell
Ms. Wormack

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

Resolution Number: **05-57**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Sole Source Award of Contract,
Technology Availability Services**

WHEREAS, the Chief Information Officer has requested a contract award for technology availability services to assist the College in decisions and actions to prevent or respond to a situation that disrupts normal business processes, on a sole source basis; and

WHEREAS, the Director of Procurement affirms that the sole source request is justified since no other vendor offers an integrated, one-stop source for ensuring College information technology systems' uninterrupted access to mission-critical data and systems and no other product will meet College needs; and the Chief Business Officer certifies that funds are available in the FY2005 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 for technology availability services to SunGard, Inc., Wayne, Pennsylvania, on a sole source basis, for a total price of \$39,000.

CRN:abg

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

Agenda Item Number: _____

**SOLE SOURCE AWARD OF CONTRACT, WEB-BASED COMPUTER-ASSISTED NURSING
INSTRUCTION PROGRAM SOFTWARE AND SERVICES**

BACKGROUND

The Instructional Dean, Health Sciences, Takoma Park Campus, has requested the purchase of a web-based computer-assisted instruction program for the Nursing Program, on a sole source basis. The Nursing Program is facing many challenges: teaching more in less time; preparing an increasingly diverse mix of nursing students with varying backgrounds and skills to meet the challenges of the healthcare industry; using increasingly complex technology; and maintaining a rigorous curriculum approved by the Maryland Board of Nursing and accredited by the National League for Nursing Accrediting Commission. One of the latest challenges faced by the program is the new National Council Licensure Examination RN Test Plan (NCLEX-RN), which has undergone recent changes and raised its passing standard. The NCLEX-RN tests the entry-level nursing competence of candidates for licensure as registered nurses. The College's Nursing Program is seeking ways to ensure that upon graduation more students will be successful on the first attempt at passing their NCLEX-RN. After conducting extensive research, College staff determined that maintaining the current curriculum and purchasing a web-based computer-assisted instruction program would best meet the needs of the program.

Staff determined that products offered by Medical Education Development Services, Inc. (doing business as MEDS Publishing) with its proven systematic methodology for increasing graduation rates would meet College requirements without having to modify the curriculum. MEDS Publishing has provided nursing education and NCLEX-RN test preparation products and services since 1982. MEDS Publishing offers an educational tutorial program that is used to reinforce nursing knowledge through real-life applications and is used in conjunction with classroom studies. The MEDS program can be integrated into the current College curriculum (other programs researched would have required modifications to the College's nursing curriculum); specializes in developing critical thinking skills; and provides the College with needed support to improve program outcomes, e.g., course retention and NCLEX pass rates. MEDS Publishing also provides a review session (online and video) to graduating students who are preparing for the NCLEX. The MEDS Publishing products are proprietary since MEDS is the developer and sole distributor of the software. The total license price for a two-year term is a not to exceed amount of \$100,000 or \$75 per student/semester, including product, installation, and support services. Wor-Wic Community College, Prince George's Community College, and Salisbury State University use these products and services for their programs. Affirmative references were received from those institutions about this product.

RECOMMENDATIONS

It is recommended that the Board of Trustees award a contract for a web-based computer-assisted instruction program and services to Medical Education Development Services, Inc. (doing business as MEDS Publishing), Laurel, Maryland, for a two-year term, beginning August 1, 2005, for a total not to exceed amount of \$100,000. It is further recommended that the contract be renewed for as long as the service is needed, under the same terms and conditions, provided funding is available, service is satisfactory, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS: Mr. Moore Dean Pickwick Mr. Sorrell Ms. Wormack

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

Resolution Number: **05-58**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Sole Source Award of Contract, Web-Based
Computer-Assisted Nursing Instruction Program
Software and Services**

WHEREAS, the Instructional Dean, Health Sciences, Takoma Park Campus, has requested the purchase of a web-based computer-assisted instruction program and services for the Nursing Program to meet the student and curricular needs of the program, on a sole source basis; and

WHEREAS, the Director of Procurement affirms that the sole source request is justified since no other vendor offers this web-based computer-assisted nursing instruction program due to its proprietary nature, and no other product will meet College needs; and the Chief Business Officer certifies that funds are available in the FY2005 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 for the purchase of a web-based computer-assisted nursing instruction program software and services to Medical Education Development Services, Inc. (doing business as MEDS Publishing), Laurel, Maryland, on a sole source basis, for a two-year term beginning August 1, 2005, for a total not to exceed amount of \$100,000; and be it further

Resolved, That the contract be renewed for as long as the service is necessary, under the same terms and conditions, provided service is satisfactory, funds are available, and it is in the best interest of the College.

CRN:abg

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

Agenda Item Number: _____

**EMERGENCY SOLE SOURCE CONTRACT AWARD
ROCKVILLE CAMPUS ELEVATOR REPAIRS FOR
CAMPUS CENTER, PHYSICAL EDUCATION, AND HUMANITIES BUILDINGS**

BACKGROUND

In April, the College was notified by the State of Maryland that the hydraulic lift systems that operate the Campus Center, Physical Education, and Humanities Buildings' elevators were cited by the State of Maryland elevator inspector as not being in compliance with current code and safety requirements. The State is requiring that hydraulic lift systems installed prior to 1971 be replaced with ones with additional safety features. In May, the College discussed this with the appropriate State agency because we had planned to begin a phased renovation of College elevators in FY 2006. While these particular elevators have been upgraded over the years and are covered by annual maintenance contracts, none have had their lift systems replaced. The State was insistent that these elevators be dealt with now rather than later because the failure of a hydraulic system could result in an elevator dropping unabated to the lowest level and could lead to serious injury should the failure occur while the elevator is occupied. The three elevators are the only ones serving these buildings and the work should be done immediately in order to be completed before the start of fall classes when the student population dramatically increases.

Since time is of the essence, the College requested a proposal for this emergency work from Barbee Curran Elevator Company, Inc., the firm that has the elevator maintenance contract for the Rockville Campus. Barbee Curran is the only firm that can do the work within the College's time frame because they already have the elevator plans/specifications as a part of the maintenance contract and they can quickly specify materials, place the orders, and perform the repairs. The entire process should take 6 weeks. The cost of this work is \$76,830. Emergency procurements over \$25,000 require Board of Trustees approval. The source of funds for this work is the FY2005 Emergency Plant Maintenance and Repair Fund.

RECOMMENDATIONS

It is recommended that the Board of Trustees authorize a sole source contract award of \$76,830, on an emergency basis, to Barbee Curran Elevator Company, Inc., Rockville, Maryland, for repairs to the Campus Center, Physical Education, and Humanities Buildings elevators on the Rockville Campus.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Capp
Mr. Moore
Ms. Wormack

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

Resolution Number: **05-59**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Emergency Sole Source Contract Award,
Rockville Campus Elevator Repairs for Campus
Center, Physical Education, and Humanities Buildings**

WHEREAS, the Chief Facilities Officer has requested a sole source contract on an emergency basis for repairs to three elevators on the Rockville Campus which were cited by the State in May for non-compliance with current codes and safety requirements for hydraulic systems manufactured prior to 1971; and

WHEREAS, the Chief Facilities Officer and the Director of Procurement affirm that an emergency exists in that the State requires immediate replacement of the hydraulic systems and the elevators must be operational prior to the start of fall semester classes because these are the only elevators in the Campus Center, Physical Education, and Humanities Buildings and are needed for access for individuals with mobility limitations; and

WHEREAS, Board policy permits the formal bidding process to be dispensed with in the event of an emergency procurement; and

WHEREAS, Barbee Curran Elevator Company, Inc., the elevator maintenance contractor for the Rockville Campus, currently has a contract with the College for elevator maintenance and basic repairs, has detailed knowledge of and experience with these elevators, and is the only firm able to perform these major repairs on an expedited basis within the College's time frame; and

WHEREAS, the Chief Business Officer certifies that funds are available in the FY2005 Emergency Plant Maintenance and Repair Fund; and

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

Resolved, That a contract for providing all labor, equipment, and materials, on an emergency basis, for repairs to the Campus Center, Physical Education, and Humanities Buildings elevators at the Rockville Campus be awarded to Barbee Curran, Elevator Company, Inc., Rockville, Maryland, at a cost of \$76,830.

CRN:abg

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

Agenda Item Number: _____

**APPROVAL OF CHANGE ORDER
CAMPUS CENTER MECHANICAL SYSTEMS MODERNIZATION
ROCKVILLE CAMPUS**

BACKGROUND

On May 21, 2004, the Board of Trustees awarded a contract to M&M Welding and Fabricators, Inc., Gaithersburg, Maryland, for \$1,320,000, for a Fire Alarm System Upgrade, Electrical, and Mechanical Systems Modernization for the Campus Center at the Rockville Campus. The work in Campus Center has been underway since last summer. Over the summer, classes were moved so that the more extensive work on the second floor could be accomplished. Since fall, the replacements and upgrades have been done while the building is occupied.

Several mechanical deficiencies were found upon demolition of the ceiling in the Central Receiving area on the ground floor of Campus Center. These include an inoperable ceiling-mounted air handling unit and HVAC piping in poor repair. This change order addresses the cost of correcting these deficiencies.

M&M Welding's price proposal for this change request totals \$79,045. The proposal is acceptable for the amount of work involved. No time extension is associated with this change order. Board of Trustees approval is required for all Capital Budget construction change orders over \$25,000. Sufficient funds are available in the Planned Life-Cycle Asset Replacement Project in the FY2005 Capital Budget for this work.

RECOMMENDATION

It is recommended that a change order for \$79,045 to M&M Welding and Fabricators, Inc., Gaithersburg, Maryland, be approved for mechanical systems modernization for the Campus Center at the Rockville Campus.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Capp
Mr. Moore

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

Resolution Number: **05-60**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Approval of Change Order for Campus Center
Mechanical Systems Modernization, Rockville Campus**

WHEREAS, on May 21, 2004, by Board Resolution #04-49, the Board of Trustees awarded a contract for \$1,320,000 for Fire Alarm System Upgrade, Electrical, and Mechanical Systems Modernization for the Campus Center at the Rockville Campus to M&M Welding and Fabricators, Inc., Gaithersburg, Maryland; and

WHEREAS, the College has identified the need for the purchase and installation of one air handling unit, one air curtain unit, an exhaust fan, controls, and other items to bring the building's infrastructure up to reliable standards; and

WHEREAS, M&M Welding submitted a change order proposal for the mechanical modifications to the Campus Center; and

WHEREAS, College staff have reviewed the submitted change order proposal; and

WHEREAS, the Chief Facilities Officer recommends approval of a change order totaling \$79,045, for the requested work; and

WHEREAS, the Chief Business Officer certifies that sufficient funds are available in the FY2005 Capital Budget for this change order; and

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

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

Resolved, That the Board of Trustees approve a change order to the contract with M&M Welding & Fabricators, Inc., Gaithersburg, Maryland, for the Campus Center Fire Alarm System Upgrade, Electrical, and Mechanical Systems Modernization in the amount of \$79,045; and be it further

Resolved, That the President is authorized to sign this change order with M&M Welding on behalf of the Board of Trustees.

CRN:abg

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

Agenda Item Number: _____

**APPROVAL OF CHANGE ORDER, HUMANITIES AND SOCIAL SCIENCES BUILDING
FIRE ALARM SYSTEM REPLACEMENT, GERMANTOWN CAMPUS**

BACKGROUND

On November 15, 2004, the Board of Trustees awarded a sole source contract to Valid Electric Company, Inc., Gaithersburg, Maryland, for an amount not-to-exceed \$200,000, for the installation of a fire alarm system, on an emergency basis, in the Humanities and Social Sciences Building on the Germantown Campus. The existing fire alarm system had failed, was not operable, and replacement parts were unavailable. The work is being done while the building is occupied and a visual fire watch program is in place.

The fire alarm system work has progressed satisfactorily, but installation of the devices and cabling require the removal of portions of the existing interlocking metal ceiling. This ceiling is nearly 30 years old, impossible to repair and must be replaced. This work necessitates adjusting the existing sprinkler system and modifying existing ductwork to conform to the new ceiling grid. Additionally, all existing sprinkler heads in the affected area (approximately 200) will be replaced to conform to a National Fire Protection Association guideline to replace sprinkler heads every 15 years. The current sprinkler system is 27 years old. The new ceiling will be a standard, suspended, drop-in tile ceiling. The cost of this portion of the work is \$243,076.

In addition to the ceiling work, College staff and engineering consultants are also recommending a lighting change to improve exit lighting and add fixtures. This work was recommended in the VFA building condition analysis and it makes sense to do the work at this time. This change includes replacing existing exterior mercury vapor egress lighting with fluorescent lighting and adding/replacing 93 exit lights and connecting 53 lights to the emergency generator system. The cost of this portion of the work is \$72,384.

While this work significantly expands the scope of the original contract award and was not envisioned in the original emergency fire alarm system replacement, it is covered in the scope of the Capital Budget Life Safety Systems project. Furthermore, because these are life safety improvements, the contractor is already mobilized on site, and the ceilings are open and accessible, it is more cost effective and efficient to do the work now rather than bid it separately at a later date. Valid's price proposal for these changes is \$315,460. This will increase the base contract from \$200,000 to \$515,460. The price for the additional work was reviewed by both the project engineer and College staff and found to be acceptable. Board of Trustees approval is required for all Capital Budget construction change orders over \$25,000. Sufficient funds are available in the Life Safety Systems Project in the FY2005 Capital Budget for this work.

RECOMMENDATION

It is recommended that a change order for \$315,460 to Valid Electric Company, Inc., Gaithersburg, Maryland, be approved for the replacement of metal ceiling systems, sprinkler heads and egress lighting in the Humanities & Social Sciences Building on the Germantown Campus as a part of the fire alarm system replacement project.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS: Mr. Capp Mr. Moore

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

Resolution Number: **05-61**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Approval of Change Order, Humanities and Social Sciences Building,
Fire Alarm System Replacement, Germantown Campus**

WHEREAS, on November 15, 2004, by Board Resolution #04-136, the Board of Trustees authorized a sole source contract not-to-exceed \$200,000 for the emergency replacement of the fire alarm system in the Humanities and Social Sciences Building at the Germantown Campus to Valid Electric Company, Inc., Gaithersburg, Maryland; and

WHEREAS, the College has identified the need to replace the existing metal ceiling system in certain areas of the building in order to complete the fire alarm system replacement and also to replace sprinkler heads in the affected area and replace exit/egress lighting to bring the building's infrastructure and safety systems up to reliable standards; and

WHEREAS, the need to replace the ceiling tile system, sprinkler heads and exit/egress lighting was not envisioned at the time that the existing fire alarm failed; but as life safety improvements, the work should be done as soon as possible; and

WHEREAS, at the College's request, Valid Electric submitted a change order proposal for this additional work in the Humanities & Social Sciences Building; and

WHEREAS, College staff and consultants have reviewed the change order proposal; and

WHEREAS, the Chief Facilities Officer recommends approval of a change order totaling \$243,076, for the requested work; and

WHEREAS, the Chief Business Officer certifies that sufficient funds are available in the FY2005 Capital Budget for this change order; and

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

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

Resolved, That the Board of Trustees approve a change order to the contract with Valid Electric Company, Inc., Gaithersburg, Maryland, for the replacement of the metal ceiling system, fire sprinkler heads, exit and egress lighting in certain areas of the Humanities and Social Sciences Building on the Germantown Campus as a part of the emergency fire alarm system replacement in the amount of \$315,460; and be it further

Resolved, That the President is authorized to sign this change order with Valid Electric on behalf of the Board of Trustees.

CRN:abg

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

Agenda Item Number: _____

FINAL ADOPTION OF THE FY2006 COLLEGE CAPITAL BUDGET

BACKGROUND

On May 26, 2005, the County Council amended the College's FY2005-2010 Capital Improvements Program (CIP) and approved the College's FY2006 Capital Budget by appropriating \$27,921,000 to fund 14 projects. The Council's approved budget (Council Resolution No. 15-1008) includes the following:

<u>Project</u>	<u>FY06 Request</u>	<u>Council Final Action</u>
ADA Compliance – College	\$ 50,000	\$ 50,000
Elevator Modernization – College	537,000	537,000
Energy Conservation – College	125,000	125,000
Facility Planning – College	200,000	200,000
Information Technology – College	7,000,000	7,000,000
Life Safety Systems – College	1,000,000	1,000,000
Planned Life-Cycle Asset Replacement–College	1,500,000	2,275,000
Planning, Design & Construction	1,116,000	1,116,000
Roof Replacement	548,000	548,000
Rockville Macklin Tower Alterations	1,040,000	1,040,000
Rockville Science Center	6,200,000	6,200,000
Takoma Park Campus Expansion	5,150,000	5,150,000
Takoma Park Campus Central Plant	2,080,000	2,080,000
Takoma Park Commons Renovation	1,018,000	600,000
TOTAL	<u>\$27,564,000</u>	<u>\$27,921,000</u>

With regard to changes to the FY2006 funding request, the County made two changes. The first is a reduction in the Takoma Park Commons Renovation request to match the State's phasing and recalculation of design funding into two fiscal years (50% in FY06 and 50% in FY07) and the second is an increase of \$775,000 in the Planned Life-Cycle Asset Replacement request. The latter change reflects the Council's priority to increase funding and address County-wide deferred maintenance issues at all agencies.

The approved FY2006 Capital Budget maintains the College's schedule for all major projects where FY2006 funds were requested, i.e., Rockville Science Center, Rockville Macklin Tower Alterations, Takoma Park Commons Renovation, and Takoma Park Campus Expansion/Central Plant projects. In addition, the pending FY2007 request for design funding remains on track for the Germantown Bioscience Education Center. Projects with no funding requests in FY2006 are noted on the attached list.

In addition, an FY2005 Capital Budget supplemental request is currently pending before the County Council for the County Revenue Authority's bond financing project to fund the King Street Art Center. It is anticipated that the County Council will act on this supplemental appropriation request on June 28, 2005.

RECOMMENDATION

The Board is asked to adopt the FY2006 Capital Budget as appropriated by the Montgomery County Council and authorize the President to implement the approved budget. The attached resolution provides for the formal action taken each year following the Council's appropriation of the College's Capital Budget.

BACK-UP INFORMATION

Board Resolution
Other Approved Projects

RESOURCE PERSON

Mr. Capp

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

Resolution Number: **05-62**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

Subject: Final Adoption of the FY2006 College Capital Budget

WHEREAS, on November 17, 2004, by Board Resolution #03-111, the Board of Trustees adopted the FY2006-2007 College Capital Budget; and

WHEREAS, on May 26, 2005, by Council Resolution #15-1008 the Montgomery County Council amended the College's FY2005-2010 Capital Improvements Program and approved the FY2006 Capital Budget with new appropriations totaling \$27,921,000 for 14 projects; and

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

Resolved, That the Board of Trustees adopts the FY2006 College Capital Budget, and authorizes the President to implement the budget as amended, approved, and appropriated by the Montgomery County Council for the College, pursuant to Council Resolution #15-1008.

CRN:abg

MONTGOMERY COLLEGE
FY2006 Capital Budget
Other Approved Projects (No Funds Requested in FY2006)

Projects with prior-year appropriations (Approved as submitted):

Rockville Computer Science Alterations
Germantown Child Care Center
Takoma Park King Street Art Center

Outyear projects with no previous appropriation (FY2007-2010):

Rockville Science Center
Germantown Bioscience Education Center
Takoma Park Fine Arts Pavilion Renovation

Projects pending close out:

Rockville Art Building Renovation

Projects closed out as of July 1, 2005:

none

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

Agenda Item Number: _____

FINAL ADOPTION OF THE FY2006 CURRENT FUND AND SPECIAL FUNDS BUDGETS

BACKGROUND

On January 18, 2005, the Board of Trustees adopted a budget in the amount of \$162,854,763 for the Current Fund and \$15,561,411 for the Special Funds. It is necessary to readopt the budgets since the County Council's final appropriation is different than the College's budget request.

The FY2006 final Operating Budget represents a 7.7% increase from the prior year and an increase in County funding of \$6.5 million (+9.3%). In the Current Fund, State Aid increased \$1.1 million while tuition increased \$4/\$8/\$12 for in-County, in-State and out-of State students respectively per credit hour. The Other Funds (Emergency Plant Maintenance & Repair Fund, Cable TV, Student Activities and Athletics, and Grants) do not need to be readopted because Board Resolution #05-09 did not specify amounts.

Included in the Operating Budget are 44.5 new positions including 19 faculty, 20 staff for the Takoma Park Student Services Center, the conversion of 3.5 temporary with benefits positions to regular positions and 2 other positions. The Other Funds Budget includes 2 new positions for a total of 46.5 new positions.

There is a provision in this resolution to reappropriate encumbered balances in FY2005. This action will allow funding for items encumbered in the current fiscal year to automatically be reappropriated in the next fiscal year.

RECOMMENDATION

Members of the Board are asked to readopt the FY2006 Current Fund and Special Funds Budgets as presented, and authorize the President to implement the budgets which are subject to final County Council funding actions in June, 2005.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Campbell

Ms. Dimon

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

Resolution Number: **05-63**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Final Adoption of the FY2006 Current
Fund and Special Funds Budgets**

WHEREAS, the Board of Trustees originally adopted the College's Fiscal Year 2006 Operating Budget on January 18, 2005, by Board Resolution #05-08 which included a \$4/\$8/\$12 (in-County, in-State, out-of-County) tuition increase; and

WHEREAS, the Montgomery County Council considered the budget in work sessions during April and May, 2005 and approved an expenditure budget of \$178,166,174 which resulted in a total of \$162,604,763 for the Current Fund, and \$15,561,411 for the Special Funds; and

WHEREAS, the County Executive and County Council recognized the valuable contribution that Montgomery College makes to the community and increased County funding by \$6.5 million for the Current Fund; and

WHEREAS, the Council has approved the College's Fiscal Year 2006 Operating Budget for State-mandated functions and appropriated a Current Fund expenditure authority of \$162,604,763; and

WHEREAS, by the same resolution, the Council appropriated the expenditure authority for the Special Funds as follows: Workforce Development and Continuing Education Fund, \$10,664,217, and Auxiliary Enterprises Funds, \$4,897,194; and

WHEREAS, the College seeking to be consistent with other County agencies and colleges in Maryland requests the authority for encumbered expenditures to carry into the next fiscal year; and

WHEREAS, the foregoing expenditure appropriation has been applied to functional expense categories to reflect Council actions; now therefore be it

Resolved, That the Board of Trustees hereby readopts the FY2006 College Current Fund Operating Budget in the amount of \$162,604,763; Workforce Development and Continuing Education Fund in the amount of \$10,664,217; and the Auxiliary Enterprises Fund in the amount of \$4,897,194 for a total of \$178,166,174; and be it further

Resolved, That the Board of Trustees authorizes reappropriation and expenditures of encumbered FY2005 appropriations for all funds, permitting the funds to be spent in FY2006 (unencumbered appropriations lapse at the end of FY2005); and be it further

Resolved, That the functional totals for the Fiscal Year 2006 Operating Budget will be in the amounts listed below:

	<u>CURRENT FUND</u>	<u>SPECIAL FUNDS</u>
10 Instruction	\$ 62,229,085	\$ 10,428,617
40 Academic Support	22,659,188	-0-
50 Student Services	22,789,469	-0-
60 Operations & Maint. Of Plant	20,593,884	-0-
70 Institutional Support	32,040,237	235,600
80 Scholarships & Fellowships	2,292,900	-0-
Auxiliary Expenditures	<u>-0-</u>	<u>4,897,194</u>
TOTAL	\$162,604,763	\$15,561,411

and be it further

Resolved, That the estimated budgeted source of funds projected by the Board of Trustees to fund the College's Operating Budget during FY2006 be in the amounts listed below, subject to final County Council funding actions in June, 2005.

	<u>CURRENT FUND</u>	<u>SPECIAL FUNDS</u>
County Contribution	\$ 76,334,374	\$ -0-
State Aid	23,424,592	2,694,159
Tuition & Fees	57,542,000	7,733,141
Miscellaneous	1,305,000	1,523,885
Fund Balance	4,074,644	784,236
Income from Sales & Service	-0-	3,175,143
Net Transfers	<u>(75,847)</u>	<u>(349,153)</u>
TOTAL	\$ 162,604,763	\$15,561,411

CRN:abg

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

Agenda Item Number: _____

**SALARY IMPROVEMENT IN FY2006 FOR NON-BARGAINING
ADMINISTRATIVE, ASSOCIATE AND SUPPORT STAFF**

BACKGROUND

Each year, during the spring, the Board acts on salary improvement for Administrative, Associate and Support Staff. Salaries for Bargaining Unit Staff are negotiated with the AFSCME representative. Board action is necessary at this time for Non-Bargaining Administrative, Associate and Support Staff.

RECOMMENDATION

The President recommends approval of the following resolutions:

1. Non-Bargaining Associate and Support Staff General Salary Adjustment for FY2006. This resolution provides for a two and seventy-five hundredths (2.75) percent salary adjustment for Non-Bargaining Associate and Support Staff for FY2006.
2. Salary Schedule for Non-Bargaining Administrative, Associate and Support Staff for FY2006. This resolution adjusts the pay schedule for all Non-Bargaining Unit Staff and Administrative employees by two and seventy-five hundredths (2.75) percent, effective July 1, 2005.
3. Non-Bargaining Administrative, Associate and Support Staff Salary Merit Adjustment for FY2006. This resolution authorizes a merit adjustment for eligible Non-Bargaining Associate and Support Staff in the amount of two and seventy-five hundredths (2.75) percent on their anniversary date. Administrative staff are eligible for a salary adjustment on July 1 of each year. This adjustment is based entirely on performance.
4. Special Recognition and Outstanding Service Awards for FY2006. This resolution authorizes one-time, lump sum awards of up to \$2,000 for special recognition and outstanding service by Non-Bargaining Administrative, Associate and Support Staff.
5. Non-Bargaining Associate and Support Staff Shift Differential for FY2006. This resolution authorizes the continuation of a shift differential of \$0.80 for hours actually worked for those Non-Bargaining Associate and Support Staff who are regularly scheduled to work more than 25 hours in a work week between the hours of 10:00 p.m. and 6:30 a.m.

BACK-UP INFORMATION

Board Resolutions

RESOURCE PERSON

Ms. Lawyer

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

Resolution Number: **05-64**
Adopted on: 6/20/05

Agenda Item Number: 11A
June 20, 2005

**Subject: Non-Bargaining Associate and Support Staff
General Salary Adjustment for FY2006**

Resolved, That the Board of Trustees authorizes a general salary adjustment for eligible College Non-Bargaining Associate and Support Staff, as determined by the President, of two and seventy-five hundredths (2.75) percent effective July 1, 2005, for those employees already employed on June 30, 2005, whose employment continues uninterrupted into FY2006.

Resolution Number: **05-65**
Adopted on: 6/20/05

Agenda Item Number: 11B
June 20, 2005

**Subject: Salary Schedule for Non-Bargaining Administrative,
Associate and Support Staff for FY2006**

WHEREAS, as part of an ongoing effort to attract and retain highly qualified Administrative, Associate and Support Staff, the College strives to maintain a competitive salary schedule; and

WHEREAS, a review of data concerning salary improvement indicates that it would be appropriate to modify the College pay schedule for FY2006 by two and seventy-five hundredths (2.75) percent; and

WHEREAS, the President recommends adoption of the following resolution; now therefore be it

Resolved, That the salary schedule for Non-Bargaining Administrative, Associate and Support Staff be modified for FY2006 as shown on the attachment.

Attachment

**Proposed Salary Schedule for
Non-Bargaining Staff
Montgomery College
FY06
(Effective 7/1/05)**

<u>GRADE</u>	<u>HOURLY RATE</u>		<u>ANNUAL RATE*</u>	
	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>
A	\$10.93	\$18.69	\$22,734.40	\$38,875.20
B	\$11.59	\$19.81	\$24,107.20	\$41,204.80
C	\$12.27	\$20.99	\$25,521.60	\$43,659.20
D	\$13.01	\$22.25	\$27,060.80	\$46,280.00
E	\$14.05	\$24.01	\$29,224.00	\$49,940.80
F	\$15.18	\$25.92	\$31,574.40	\$53,913.60
G	\$16.39	\$27.99	\$34,091.20	\$58,219.20
H	\$17.70	\$30.22	\$36,816.00	\$62,857.60
I	\$19.47	\$33.23	\$40,497.60	\$69,118.40
J	\$21.42	\$36.54	\$44,553.60	\$76,003.20
K	\$23.56	\$40.18	\$49,004.80	\$83,574.40
L	\$25.92	\$44.18	\$53,913.60	\$91,894.40
M	\$27.99	\$47.71	\$58,219.20	\$99,236.80
N	\$30.24	\$51.52	\$62,899.20	\$107,161.60
O	\$32.65	\$55.63	\$67,912.00	\$115,710.40
P	\$35.27	\$60.07	\$73,361.60	\$124,945.60
Q	\$37.38	\$63.66	\$77,750.40	\$132,412.80
R	\$39.62	\$67.48	\$82,409.60	\$140,358.40
S	\$42.00	\$71.52	\$87,360.00	\$148,761.60

*ANNUAL EQUIVALENT RATE FOR A FULL-TIME, 12-MONTH EMPLOYEE

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

Resolution Number: **05-66**
Adopted on: 6/20/05

Agenda Item Number: 11C
June 20, 2005

Subject: Non-Bargaining Administrative, Associate and Support Staff Salary Merit Adjustment for FY2006

WHEREAS, the College does not provide automatic step increases, but historically has provided merit adjustments to employees who receive satisfactory or higher performance evaluations instead; and

WHEREAS, the President recommends adoption of the following resolution; now therefore be it

Resolved, That all College Non-Bargaining Associate and Support Staff who are not at the top of a pay grade and who receive a satisfactory or higher performance evaluation are eligible for a salary merit adjustment in the amount of two and seventy-five hundredths (2.75) percent based on performance in FY2006 on the appropriate merit anniversary date; and be it further

Resolved, That all Administrative Staff are eligible for a salary adjustment on July 1 of each year, and such adjustment is based entirely on performance.

Resolution Number: **05-67**
Adopted on: 6/20/05

Agenda Item Number: 11D
June 20, 2005

Subject: Special Recognition and Outstanding Service Awards for FY2006

Resolved, That the Board of Trustees authorizes up to \$2,000 as the lump sum amount for special recognition and outstanding service awards to be presented to those Administrative, Associate and Support Staff employees of the College who are eligible and approved for such an award during FY2006.

Resolution Number: **05-68**
Adopted on: 6/20/05

Agenda Item Number: 11E
June 20, 2005

Subject: Non-Bargaining Associate and Support Staff Shift Differential for FY2006

Resolved, That the Board of Trustees authorizes the continuation of a shift differential of \$0.80 in FY2006 for hours actually worked for those Non-Bargaining Associate and Support Staff who are regularly scheduled to work more than 25 hours in a work week between the hours of 10:00 p.m. and 6:30 a.m.

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

Agenda Item Number: _____

LONGEVITY INCREASE FOR NON-BARGAINING STAFF EMPLOYEES

BACKGROUND

Over the past five years numerous issues have continued to arise concerning staff and faculty members who are at the top of the salary range resulting in salary adjustments each year for these employees being limited to the Cost of Living Adjustment (COLA). These are generally employees who have been serving the College for at least 20 years. This is quite evident in that we recognized 45 employees who had either 20, 25, 30 or 35 years of service at the Service Awards Luncheon in January, 2005.

Through the collective bargaining process in FY01, the faculty negotiated a provision for a "longevity" increase for faculty members who have been at the salary maximum for a period of five (5) consecutive years. This provision became effective at the beginning of the FY05 academic years with approximately 70 faculty members receiving a Longevity Increase. The implementation of the proposed award would provide a similar recognition of longevity for non-bargaining staff employees as is provided for faculty members.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Longevity Increase of \$1,560 for non-bargaining staff employees with satisfactory performance who have been at the top of their salary grade for five consecutive years. It is further recommended that such Longevity Increase be added to the staff employee's base salary.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSON

Ms. Lawyer

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

Resolution Number: **05-69**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Longevity Increase for Non-Bargaining
Staff Employees**

WHEREAS, as part of an ongoing effort to recognize the longevity of highly qualified Associate and Support Staff; and

WHEREAS, a large number of employees have served the College for more than 20 years; and

WHEREAS, many dedicated employees are not eligible to receive merit adjustments because their salaries have reached the top of their salary grade; and

WHEREAS, the College deeply appreciates the dedication and commitment of these long term employees; and

WHEREAS, the President recommends adoption of the following resolution; now therefore be it

Resolved, That effective July 1, 2005 and in subsequent years, non-bargaining staff employees with satisfactory performance who have been at the top of their salary grade for five consecutive years will receive a one-time longevity increase of One Thousand Five Hundred and Sixty dollars (\$1,560) to be added to the staff employee's base salary. Provided an employee meets the criteria, such salary adjustment will be effective on the first day of the first pay period following the pay period in which the employee's merit increment date falls. This increase shall be a permanent part of the employee's base salary and in future years the employee's salary can exceed the top of the grade by no more than this amount.

CRN:abg

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

Agenda Item Number: _____

MEMORANDUM OF AGREEMENT – COLLECTIVE BARGAINING AGREEMENT (AFSCME)

BACKGROUND

Representatives of the Board of Trustees and Local 2380 of the American Federation of State, County and Municipal Employees, AFL-CIO, (AFSCME) have reached agreement on modifications to the bargaining staff collective bargaining agreement. The modifications reflect the items agreed to by the two negotiating teams after extensive collective bargaining negotiations. The membership of Local 2380 ratified the agreement on June 15, 2005.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the attached resolution approving the amendments to the collective bargaining agreement; authorizing the Board Chair to execute the negotiated Agreement; and delegating to the President the authority and responsibility to implement and administer its terms.

BACK-UP INFORMATION

Board Resolution

Proposed Salary Schedules for FY06-FY08

Memorandum of Agreement (*Board members only*)

Memorandum from Kenneth W. Barrett, Director of Employee and Labor Relations to
Dr. Charlene R. Nunley, President, June 15, 2005 (*Board members only*)

Memorandum from Ms. Liz Brandenburg, President AFSCME Local 2380, to
Mr. Darrell R. VanDeusen, June 15, 2005 (*Board members only*)

RESOURCE PERSONS

Ms. Lawyer

Mr. Barrett

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

Resolution Number: **05-70**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Memorandum of Agreement –
Collective Bargaining Agreement (AFSCME)**

WHEREAS, on June 16, 1998, the Board of Trustees authorized the Board Chair to execute the first Collective Bargaining Agreement between the Board of Trustees of Montgomery Community College (Board of Trustees) and the Montgomery College Chapter of the American Federation of State, County and Municipal Employees, AFL-CIO, Local 2380 (AFSCME); and

WHEREAS, the Board of Trustees has authorized the Chair to execute Memoranda of Agreement between the Board of Trustees and AFSCME which modified the original Collective Bargaining Agreement; and

WHEREAS, an Agreement, effective on the first day of the 2006 fiscal year, has been negotiated by teams representing the Board of Trustees and the AFSCME; and

WHEREAS, on June 15, 2005, the members of AFSCME, Local 2380 ratified the Agreement; and

WHEREAS, the Board negotiating team recommends approval of the Agreement by the Board; and

WHEREAS, the President recommends that the Board take the following action; now therefore be it

Resolved, That the Board of Trustees approves the provisions of the Collective Bargaining Agreement set forth in the attached Agreement; and be it further

Resolved, That the Board of Trustees authorizes the Chair to execute the Agreement between the Board of Trustees of Montgomery Community College and the American Federation of State, County and Municipal Employees, AFL-CIO, Local 2380; and be it further

Resolved, That the Board of Trustees delegates to the President the responsibility and authority to implement and administer provisions of the Collective Bargaining Agreement and to further delegate responsibility for the implementation and administration of the Agreement to appropriate College staff.

Attachments: Proposed Salary Schedules for FY06-FY08
Memorandum of Agreement (*Board members only*)
Memorandum from Mr. Kenneth W. Barrett, Director of Employee and Labor Relations to Dr. Charlene R. Nunley, President, June 15, 2005 (*Board members only*)
Memorandum from Ms. Liz Brandenburg, President AFSCME Local 2380, to Mr. Darrell R. VanDeusen, June 15, 2005 (*Board members only*)

CRN:abg

**PROPOSED SALARY SCHEDULES FOR BARGAINING UNIT STAFF
MONTGOMERY COLLEGE**

HOURLY RATE

ANNUAL RATE*

FY06 (Effective 7/1/05)

<u>GRADE</u>	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>
A	\$10.93	\$18.69	\$22,734.40	\$38,875.20
B	\$11.59	\$19.81	\$24,107.20	\$41,204.80
C	\$12.27	\$20.99	\$25,521.60	\$43,659.20
D	\$13.01	\$22.25	\$27,060.80	\$46,280.00
E	\$14.05	\$24.01	\$29,224.00	\$49,940.80
F	\$15.18	\$25.92	\$31,574.40	\$53,913.60
G	\$16.39	\$27.99	\$34,091.20	\$58,219.20
H	\$17.70	\$30.22	\$36,816.00	\$62,857.60
I	\$19.47	\$33.23	\$40,497.60	\$69,118.40
J	\$21.42	\$36.54	\$44,553.60	\$76,003.20
K	\$23.56	\$40.18	\$49,004.80	\$83,574.40

FY07 (Effective 7/1/06)

<u>GRADE</u>	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>
A	\$11.34	\$19.40	\$23,587.20	\$40,352.00
B	\$12.02	\$20.56	\$25,001.60	\$42,764.80
C	\$12.74	\$21.78	\$26,499.20	\$45,302.40
D	\$13.50	\$23.08	\$28,080.00	\$48,006.40
E	\$14.59	\$24.91	\$30,347.20	\$51,812.80
F	\$15.76	\$26.90	\$32,780.80	\$55,952.00
G	\$17.01	\$29.05	\$35,380.80	\$60,424.00
H	\$18.38	\$31.36	\$38,230.80	\$65,228.80
I	\$20.21	\$34.49	\$42,036.80	\$71,739.20
J	\$22.24	\$37.92	\$46,259.20	\$78,873.60
K	\$24.46	\$41.70	\$50,876.80	\$86,736.00

FY08 (Effective 7/1/07)

<u>GRADE</u>	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>
A	\$11.71	\$20.03	\$24,356.80	\$41,662.40
B	\$12.41	\$21.23	\$25,812.80	\$44,158.40
C	\$13.16	\$22.48	\$27,372.80	\$46,758.40
D	\$13.95	\$23.83	\$29,016.00	\$49,566.40
E	\$15.07	\$25.73	\$31,345.60	\$53,518.40
F	\$16.27	\$27.77	\$33,841.60	\$57,761.60
G	\$17.57	\$29.99	\$36,545.60	\$62,379.20
H	\$18.98	\$32.38	\$39,478.40	\$67,350.40
I	\$20.87	\$35.61	\$43,409.60	\$74,068.80
J	\$22.96	\$39.16	\$47,756.80	\$81,452.80
K	\$25.26	\$43.06	\$52,540.80	\$89,564.80

*ANNUAL EQUIVALENT RATE FOR A FULL-TIME, 12-MONTH EMPLOYEE

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

Agenda Item Number: _____

PART-TIME FACULTY PAY STRUCTURES AND RATES FOR FY2006

BACKGROUND

A three-tier pay structure for part-time faculty was implemented effective in FY2001 and has continued through FY2005. This three-tier pay schedule will continue as it is intended to encourage increased continuity among part-time faculty.

On October 15, 2001, the Board of Trustees approved a supplemental stipend for part-time faculty with high demand skills within the information technology arena. On July 14, 2003, the Board approved including nursing for the supplemental stipend. Furthermore, on June 21, 2004, the Board approved including a supplemental stipend for the health sciences. The supplemental stipend for part-time faculty with high demand skills remains constant in FY2006.

RECOMMENDATION

It is recommended that the Board of Trustees approve an increase in the salary schedules for part-time faculty for FY2006 by five (5.0) percent effective at the beginning of the 2005-2006 academic year.

BACK-UP INFORMATION

Board Resolution
FY2006 Part-time Faculty Pay Schedules

RESOURCE PERSON

Ms. Lawyer

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

Resolution Number: **05-71**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

Subject: Part-Time Faculty Pay Structures and Rates for FY2006

WHEREAS, as part of an ongoing effort to attract and retain well-qualified, part-time faculty, the College strives to maintain salaries competitive with the market; and

WHEREAS, as part of an ongoing effort to attract and retain well-qualified, part-time faculty with high demand skills within the information technology, nursing, and health sciences arenas, a supplemental stipend for identified courses remains constant; and

WHEREAS, the information technology courses selected for stipends will be determined semester by semester by the Information Technology Leadership Group, managed by the Information Technology Institute; and

WHEREAS, the nursing and health sciences courses selected for stipends will be determined semester by semester by the Dean of Health Sciences; and

WHEREAS, the President recommends adoption of the following resolution; now therefore be it

Resolved, That the three-tier salary schedule for part-time faculty including a supplemental stipend for teachers with high demand skills within the information technology, nursing, and health sciences arenas, be modified for FY2006 by approximately five (5.0) percent effective at the beginning of the 2005–2006 academic year.

Attachment

CRN:abg

FY2006 PART-TIME FACULTY PAY SCHEDULES

Three-Tier, Part-Time Faculty Salary Schedule:

Lecturer base pay rate (\$705 per esh)

Adjunct I base pay rate + \$30 per esh (\$735), achieved after teaching a minimum of six semesters (may be non-consecutive) and 18 credits as a part-time faculty member at the Lecturer rank and having participated in certain professional development activities; OR

Upon initial hire if a recommendation is made for advanced placement for meeting the criteria for that of Adjunct I.

Adjunct II base pay rate + \$60 per esh (\$765), achieved after teaching a minimum of six semesters (may be non-consecutive) and 18 credits as a part-time faculty member at the Adjunct I rank and having participated in additional professional development activities; OR

Upon initial hire if a recommendation is made for advanced placement for meeting the criteria defined for that of Adjunct II.

Three-Tier, Part-Time Faculty Salary Schedule Including Supplemental Stipend for Teachers with High Demand Skills:

Lecturer base pay rate + stipend = \$850 ($\$705 + 145 = 850$)

Adjunct I Adjunct I rate + stipend = \$900 ($\$735 + \$165 = \900)

Adjunct II Adjunct II rate + stipend = \$950 ($\$765 + \$185 = \950)

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

Agenda Item Number: _____
June 20, 2005

**REQUEST FOR APPROVAL OF THE NEW ASSOCIATE OF ARTS IN TEACHING DEGREE
IN CHEMISTRY (SECONDARY A.A.T.)**

BACKGROUND

The Teacher Education Transfer Associate of Arts in Teaching (A.A.T.) curriculum is designed to provide the first two years of a four-year bachelor's degree and teacher certification. This new curriculum prepares students to transfer to a secondary chemistry education program at a four-year college or university in the State of Maryland. Students will be able to fulfill their general education requirements, participate in fieldwork experience, and complete a core of professional course work appropriate for the first two years of teacher preparation in the concentration of chemistry.

As stated in the 2004 Maryland State Plan for Secondary Education, teacher preparation is still a concern. "Maryland, like other states, faces a critical shortage of teachers. The Maryland State Department of Education has estimated that school systems will need to hire 12,000 new teachers between 2004 and 2006. All jurisdictions in the State are expected to experience a shortfall, especially in the subjects of technology education, computer science, English for speakers of other languages, foreign languages, mathematics, science, and special education. However, the number of teacher candidates prepared by Maryland colleges and universities dropped from 2,653 in 1998-1999 to 2,319 in 2002-2003."

This new program will help to fulfill the hiring needs of the local school systems throughout the State, particularly in the field of teacher preparation for chemistry, which is one of the declared critical shortage areas.

RECOMMENDATION

The Board of Trustees is requested to approve this new Associate in Arts in Teaching degree in Chemistry (Secondary A.A.T.)

BACK-UP INFORMATION

Board Resolution
Curriculum Requirements

RESOURCE PERSONS

Dr. Buckner
Dr. Russell-Robinson

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

Resolution Number: **05-72**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Request for Approval of the New Associate of Arts
in Teaching Degree in Chemistry (Secondary A.A.T.)**

WHEREAS, Montgomery College is committed to meet the needs of the State and the community and has articulated this commitment in its mission; and

WHEREAS, market analysis has concluded that 24 jurisdictions in the State of Maryland are experiencing teacher shortage; and

WHEREAS, the Maryland State Department of Education has estimated that Maryland will need to hire nearly 12,000 new teachers in 2004-2006 while current programs could only absorb an additional 6500 students within their current resources; and

WHEREAS, this Associate of Arts in Teaching degree in Chemistry is designed to provide the first two years of a four-year bachelor's degree and teaching certification and will serve to alleviate the teacher needs in this area as expressed by the Maryland Department of Education; and

WHEREAS, College Policies and Procedures state that Montgomery College has an obligation to maintain an excellent comprehensive educational program designed to meet the diverse and changing educational, social, economic, and cultural needs of the community; and

WHEREAS, the Executive Vice President for Academic and Student Services and the President of the College recommend the following action; now therefore be it Resolved, That the Board of Trustees of Montgomery College approve this new Associate of Arts in Teaching degree in Chemistry (Secondary A.A.T.)

CRN: abg

ASSOCIATE OF ARTS IN TEACHING DEGREE IN CHEMISTRY (SECONDARY A.A.T.)

The faculty in the Education department in a joint effort with faculty in the Chemistry department developed this degree program. The curriculum was designed to meet the requirements of the new Teacher Education Transfer Program - Associate of Arts in Teaching in Chemistry (Secondary A.A.T.) curriculum that was developed and approved through the Maryland Higher Education Commission and the Maryland State Department of Education in conjunction with two and four-year institutions.

The Associate of Arts in Teaching in Chemistry curriculum:

- Provides the first two years of a four-year bachelor's degree and teacher certification
- Articulates with all respective Maryland transfer programs in secondary chemistry education as a result of the collaborative effort among the State's institutions
- Offers a core of professional educational coursework based on a set of outcomes delineating what the student should know rather than on a set of courses
- Allows students to participate in fieldwork experience
- Requires students to achieve a minimum of a 2.75 cumulative G.P.A. and pass the Praxis I Exam
- Requires a minimum of 63 credits for graduation
- Includes 31 credits in State recommended general education courses
- Distributes the credits as follows:

Chemistry Option
Program Concentration
Principles of Chemistry I & II
Organic Chemistry I & II
General Physics I & II
Pre - Professional Courses
Foundation in Education
Field Experience in Education
Introduction to Special Education
Field experience - Special Education
Adolescent Psychology
Educational Psychology
Supporting Courses
Techniques of Reading and Writing II
Integrated Arts
History of the United States
General Psychology
Calculus I & II
Behavioral and Social Sciences Distribution
Health Foundation

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

Agenda Item Number: _____

**REQUEST FOR APPROVAL OF THE NEW ASSOCIATE OF ARTS (A.A.) DEGREE IN
COMPUTER GAMING AND SIMULATION**

BACKGROUND

The new Associate of Arts (A.A.) degree in Computer Gaming and Simulation will prepare students to pursue this exciting new career area. Gaming is not only the fastest growing segment of the technology industry, but also the fastest growing segment of the entertainment industry. This exponentially expanding field has numerous possibilities in being applied in a variety of settings, from medical and corporate training to advocacy, advertising, and emergency response simulation. This interdepartmental degree allows students to fulfill their general education requirements as well as explore their particular area of interest in game programming, game production, or game graphic design.

Maryland is the East coast's hub of game development companies and "boasts the largest cluster of entertainment software companies on the East coast." The Maryland Department of Business and Economic Development has targeted the interactive technology industry as a business sector on the rise and in need of well-trained employees.

This degree program will help to fulfill the hiring needs of the rapidly growing computer gaming industry.

RECOMMENDATION

The Board of Trustees is requested to approve this Associate of Arts Degree (A.A.) in Computer Gaming and Simulation.

BACK-UP INFORMATION

Board Resolution
Curriculum Proposal

RESOURCE PERSONS

Professor Solomon
Professor Kaldahl
Mr. Cantwell

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

Resolution Number: **05-73**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

Subject: **Request for Approval of the New Associate
of Arts (A.A.) Degree in Computer Gaming and Simulation**

WHEREAS, Montgomery College is committed to meet the needs of the State and the community and has articulated this commitment in its mission; and

WHEREAS, Maryland is currently home to the East coast's largest cluster of high technology companies and Maryland's Department of Business and Economic Development has "targeted the interactive technology industry as a business sector on the rise" and has begun to focus on the further development of this exponentially growing industry within the State; and

WHEREAS, this program in Computer Gaming and Simulation will help meet the needs of area employers for a highly trained technical workforce; and

WHEREAS, this innovative program will open the door for articulation agreements and other transfer opportunities for students; and

WHEREAS, College Policies and Procedures state that Montgomery College has an obligation to maintain an excellent comprehensive educational program designed to meet the diverse and changing educational, social, economic, and cultural needs of the community; and

WHEREAS, the Executive Vice President for Academic and Student Services and the President of the College recommend the following action; now therefore be it Resolved, That the Board of Trustees of Montgomery College approve this Associate of Arts Degree in Computer Gaming and Simulation.

CRN: abg

ASSOCIATE OF ARTS (A.A.) DEGREE IN COMPUTER GAMING AND SIMULATION

The faculty in the Computer Applications department in a joint effort with faculty in the Visual Communication Technologies department and in the Gudelsky Institute developed this new program. This innovative curriculum is designed to help fulfill the need for skilled workers in the growing industry of interactive technology including computer gaming and simulation.

This Associate of Arts curriculum:

- Presents students with an introduction to the skills needed to explore this emerging technology area of game and simulation development
- Exposes students to core game development skills and theory
- Introduces gaming and computer simulation technology applications
- Provides an introduction to computer graphics technology
- Allows students to select electives exploring their particular area of interest
- Offers three tracks in:
 1. Game Programming
 2. Game Production
 3. Game Graphic Design
- Requires 61-62 credits for graduation
- Includes 32 credits in State recommended general education courses
- Distributes the balance of the credits in three tracks as follows:

Game Programming Track	Game Production Track
Intro to Game & Simulation Development	Intro to Game & Simulation Development
Web Interactivity and Animation	Web Interactivity and Animation
Website Development with XHTML	Web course in Development, Design, or Publishing
Flash Action Script for Web Publishing	Electives from Graphic Design, Programming, Databases, or other electives
Building Game Worlds	
Database Course	
Programming Course	
Elective course from Graphic Design, Programming, Databases, or other electives	

Game Graphic Design Track
Intro to Game & Simulation Development
Web Interactivity and Animation
One Web Course in Development, Design, or Publishing
Electives from Graphic Design, Programming, Databases, or other electives

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

Agenda Item Number: _____

**MC / MCPS PARTNERSHIP PROJECT
MONTGOMERY COUNTY REFUGEE TRAINING CENTER GRANT**

BACKGROUND

This project involves the transfer of program administration of the federally funded Montgomery County Refugee Training Center from the Montgomery County Public Schools (MCPS) to Montgomery College (MC). The basis for this change is to strengthen the alignment of core service areas for each educational system. Montgomery College will assume the leadership role in meeting the educational needs of adults in Montgomery County.

The Montgomery County Refugee Center provides training at no cost to refugees and asylees, as well as legal permanent residents who are preparing for citizenship. The Center receives federal funding for its English language and Certified Nursing Assistant classes from the Office of Refugee Resettlement through Maryland's Office for New Americans. The Center has been located at Northwood High School since 1989. Northwood High School reopened last year and will need the space currently being used by the Refugee Center by the summer of 2006.

The Refugee Center will continue to operate from the Northwood High School location for the coming academic year as space for this program is being developed at the College. Beginning in the summer of 2006, the Refugee Center will be housed at the College's Fenton Street location as the current Information Technology Center moves into new on-campus facilities in the newly opened Student Services Center. The Fenton Street location is centrally located within the County and is well served by public transportation.

Adult students participating in this program will have the benefit of a wide range of programs and services designed for working adults and individuals with limited English proficiency or basic skills. This continuum of education and training opportunities will be brought closer to the student by eliminating a transition between service providers. Students will become familiar with processes, locations, and points of contact that can serve them for many years of learning.

Sufficient grant expenditure authority exists within the FY06 Operating Budget as submitted. The grant has been operating at an annual funding level of \$116,100 with a strong likelihood of continued funding at this level.

The College will need to enter into an annual contract to administer this grant program with Maryland's Department of Human Resources which would become effective July 1, 2005.

RECOMMENDATION

It is recommended that the Board of Trustees authorize the President to enter into the annual contractual agreement with the State of Maryland to administer this grant.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS: Mr. Moore Mr. Payne Ms. Dimon

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

Resolution Number: **05-74**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: MC / MCPS Partnership Project – Montgomery
County Refugee Training Center Grant**

WHEREAS, the FY2006 MC/MCPS Partnership Project for the Montgomery County Refugee Training Center will be funded by a grant from the Maryland State Department of Human Resources at an anticipated level of \$116,100; and

WHEREAS, this project will effect a change in grant program administration and support from Montgomery County Public Schools to Montgomery College. This change in grant administration will strengthen the alignment of core service areas for each educational system whereby Montgomery College will assume a leadership role in meeting the educational needs of adults in Montgomery County; and

WHEREAS, this continuum of education and training opportunities will be made more accessible to the student by eliminating a transition between service providers; and

WHEREAS, this program will continue to operate at Northwood High School for the coming academic year and will then be housed at the College's Fenton Street location as the current Information Technology Center moves into new on-campus facilities in the newly opened Student Services Center effective summer 2006; and

WHEREAS, the Chief Business Officer certifies that there is sufficient grant expenditure authority for this program in the Adopted FY2006 Operating Budget; and

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

Resolved, That the President is authorized to enter into a contract with the State of Maryland to administer this grant program.

CRN:abg

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

Agenda Item Number: _____

ESTABLISHMENT OF A MAJOR FACILITIES CAPITAL PROJECTS FUND

BACKGROUND

The Major Facilities Reserve Fund was established by the Board of Trustees in April, 1992 in response to fiscal constraints confronting the State and County that threatened to limit its ability to support the capital improvement needs of the College. The fund was established by means of a Major Facilities Reserve Fund Fee assessed to students on a per credit hour basis as an appropriate mechanism of paying for additions to and renovation of non-administrative facilities, or debt service on bonds for the same purposes. In January, 2001 the use of this fund was expanded to include real estate acquisitions and was used to fund part of the purchase price of the Giant Bakery property to support the expansion of the Takoma Park Campus. In April, 2004 the Board of Trustees increased the Major Facilities Reserve Fund Fee to support the development of the King Street Bakery property and for future projects at all of the campuses. Bonds are to be issued by the Montgomery County Revenue Authority on behalf of the Montgomery Community College Foundation, Inc. to support the development of the King Street Bakery property. The source of funds for the annual Debt Service Costs on the revenue bonds will be the lease payments made by the College for the use of the King Street Art Center from the Major Facilities Reserve Fund. The College will be allowed to withdraw from the Major Facilities Reserve Fund, under specified conditions, amounts in the Major Facilities Reserve Fund that can be used for other capital projects.

A new fund titled The Major Facilities Capital Projects Fund needs to be established to receive such funds withdrawn from the Major Facilities Reserve Fund when all of the specified conditions have been met. The new Major Facilities Capital Projects Fund will have all of the use restrictions and approval requirements that were initially attached to the Major Facilities Reserve Fund.

RECOMMENDATION

It is recommended that the Board of Trustees authorize the establishment of a Major Facilities Capital Projects Fund to receive funds transferred from the Major Facilities Reserve Fund under specified conditions.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Campbell
Mr. Moore
Mr. Mullinix

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

Resolution Number: **05-75**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

Subject: Establishment of a Major Facilities Capital Projects Fund

WHEREAS, on April 21, 1992, by Board Resolution #92-54, the Board of Trustees authorized the establishment of the Major Facilities Reserve Fund; and

WHEREAS, the Major Facilities Reserve Fund was established to fund capital additions to and construction of non-administrative facilities, or for debt service on bonds for the same purposes; and

WHEREAS, funds from the Major Facilities Reserve Fund Fee could only be expended with prior specific approval of each project by the Board of Trustees; and

WHEREAS, on January 16, 2001, by Board Resolution #01-09, the Board of Trustees authorized the expanded use of the Major Facilities Reserve Fund for the purpose of acquiring real estate in support of the College's mission; and

WHEREAS, on April 19, 2004, by Board Resolution #04-38, the Board of Trustees increased the Major Facilities Reserve Fund Fee to support the development of the King Street Bakery property and for future projects at all of the campuses; and

WHEREAS, the support of the development of the King Street Bakery property includes the issuance of bonds by the Montgomery County Revenue Authority on behalf of the Montgomery Community College Foundation, Inc.; and

WHEREAS, on June 21, 2004, by Board Resolution #04-77, the Board of Trustees approved a preconstruction agreement with the Montgomery Community College Foundation, Inc. for the financing of the King Street Art Center project where it is noted that the Center will be leased to the Foundation and leased back to the College for use after the redevelopment of the Bakery building; and

WHEREAS, the College is to pay semi-annual base rental payments during the term of the lease, which will be equal to the scheduled debt service payments on the bonds; and

WHEREAS, the base rentals are payable solely from Major Facilities Reserve Fund Fees; and

WHEREAS, the College is allowed to withdraw from the Major Facilities Reserve Fund, under specified conditions, amounts in the Fund if all lease payments and other obligations then due and payable have been met; and

WHEREAS, a new fund titled The Major Facilities Capital Projects Fund needs to be established to receive such funds withdrawn from the Major Facilities Reserve Fund when the specified conditions have been met and amounts withdrawn are transferred; and

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

Resolved, That the Board of Trustees authorizes the establishment of a new Major Facilities Capital Projects Fund; and be it further

Resolved, That these funds transferred continue to be expended only as authorized in Board Resolutions #92-54 and #01-09; and be it further

Resolved, That the use of these funds continue to be expended only with the prior approval of each project by the Board of Trustees.

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

Agenda Item Number: _____
June 20, 2005

**PROPOSAL FOR RENAMING THE TAKOMA PARK CAMPUS
AS THE “TAKOMA PARK/SILVER SPRING CAMPUS”**

BACKGROUND

The College acknowledges and appreciates that the Takoma Park Campus is an integral part of the City of Takoma Park. The new name reinforces the historical significance of the Campus location and its ties to the City of Takoma Park and acknowledges the evolution of Montgomery College and the expansion into Silver Spring.

The expansion of the Takoma Park Campus places three new buildings geographically in Silver Spring, Maryland. The Health Sciences Center was recently completed, the King Street Arts Center is in the first phase of construction, and the Cultural Arts Center is presently in the program design stage. The three new buildings help to enhance and anchor the downtown Silver Spring revitalization efforts and lend both greatly increased visibility and vitality to the Campus. This name will also ensure better service to students and the community, as a whole, by providing a more accurate reflection of the physical location of the Campus.

Having both jurisdictions in the Campus name allows search-engines to accurately direct Montgomery College queries. Three buildings have a Silver Spring address while the other buildings have a Takoma Park address. Inclusion of Silver Spring in the Campus name will facilitate the Campus' participation in and enhance the College's role in the Silver Spring Arts and Entertainment District. This is particularly timely in light of the King Street building that will house the expanded art programs at the College and with the upcoming project to construct the new Cultural Arts Center at Georgia Avenue and East-West Highway in Silver Spring.

In keeping with our mission as the community's college, this name will allow the Campus and the College to more fully participate in the community life of both Takoma Park and Silver Spring. This name will facilitate the Campus' participation in many Silver Spring organizations and community groups to include but not limited to the Silver Spring Citizens' Advisory Board and the Silver Spring Urban District Advisory Board. The Campus looks forward to its continued partnership with the City of Takoma Park, its residents and local community groups to include but not limited to the North Takoma Citizens Association and Historic Takoma.

RECOMMENDATION

It is recommended that the Montgomery College Board of Trustees approve the proposed resolution to change the name of the Takoma Park Campus to the Takoma Park/Silver Spring Campus.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Dr. Shartle-Galotto
Mr. Campbell

Ms. Somersall

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

Resolution Number: **05-76**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Proposal for Renaming the Takoma Park Campus
as the Takoma Park/Silver Spring Campus**

WHEREAS, Montgomery College's expansion along the Georgia Avenue gateway into downtown Silver Spring lends increased visibility and opportunities for growth of the Takoma Park Campus; and

WHEREAS, with this expansion, the College became an integral part of both the Takoma Park and the Silver Spring communities; and

WHEREAS, recognition of Silver Spring in the Campus name will ensure the Campus more prominence in the Silver Spring Arts and Entertainment District and in the community and economic development opportunities associated with the revitalization of downtown Silver Spring; and

WHEREAS, the Campus is an integral part of the Silver Spring redevelopment initiatives and at the same time supports the continuing well being of the Takoma Park community; and

WHEREAS, the expanded name, Takoma Park/Silver Spring Campus, reinforces the historical significance of the Campus location in Takoma Park, and recognizes the important expansion into Silver Spring; and

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

Resolved, That the Board of Trustees approves expanding the name of the Montgomery College Takoma Park Campus to the Takoma Park/Silver Spring Campus in recognition of the two geographic communities in which the Campus resides.

CRN:abg

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

Agenda Item Number: _____

BOARD OF TRUSTEES SCHEDULE OF MEETINGS FOR FY2006

BACKGROUND

The Maryland Open Meetings Law, also known as the Sunshine Law, provides that, as a matter of policy, "Except in special and appropriate circumstances, public business be performed in an open and public manner and that the citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy." And, in addition, Montgomery College Board of Trustees Bylaws states 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 and any other method reasonably designed to give public notice.

RECOMMENDATION

It is recommended that the Board adopt the attached schedule of meetings for FY2006.

BACK-UP INFORMATION

Board Resolution
Montgomery College Board of Trustees Schedule of Meetings for FY2006

RESOURCE PERSON

Ms. Graham

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

Resolution Number: **05-77**
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

Subject: Board of Trustees Schedule of Meetings for FY2006

WHEREAS, the Maryland Open Meetings Law, also known as the Sunshine Law, provides that, as a matter of policy, "Except in special and appropriate circumstances, public business be performed in an open and public manner and that the citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy;" and

WHEREAS, Montgomery College Board of Trustees Bylaws states 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 and any other method reasonably designed to give public notice; and

WHEREAS, attached to this resolution is a Schedule of Meetings for FY2006 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 Law; 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 FY2006.

Attachment

CRN:abg

**MONTGOMERY COLLEGE BOARD OF TRUSTEES
SCHEDULE OF MEETINGS FOR FY2006**

<u>MEETING DATES</u>	<u>MEETINGS</u>	<u>ACTIVITIES</u>	<u>LOCATION</u>
JUL	NO MEETINGS		
AUG	NO MEETINGS		
SEP 07	Board Officers		Teleconference
SEP 13 (Tue)	Executive Session & FY07 Capital Budget Work Session	dinner w/Staff Senate	Central Administration
SEP 19	Regular Business Meeting		Rockville Campus
OCT 03	Board Officers		Teleconference
OCT 10	Executive Session Regular Business Meeting & Presentation of Proposed FY07 Capital Budget		Takoma Park Campus Takoma Park Campus
OCT 31	Board Officers		Teleconference
NOV 03& 04	Fall Retreat	dinner w/Foundation Board	TBD
NOV 04		lunch w/Faculty Gov	TBD
NOV 14	Executive Session Regular Business Meeting w/Adoption of FY07 C.Budget		Germantown Campus
DEC 05	Board Officers		Teleconference
DEC 12	Executive Session Regular Business Meeting & Presentation of Proposed FY07 O.Budget		Central Administration Central Administration
JAN 05	Board Officers		Teleconference
JAN 09	Executive Session & FY07 Operating Budget Work Session		Central Administration
JAN 17 (Tue)	Public Hearing - Proposed FY07 O.Budget & Regular Business Meeting w/Adoption of FY07 O.Budget		Central Administration
JAN 19 (Thur)* Administration	Review/Possible Adoption of Proposed FY07 O.Budget		Central
FEB 06	Board Officers		Teleconference
FEB 20	Executive Session Regular Business Meeting		WD&CE WD&CE
MAR 06	Board Officers		Teleconference
MAR 21 (Tue)	Executive Session Regular Business Meeting	dinner w/Alumni Board	Central Administration Central Administration
APR 03	Board Officers		Teleconference
APR 10		dinner w/Students	Central Administration
APR 17	Executive Session Regular Business Meeting w/Tuition Actions		Central Administration
MAY 01	Board Officers		Teleconference
MAY 15	Executive Session Regular Business Meeting		Central Administration Central Administration
MAY 19	Commencement		
JUN 05	Board Officers		Teleconference
JUN 08 & 09	Spring Retreat / Executive Session		TBD
JUN 19	Regular Business Meeting & Implementation of FY07 Capital Budget		Central Administration
JUN 27		dinner w/Foundation Board	TBD

Note: * = if needed date

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

Agenda Item Number: _____

**APPROVAL OF TRANSACTION FOR THE DEVELOPMENT AND CONSTRUCTION
OF AN ARTS BUILDING ON THE TAKOMA PARK CAMPUS**

BACKGROUND

Montgomery College has undertaken to renovate the former bakery building located on King Street on its Takoma Park Campus into an arts building (the "Project"). The Project will be financed and constructed by Montgomery College Foundation, Inc. (the "Foundation") through a lease financing transaction.

The heart of the lease financing transaction will be a long-term lease between the College and the Foundation; the Foundation will build and own the Project. The College will lease the Project from the Foundation and will pay semi-annual base rentals to the Foundation which will be set in an amount sufficient to pay the debt service on the financing for the Project. The term of the lease will be up to 35 years. The base rent will be payable solely from major facilities reserve fund fees ("Major Facilities Fees") established and collected by the College for each enrolled credit hour. The lease is a "triple net" lease, which means that the College will be responsible for costs of operations, insurance, maintenance, and taxes related to the Project, and these obligations are not limited to Major Facilities Fees. In addition, the lease will require the College to establish, collect, and maintain Major Facilities Fees at prescribed levels and establish and maintain a fund for the holding of Major Facilities Fees in order to ensure that those fees are applied for the payment of the base rent.

Under the lease financing, the Montgomery County Revenue Authority will issue revenue bonds and loan the proceeds of the bonds to the Foundation for the development and construction of the Project. The base rentals from the College will pay the debt service on the Authority's bonds. The Foundation will mortgage the Project and assign its rights under the lease to secure the Revenue Authority's bonds.

The Project site which is currently owned by the College will be leased to the Foundation pursuant to the Condominium Unit Lease for a term of up to 45 years.

The College will not be a party to the construction contract, but will act as the Foundation's construction agent for the construction of the Project.

Due to the complexity of the lease financing transaction, the College needs to authorize its officers to execute and deliver necessary ancillary documents and make changes as necessary to the lease agreements. In addition, the College will need to certify information about it and the Project for inclusion in the Montgomery County Revenue Authority's disclosure documents.

It may also be necessary for the College to enter into additional agreements, documents, or contracts that the College determines are necessary and appropriate to complete the transaction, such as:

- A tax certificate to maintain the tax-exempt status of the bonds.
- Any real property interests necessary or desirable for the development, operation, or construction of the Project.

- Any assignment of the construction contract for the Project or the College's undertaking the role of the Foundation's construction agent for the Project and the administration of the construction contract(s) for the Project.
- Any financing statements or other instruments required to effect a security interest in the College's interests in the pledged fees to secure its lease obligations under the Lease.
- Any agreements with the underwriter for the bonds including a bond purchase agreement and letter of representation.
- Any agreements with the Montgomery County Revenue Authority relating to their involvement in the Project and payment of fees and expenses and any matters relating to the procurement of the trustee, paying agent, or registrar for the bonds or to the book entry arrangements relating to the bonds.

RECOMMENDATION

It is recommended that the Board of Trustees authorize and approve the lease financing transaction and direct and empower certain officers of the College to execute and deliver the Lease, the Condominium Unit Lease, and any other agreements, documents, or certificates necessary to complete the transaction contemplated by the lease financing transaction.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Campbell
Mr. Sorrell

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**

Rockville, Maryland

Resolution Number: 05-78
Adopted on: 6/20/05

Agenda Item Number: _____
June 20, 2005

**Subject: Approval of Transaction for the Development
and Construction of an Arts Building on the
Takoma Park Campus**

WHEREAS, Montgomery College (the "College"), a State instrumentality and a body corporate of the State of Maryland, desires to renovate an existing building located on King Street on its Takoma Park Campus in Silver Spring, Maryland, into an arts building (the "Project"); and

WHEREAS, the Montgomery College Foundation, Inc. (the "Foundation"), a non-stock, nonprofit corporation which is exempt from federal income tax under Section 501(a) of the Internal Revenue Code of 1986, as amended (the "Code"), as an organization described under Section 501(c)(3) of the Code, desires to develop and construct the Project for use by the College; and

WHEREAS, in order to effectuate the development and construction of the Project, the College shall enter into the Condominium Unit Lease with the Foundation (the "Condominium Unit Lease"), as more particularly described herein, pursuant to which the College will lease Unit Two of the condominium which is land that is generally described as currently occupied by the bakery building (the "Project Site") to the Foundation for the construction of the Project, such Project Site having been acquired and made subject to the condominium regime as described under a certain Amendatory Declaration, dated February 4, 2004, and recorded in Liber 26665, Folio 551 among the Land Records of Montgomery County, Maryland, (the "Condominium Regime"); and

WHEREAS, The Montgomery County Revenue Authority (the "Issuer"), an instrumentality of the County, and a public corporation, will issue bonds (the "Bonds"), the proceeds of which will be loaned to the Foundation pursuant to a Loan Agreement between the Issuer and the Foundation (the "Loan Agreement"), as more particularly described herein, for the purpose of developing and constructing the Project on the Project Site; and

WHEREAS, the College shall enter into the Lease Agreement with the Foundation (the "Lease Agreement"), as more particularly described herein, pursuant to which the College will lease the Project upon its completion from the Foundation; and

WHEREAS, in connection with the issuance of the Bonds, certain information, as more particularly described herein, concerning the College will be published in a Preliminary Official Statement and an Official Statement to be distributed to potential purchasers of the Bonds; and

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

Resolved, That the College is hereby authorized to participate in the lease of the Project Site to the Foundation pursuant to the terms of the Condominium Unit Lease. The Condominium Unit Lease shall be for a term of up to 45 years, at a rent of one hundred dollars (\$100) per year, or more, and shall require that Project Site be used by the Foundation in a manner that will not violate the terms, conditions and restrictions contained in agreements with the County or others. Furthermore, the Condominium Unit Lease shall allow the Foundation to encumber the Project Site for the purpose of obtaining financing for the Project. In order to effectuate such a transaction, the Board hereby authorizes, directs and

empowers the President, Dr. Charlene Nunley, or her designee, or the Chair of the Board of Trustees or designee (each an “Authorized Officer”) to execute and deliver the Condominium Unit Lease on behalf of the College (in a form and substance generally similar to attached Exhibit A, with such changes as an Authorized Officer shall determine to be necessary, proper, appropriate, advisable, or desirable) is hereby in all respects authorized, adopted, specified, accepted, ratified, approved, and confirmed by the College; and be it further

Resolved, That the College is hereby authorized to participate in the lease of the Project for College purposes, upon its completion, from the Foundation pursuant to the terms of the Lease Agreement. The Lease Agreement shall be for a term of up to 35 years and shall be a “triple net” lease agreement. The College shall pay semi-annual base rentals during the term, and the annual amount of the base rental shall not exceed such amounts as shall be determined to be appropriate by the President or designee in order to meet all requirements of the bonds. The base rentals may be made payable solely from the Major Facilities Reserve Fund established and imposed by the College upon students for each enrolled credit hour Major Facilities Reserve Fund and such other sources as the Authorized Officers designate. Under the terms of the Lease Agreement, the College must pay the costs of maintenance, insurance, and taxes relating to the Project and these obligations shall not be limited to the Major Facilities Reserve Fund. In order to effectuate such a transaction, the Board hereby authorizes, directs and empowers an Authorized Officer to execute and deliver the Lease Agreement on behalf of the College (in a form and substance generally similar to attached Exhibit B, with such changes as an Authorized Officer shall determine to be necessary, proper, appropriate, advisable, or desirable) is hereby in all respects authorized, adopted, specified, accepted, ratified, approved, and confirmed by the College; and be it further

Resolved, That the College is hereby authorized to enter into covenants in the Lease requiring it to establish, collect, and maintain the Major Facilities Reserve Fund at prescribed levels and establish and maintain a fund for the holding of Major Facilities Reserve Fund in order to ensure that said fees are applied for the payment of the base rentals and other limited purposes. The College is further authorized to pledge the Major Facilities Reserve Fund to secure its obligation to make payments of base rentals under the Lease; and be it further

Resolved, That an Authorized Officer is hereby authorized, directed, and empowered to provide and certify information relating to the College, the Project Site, and the Project as it pertains to the issuance of the Bonds as such information may be required for the preparation and distribution of an Official Statement for the Bonds. The use and distribution by the Issuer or its underwriters of a Preliminary Official Statement containing such information to solicit offers to purchase the Bonds is hereby approved; and be it further

Resolved, That the College is hereby authorized to enter into any agreements or amendments to agreements with the County which may be required by the leasing activities or the issuance of the Bonds and such authority and agreements are hereby authorized, adopted, specified, accepted, approved, and confirmed by the College; and be it further

Resolved, That all agreements, documents, and contracts of the College to be entered into in connection with the leasing activities or the execution and delivery of the College Documents (the “Related Documents”) as an Authorized Officer of the College shall determine to be necessary, proper, appropriate, advisable, or desirable, including but not limited to (i) any tax certificate necessary or desirable to be executed in connection with the establishment or preservation of the tax-exempt status of the Bonds, (ii) any easements or other interests in real property necessary or desirable for the development, operation, or construction of the Project, (iii) any assignment of the construction contract for the Project or the College’s undertaking the role of the Foundation’s construction agent for the Project

and the administration of the construction contract(s) for the project, (iv) any financing statements or other instruments required to effect a security interest in the College's interests in the pledged fees to secure its lease obligations under the Lease, (v) any agreements with the underwriter for the Bonds including a bond purchase agreement and letter of representation, and (vi) any agreements with the Authority relating to the Authority's involvement in the Project and payment of fees and expenses and any matters relating to the procurement of the trustee, paying agent, or registrar for the Bonds or to the book entry arrangements relating to the Bonds; be and the same are hereby in all respects authorized, adopted, specified, accepted, ratified, approved, and confirmed; and be it further

Resolved, That all actions heretofore taken by the College or an Authorized Officer in connection with the leasing and contract activities, the Condominium Unit Lease, the Lease Agreement, and the Related Documents, including without limitation (a) the expenditure of funds, (b) the selection, appointment, and employment of engineers, consultants, and advisors for the Project and the leasing activities, (c) the filing of any applications for any regulatory approvals or permits, (d) the acquisition of the Bakery and the Project Site and the establishment of the Condominium Regime, and (e) all other actions taken in connection with any of the foregoing, be and the same are hereby in all respects authorized, adopted, specified, accepted, ratified, approved and confirmed; and be it further

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

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

Attachments (Exhibits A & B)