



**MONTGOMERY COLLEGE
BOARD OF TRUSTEES**

**RECORD OF RESOLUTIONS
June 11, 2012**

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

Agenda Item Number: 5A
June 11, 2012

**AUTHORIZATION TO EXTEND THE CONTRACT TERM,
COOPERATIVE PROCUREMENT THROUGH OTHER AGENCY CONTRACT,
MANAGED CARE MEDICAL COVERAGE SERVICES**

BACKGROUND

Montgomery County Public Schools (MCPS), Montgomery County Government, Maryland-National Capital Park and Planning Commission, the Housing Opportunities Commission, Washington Suburban Sanitary Commission, and Montgomery College pooled their combined populations to achieve synergies and administrative cost efficiencies and procure managed care services through a cooperative purchasing effort. Subsequently, at its September 17, 2007, meeting, the Board of Trustees approved a cooperative procurement through other agency contract award for the purchase of managed care medical coverage services, beginning January 1, 2008, to CIGNA Healthcare, of Columbia, Maryland. MCPS was the lead agency and the contract was awarded under the terms and conditions of MCPS contract number 4206.1. The managed care service provisions offer Preferred Provider Organization (PPO) and Point-of Service (POS) programs for active employees, retirees under 65, retirees over 65, and Consolidated Omnibus Budget Reconciliation Act (COBRA) participants.

The College's current contract is valid for five years and expires on December 31, 2012. However, MCPS elected to re-bid their original contract in 2010 and awarded new contracts that will expire in December 2013. In addition, the County Council has directed the agencies to issue a cooperative purchase and to implement outcomes-based employee wellness and disease management programs through a single provider. Since the existing contract with MCPS does not expire until December 31, 2013, and, in order to align all agencies' managed care medical contract expirations, the College's contract would need to be extended for one additional year.

Therefore, a one-year extension is being requested on the current contract for managed care medical coverage with CIGNA Healthcare, of Columbia, Maryland. CIGNA Healthcare has agreed to extend the current administrative, network access, health savings account and aggregate stop loss fees through December 31, 2013, with no increase in cost to the College. Planned expenditures are available in the FY13 operating budget.

RECOMMENDATION

It is recommended that the Board of Trustees authorize an extension of the contract term to CIGNA Healthcare for managed care medical coverage, for a one-year term, beginning January 1, 2013, for a total amount of approximately \$8,850,000.

BACKUP INFORMATION

Board Resolution
Board Policy 63001

SENIOR RESPONSIBLE ADMINISTRATOR

Ms. Jones

RESOURCE PERSONS

Ms. Espinosa

Mr. Johnson

Ms. Sherman

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

Resolution Number: **12-06-033**
Adopted on: **6/11/2012**

Agenda Item Number: 5A
June 11, 2012

Subject: Authorization to Extend the Contract Term, Cooperative Procurement Through Other Agency Contract, Managed Care Medical Coverage

WHEREAS, the senior vice president for administrative and fiscal services has requested authorization of a one-year extension on the current contract for managed care medical coverage with CIGNA Healthcare beginning January 1, 2013; and

WHEREAS, the vice president of human resources, development, and engagement, and the acting vice president of procurement recommend the extension of the contract for one additional year since the current contract expires December 31, 2012; and

WHEREAS, to comply with the county council request that agencies implement outcomes-based employee wellness and disease management programs for managed care medical coverage; and

WHEREAS, the interim vice president of finance/chief financial officer certifies that planned expenditures are available in the FY13 operating budget; and

WHEREAS, CIGNA Healthcare has agreed to extend the current administrative, network access, health savings account and aggregate stop loss fees through December 31, 2013, at no additional cost to the College; and

WHEREAS, Board approval is required for modification of contracts valued above \$50,000; and

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

Resolved, That the Board of Trustees modify the current award of contract to CIGNA Healthcare, of Columbia, Maryland, for managed care medical coverage, for an additional one-year term, beginning January 1, 2013, for a total amount of approximately \$8,850,000.

DPP:abg

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

Agenda Item Number: 5B
June 11, 2012

**AUTHORIZATION OF EXTENSION OF THE LICENSE AGREEMENT
FOR LABORATORY SPACE IN THE GERMANTOWN INNOVATION CENTER FOR USE BY
THE BIOTECHNOLOGY DEPARTMENT AT THE GERMANTOWN CAMPUS, 20271
GOLDENROD LANE, GERMANTOWN, MARYLAND**

BACKGROUND

Additional laboratory space is needed to operate the Biotechnology Program on the Germantown Campus until the College's BioScience Education Center is completed. Necessary laboratory space is available in the Germantown Innovation Center (GIC), the Montgomery County operated business incubator located in the College's Goldenrod Building. Montgomery County leases from the College the entire second floor of the Goldenrod Building for the Germantown Innovation Center, one of five business incubators that Montgomery County operates.

The Germantown Biotechnology Program is a major element of the Germantown Development Project, which was envisioned in 2003. The Germantown Development Project has been designed to ensure integration of the Biotechnology Program to be located in the planned Bioscience Education Center on the Germantown Campus, with the Germantown Innovation Center and the Life Sciences Park. The vision of the Germantown Development Program is "to develop a continuum of bioscience and technology education and training from middle school to post doctorate levels in an integrated academic, business, and research environment." Significant progress has been made in implementing the Germantown Development Project. The GIC has been operating nearly at full capacity for almost four years. Site work is well underway for the Bioscience Education Center and construction of the actual building will begin shortly. The new Holy Cross Germantown Hospital, the anchor tenant for the Life Sciences Park, is also under construction.

Recently the College added a Biomanufacturing Certificate Program as part of the Biotechnology Program. This certificate program, designed with direct input from the local biotechnology industry, integrates laboratory and classroom instruction with an emphasis on "hands on" student participation. It is designed to use current state-of-the-industry equipment and techniques to provide the skills necessary to obtain an entry position in a biotechnology company. Lack of appropriate space and infrastructure currently on campus has made it very difficult to run the BT 235 Principles of Biomanufacturing course, or to develop additional laboratory exercises for existing and proposed biotechnology courses. A complete laboratory for the Biomanufacturing Certificate Program will be constructed as part of the planned Bioscience Education Center.

In an effort to address these space and infrastructure limitations, recently the Office of the Vice President/Provost arranged a short-term license with the GIC to utilize an 832 square foot laboratory to be able to adequately initiate the Biomanufacturing Certificate Program. The current license runs from March 1 to June 30, 2012. At this time, the College needs to make a

longer term license commitment so that this unique space remains available until the new Bioscience Education Center opens for students in the fall semester of 2014. For these reasons, approval is sought to extend the license agreement of laboratory incubator space, #2099, from July 1, 2012, through December 31, 2014, with the right to vacate earlier depending on the completion of the Bioscience Education Center. The cost to license Laboratory #2099 is \$3,000 per month plus utilities. Planned expenditures for the extension of the license agreement are available from the Montgomery College Life Sciences Park Foundation, Inc., which has agreed to fund this project. Board approval is required for agreements over \$25,000.

RECOMMENDATION

It is recommended that the Board of Trustees authorize the President to negotiate and execute an extension of the license agreement for a 30-month period ending December 31, 2014, with a 60-day cancellation clause with the Maryland Economic Development Corporation, Germantown Innovation Center, Scheer Partners Management, Inc., GIC Manager, for Laboratory #2099, Germantown Innovation Center, 20271 Goldenrod Lane, Germantown, Maryland 20876, at a charge of \$3,000 per month plus utilities.

BACK-UP INFORMATION

Board Resolution

SENIOR RESPONSIBLE ADMINISTRATOR

Dr. Donald Pearl

RESOURCE PERSON

Dr. Sanjay Rai

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

Resolution Number: **12-06-034**
Adopted on: **6/11/2012**

Agenda Item Number: 5B
June 11, 2012

Subject: Authorization of Extension Agreement for Laboratory Space in the Germantown Innovation Center for Use by the Biotechnology Department at the Germantown Campus, 20271 Goldenrod Lane, Germantown, Maryland

WHEREAS, the senior vice president for academic affairs requests an extension of a license agreement for rental of space at 20271 Goldenrod Lane, Germantown, Maryland, for the purpose of providing additional instructional space for the Germantown Campus Biotechnology Program pending the completion of the planned Bioscience Education Center on the Germantown Campus; and

WHEREAS, the senior vice president for administrative and fiscal services certifies that funds are available from the Montgomery College Life Sciences Park Foundation, Inc., to enable the College to award an extension of the license agreement as recommended; and

WHEREAS, incubator laboratory space #2099 in the Germantown Innovation Center (GIC) at 20271 Goldenrod Lane in Germantown, Maryland, meets all College requirements for the Germantown Campus Biotechnology Program including the College's needs for location, timetable, and economies of scale due to its existence on the Germantown Campus and opportunities for synergy with other pending GIC tenants pending completion of the planned Bioscience Education Center on the Germantown Campus; and

WHEREAS, the College received a proposal from the GIC that meets the College's requirements at a reasonable cost; and

WHEREAS, Board of Trustees approval is required for agreements above \$25,000; and

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

Resolved, That the president is authorized to negotiate and execute an extension of the license agreement for a 30-month period ending December 31, 2014, with a 60-day cancellation clause with the Maryland Economic Development Corporation, Germantown Innovation Center, Scheer Partners Management, Inc., GIC Manager, for Laboratory #2099, Germantown Innovation Center, 20271 Goldenrod Lane, Germantown, Maryland 20876, at a charge of \$3,000 per month plus utilities.

DPP:abg

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

Agenda Item Number: 6
June 11, 2012

**SOLE SOURCE AWARD OF CONTRACT,
POINT-OF-SALE SYSTEM DEBIT CARD FEATURE
HARDWARE, SOFTWARE, AND RELATED SERVICES
FOR CAMPUS BOOKSTORE OPERATIONS**

BACKGROUND

In 1993, the Board approved the purchase of a point-of-sale (POS) textbook management and inventory control system for the College's bookstores to MBS Systems, LLC, of Columbia, Missouri, on a sole source basis. The MBS software system is a proprietary and licensed product that controls and accounts for the College's sales and inventory management of all resale items. As the system expanded over the years, additional POS equipment has been purchased to expand and update system technology and services. The POS system was upgraded in 2009 to accept credit card purchases. At the time the College was not accepting debit cards and funds were not available to purchase the additional hardware and software needed for a debit card feature. These debit card purchases cost less to utilize since they carry a flat transaction fee, which is lower than the credit card merchant fee. Transaction fees paid by the College in FY11 on customer credit card purchases totaled \$107,028.

Therefore, the College desires to add a debit card feature at this time to the point-of-sale hardware and software system for its bookstore operations. Data analysis indicates that implementing this service would result in an estimated \$10,000 annual savings. The addition of the debit card payment feature also provides all bookstore patrons with an additional purchase payment option.

This sole source procurement is justified since the requested hardware and software system is compatible with the current POS system; is proprietary and no other vendor can provide this service; and is only available from and supported by MBS Systems. The total price for the purchase, delivery, and installation of the POS system debit feature software and equipment is \$40,076. The purchase of the debit card system is a planned expenditure in the FY12 auxiliary services budget.

RECOMMENDATIONS

It is recommended that the Board of Trustees approve a contract for the purchase, delivery, and installation of a debit card point-of-sale system for collegewide bookstore operations to MBS Systems, LLC, of Columbia, Missouri, on a sole source basis, for a total price of \$40,076.

BACK-UP INFORMATION

Board Resolution
Board Policy 63001

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURE PERSONS

Dr. Carey-Fletcher

Mr. Johnson

Ms. Sherman

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

Resolution Number: **12-06-035**
Adopted on: **6/11/2012**

Agenda Item Number: 6
June 11, 2012

Subject: Sole Source Award of Contract, Point-of-Sale System Debit Card Feature Hardware, Software, and Related Services for Campus Bookstore Operations

WHEREAS, the senior vice president for administrative and fiscal services has requested a contract for the purchase, delivery, and installation of hardware, software, and related services of the debit card feature for the point-of-sale system to allow for the processing of debit card purchases at College bookstores, on a sole source basis; and

WHEREAS, implementing this service would result in an estimated \$10,000 annual savings to the College, would operate with lower electronic payment processing fees, and would provide customers with an additional purchase payment option; and

WHEREAS, the vice president of auxiliary services and the acting vice president of procurement affirm that the sole source request is justified since this purchase is compatible with the current point-of-sale bookstore operations system, is proprietary to MBS Systems, and can only be obtained from and supported by MBS Systems, and that no other product will meet College needs; and

WHEREAS, the interim vice president of finance/chief financial officer certifies that funds for the planned expenditures are available in the FY12 auxiliary services budget; and

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

WHEREAS, College 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, delivery, and installation of hardware, software, and related services of the debit card feature for the point-of sale system of the campus bookstore operations, to MBS Systems, LLC, of Columbia, Missouri, on a sole source basis, for a total price of \$40,076.

DPP:abg

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

Agenda Item Number: 7A
June 11, 2012

**CAPITAL BUDGET FUND TRANSFERS
TO
GERMANTOWN BIOSCIENCE EDUCATION CENTER PROJECT**

BACKGROUND

In accordance with county fiscal procedures, the Board of Trustees is authorized to transfer funds between College projects within the capital budget. Additional funds are needed in the Germantown Bioscience Education Center project in order to provide an optimal construction contingency for projected potential expenditures required for architectural and engineering construction administration phase services, construction inspection services, network infrastructure equipment, and building permit and other regulatory fees as well as unforeseen circumstances. Funds are available in other capital budget projects that can be used for this purpose.

Funds totaling \$1,055,000 have been identified in the FY12 capital budget Takoma Park/Silver Spring Health Sciences Expansion project (\$555,000), the Rockville Parking Lot and Tennis Court Relocation project (\$300,000), and the Energy Conservation project (\$200,000) that can be used for this purpose. The first two projects are complete or nearly complete and have available remaining balances due to contracts coming in under budget. The Energy Conservation project is an ongoing, annually funded project with an available balance. According to county regulations, no more than 10 percent of a total project appropriation can be moved from a capital project. The amounts to be moved are within the budget parameters for these projects.

As mentioned in the construction contract award agenda item for the Bioscience Education Center, once construction is underway and there is a better sense of actual project needs, an additional transfer of funds to increase the construction contingency reserve may be requested.

Approval by the Board of Trustees is required for all fund transfers between capital projects.

RECOMMENDATION

It is recommended that the Board of Trustees approve the transfer of a total of \$1,055,000 into the Bioscience Education Center project in the FY12 capital budget from the Takoma Park/Silver Spring Health Sciences Expansion project (\$555,000), the Rockville Parking Lot and Tennis Court Relocation project (\$300,000), and the Energy Conservation project (\$200,000) in order to provide funds for an optimal contingency for planned project expenditures.

BACK-UP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSONS

Ms. Cubar

Ms. Sherman

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

Resolution Number: **12-06-036**
Adopted on: **6/11/2012**

Agenda Item Number: 7A
June 11, 2012

**Subject: Capital Budget Fund Transfers to the Germantown Bioscience
Education Center Project**

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

WHEREAS, additional funds are needed in the FY12 capital budget Germantown Bioscience Education Center project to provide an optimal level of funding for construction-related project expenses and contingency funds for unforeseen circumstances based on the value of the construction contract; and

WHEREAS, funds totaling \$1,055,000 are available in the Takoma Park/Silver Spring Health Sciences Expansion project (\$555,000), the Rockville Parking Lot and Tennis Court Relocation project (\$300,000), and the Energy Conservation project (\$200,000) in the FY12 capital budget that can be used for this purpose; and

WHEREAS, the interim vice president of finance/chief financial officer certifies that the funds are available in the FY12 capital budget for this transfer and also certifies that the amounts to be transferred are within the 10 percent limit for each project; and

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

Resolved, That \$555,000 from the Takoma Park/Silver Spring Health Sciences Expansion project, \$300,000 from the Rockville Parking Lot and Tennis Court Relocation project, and \$200,000 from the Energy Conservation project, for a total of \$1,055,000, is transferred to the Germantown Bioscience Education Center project in the FY12 capital budget in order to provide funds for an optimal contingency for planned project expenditures; and be it further

Resolved, That the county executive and the county council be notified of this action.

DPP:abg

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

Agenda Item Number: 7B
June 11, 2012

**CAPITAL BUDGET FUND TRANSFERS,
NETWORK INFRASTRUCTURE AND SUPPORT SYSTEMS PROJECT AND
INFORMATION TECHNOLOGY-COLLEGE PROJECT
TO
NETWORK OPERATING CENTER PROJECT**

BACKGROUND

In accordance with county fiscal procedures, the Board of Trustees is authorized to transfer funds between College projects within the capital budget. Additional funds are needed in the Network Operating Center project in the FY12 capital budget for an electrical power upgrade and related mechanical work in the College's network operations center which is housed in The Morris and Gwendolyn Cafritz Foundation Arts Center at the Takoma Park/Silver Spring Campus. The estimated cost of the work is \$5,000,000. The upgrade will also provide additional redundancy in the system to support future systems growth and provide alternate back-up power in emergency situations. The additional funds needed to support this initiative are available in the two information technology capital projects mentioned above.

The College network is being expanded to support increased wireless network and virtual computing labs. Services and systems are continually being expanded to provide services to off-campus College locations as well as to new and larger buildings on the campuses. All require increased network capability and new systems which in turn increase the power supply and cooling demands in the College's information technology operations center. This upgrade will move the College's operations center to a new level of reliability and add capacity to ensure that the ever-increasing needs of students, faculty, and staff can be met.

An additional \$3,300,000 is needed in the Network Operating Center project for the infrastructure upgrade. The funds available for transfer have been identified in the FY12 capital budget Network Infrastructure and Support Systems project (\$800,000) and the Information Technology-College project (\$2,500,000). While both source projects allow for "infrastructure" work, the fact that this upgrade is for the operations center makes it appropriate to account for all of the costs in Network Operating Center capital project. According to county regulations, no more than 10 percent of a total project appropriation can be moved from a capital project. The amounts to be moved, \$800,000 and \$2,500,000, are within the budget parameters for these two projects.

Approval by the Board of Trustees is required for all fund transfers between capital projects.

RECOMMENDATION

It is recommended that the Board of Trustees approve the transfer of a total of \$3,300,000 into the Network Operating Center project in the FY12 capital budget from the Network Infrastructure

and Support Systems project (\$800,000) and the Information Technology-College project (\$2,500,000) in order to provide additional funds for planned expenditures.

BACK-UP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSONS

Ms. Cubar

Ms. Schena

Ms. Sherman

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

Resolution Number: **12-06-037**
Adopted on: **6/11/2012**

Agenda Item Number: 7B
June 11, 2012

Subject: Capital Budget Fund Transfer: Network Infrastructure and Support Systems Project and Information Technology: College Project to the Network Operating Center Project

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

WHEREAS, additional funds are needed in the FY12 capital budget Network Operating Center project for necessary electrical power upgrades, mechanical upgrades and power back-up redundancy in the College's information technology operations center to support current and future system demands; and

WHEREAS, funds totaling \$3,300,000 are available in the Network Infrastructure and Support Systems project (\$800,000) and the Information Technology-College project (\$2,500,000) in the FY12 capital budget that can be used for this purpose; and

WHEREAS, the need for this project has been discussed with the county during the recent budget reviews; and

WHEREAS, the acting vice president for instructional and information technology/chief information officer certifies that these funds are for a planned expenditure;

WHEREAS, the interim vice president of finance/chief financial officer certifies that the funds are available in the FY12 capital budget for this transfer and also certifies that the amounts to be transferred, \$800,000 and \$2,500,000 are within the 10 percent limit for both projects; and

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

Resolved, That \$800,000 is transferred from the Network Infrastructure and Support Systems project and \$2,500,000 is transferred from the Information Technology-College project to the Network Operating Center project in the FY12 capital budget in order to provide funds for planned project expenditures for upgrades in the College's information technology operations center; and be it further

Resolved, That the county executive and the county council be notified of this action.

DPP:abg

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

Agenda Item Number: 8A
June 11, 2012

**AWARD OF CONTRACT
BIOSCIENCE EDUCATION CENTER PHASE 2 - BUILDING,
GATEWAY SIGNAGE, AND
OBSERVATION DRIVE EAST-WEST ROADWAY CONSTRUCTION
GERMANTOWN CAMPUS, RFP NO. 612-005**

BACKGROUND

This contract award is for construction of the Bioscience Education Center building, a new 145,139 gross square foot building planned on the Germantown Campus. Construction of gateway signage for the south campus entrance and the extension of Observation Drive from Goldenrod Lane are also included in this project. Preparatory work phases were separately contracted, including site demolition, grading, utility work, road construction, and greenhouse construction. These projects are nearing completion.

This three-story building will contain classrooms, class laboratories, administrative offices, support spaces, and a conference center. A steel and composite concrete structural frame, a high performance exterior building envelope, and a rooftop mechanical penthouse are provided. Distribution of new site utilities, installation of storm water management measures, comprehensive landscape design, and installation of new built-in laboratory furniture and scientific equipment are significant project features. Sustainable design features include high efficiency equipment, ice plant, green roof and solar panel and wind turbine energy technologies. The project expects to achieve LEED Gold certification from the U.S. Green Building Council. Gateway signage and the extension of Observation Drive from Goldenrod Lane to a new traffic circle are integrated project components.

Project contract documents, including drawings and specifications, were prepared by architecture and engineering consultants and central facilities staff. A two-part request for proposal (RFP) process was undertaken to afford the College the benefits of a best-value solicitation.

In Part A of the RFP, contractor qualification proposals were requested. The Part A solicitation was advertised on January 30, 2012, and 10 responses including one no bid were received by the February 24, 2012, submission deadline. The RFP documents stipulated that up to six of the highest scoring contractors would be invited to participate in Part B of the process and to participate in an interview and to submit a price proposal. An evaluation committee, consisting of key staff from the College's Office of Central Facilities, reviewed and evaluated the proposals. Only the four highest scoring contractors were deemed qualified and were invited to participate in Part B.

The Part B RFP documents were provided to the four selected contractors on March 26, 2012. The RFP documents stipulated that the technical proposal from Part A would represent 30

percent of the contractor's total score, the interview would represent 20 percent of the contractor's total score, and the price proposal would represent 50 percent of the contractor's total score. The proposal achieving the highest cumulative score would be recommended for contract award.

Price proposal responses from three contractors and one no bid were received by the May 4, 2012, submission deadline. Interviews were conducted and the interview evaluation process completed and then price proposals were opened and evaluated.

Clark Construction Group, LLC, of Bethesda, Maryland, achieved the highest cumulative score and is recommended for contract award at the proposed base bid price of \$58,843,000. The bid price proposed compares reasonably with the College's estimated cost for this project of \$56,713,135.

Sufficient funds are available for this work in the FY12 Capital Budget Germantown Bioscience Education Center, Germantown Science and Technology Park Infrastructure, and Site Improvements projects. A smaller than optimal construction contingency (approximately 2.2 percent) will remain available following planned expenditures required for architectural and engineering construction administration phase services, construction inspection services, network infrastructure equipment, and building permit and other regulatory fees. However, because this is a lower than optimal contingency allowance, a capital budget fund transfer into this project is also on the Board's June agenda for consideration. Once construction is underway and there is a better sense of actual project needs, an additional transfer of funds to increase the construction contingency reserve may be requested.

Contractor references have been checked and are satisfactory. Board approval is required for competitive sealed proposals valued above \$100,000.

RECOMMENDATION

It is recommended that, contingent upon Maryland Department of General Services approval, an award of contract for \$58,843,000 be made to Clark Construction Group, LLC, of Bethesda, Maryland, for construction of the Bioscience Education Center Building – Phase 2, Gateway Signage and Observation Drive East-West Roadway Construction on the Germantown Campus.

BACK-UP INFORMATION

Board Resolution
Bid Summary (Board members only)
Bidders' List (Board members only)

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSONS

Ms. Cubar
Mr. Johnson
Ms. Sherman

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

Resolution Number: **12-06-038**
Adopted on: **6/11/2012**

Agenda Item Number: 8A
June 11, 2012

Subject: Award of Contract, Bioscience Education Center Building – Phase 2, Gateway Signage and Observation Drive East-West Roadway Construction, Germantown Campus, RFP No. 612-005

WHEREAS, the senior vice president for administrative and fiscal services requests approval of a contract for the Bioscience Education Center Building – Phase 2, Gateway Signage and Observation Drive East-West Roadway construction on the Germantown Campus; and

WHEREAS, a two-part request for proposals method was used for this project to afford the College the benefits of a best-value solicitation for this project; and

WHEREAS, the acting vice president of procurement certifies that project specifications and drawings were developed by appropriate College staff and consultants; and

WHEREAS, pursuant to Md. (Educ.) Ann. Sec. 16-311, a Request for Proposals, Part A – Contractor Qualifications, was publicly advertised on January 30, 2012, in the *Baltimore Sun* and *The Washington Post*; and posted on the Montgomery College procurement website and eMaryland Marketplace; and 91 prospective bidders downloaded the solicitation from the procurement web site; and by February 24, 2012, 10 responses including two no bids, were received and recorded in the Office of Procurement by 1:00 p.m. local time; and

WHEREAS, after evaluation of Part A - Contractor Qualification proposals, only the four highest scoring contractors were deemed qualified and were invited to advance to Part B of the RFP process and to participate in an Interview and submit a Price Proposal, and;

WHEREAS, Part B RFP documents were made available to the four selected contractors on March 26, 2012; and by May 4, 2012, three responses and one no bid were received and recorded in the Office of Procurement by 1:00 pm local time; and

WHEREAS, following evaluation of Part B - Interviews and Price Proposals, it was determined that Clark Construction Group, LLC, of Bethesda, Maryland, achieved the highest cumulative score and whose base bid price of \$58,843,000 meets all College specifications; and

WHEREAS, Board approval is required for competitive sealed proposals valued above \$100,000; and

WHEREAS, the interim vice president of finance/chief financial officer certifies that, contingent upon Maryland Department of General Services approval, funds are available in the FY12 capital budget to enable the College to award the contract as recommended; and

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

Resolved, That, contingent upon Maryland Department of General Services approval, a contract for providing all necessary materials, labor, equipment, and insurance for construction of the

Bioscience Education Center – Phase 2, Gateway Signage and Observation Drive East-West Roadway Germantown Campus, is awarded to Clark Construction Group, LLC, of Bethesda, Maryland, at the proposed base bid price of \$58,843,000; and be it further

Resolved, That the president is authorized to sign the contract on behalf of the Board of Trustees.

DPP:abg

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

Agenda Item Number: 8B
June 11, 2012

**AWARD OF CONTRACT
CONSTRUCTION ADMINISTRATION SERVICES
BIOSCIENCE EDUCATION CENTER BUILDING – PHASE 2, GERMANTOWN CAMPUS
BID NO: 607-002**

BACKGROUND

This contract award provides for architectural and engineering construction administration services for the Bioscience Education Center Building – Phase 2 on the Germantown Campus. In November 2006, the Board of Trustees appointed The Lukmire Partnership as project architect to provide design through construction administration services for the Bioscience Education Center project. In multiple awards from November 2006 through February 2010, in concert with state funding allocation timing requirements, the Board awarded contracts to The Lukmire Partnership for the design portions of the architecture and engineering services for the project. Work under those contracts is essentially complete. Additional contract award action is now required to provide for construction phase services.

The initial proposal for construction administration services from The Lukmire Partnership was subject to extensive review and negotiation with College staff resulting in a final proposal of \$1,195,150 for these services. Funding is included in the approved FY12 capital budget, and the state will participate with its standard 50 percent share of this contract. Board of Trustees approval is required for contract awards over \$100,000.

RECOMMENDATION

It is recommended that, contingent upon Maryland Department of General Services approval, a contract for architectural and engineering construction administration services for the Bioscience Education Center Building – Phase 2 on the Germantown Campus be awarded to The Lukmire Partnership, of Alexandria, Virginia, at a fee of \$1,195,150.

BACK-UP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSON(S)

Ms. Cubar
Mr. Johnson
Ms. Sherman

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

Resolution Number: **12-06-039**
Adopted on: **6/11/2012**

Agenda Item Number: 8B
June 11, 2012

Subject: Award of Contract for Construction Administration Services, Bioscience Education Center Building – Phase 2, Germantown Campus, Bid Number 607-002

WHEREAS, on November 20, 2006, by resolution number 06-11-127, the Board of Trustees appointed The Lukmire Partnership as project architect to provide design and construction administration services for construction of the Bioscience Education Center Building; and

WHEREAS, on November 20, 2006, by resolution number 06-11-127, and on February 19, 2007, by resolution number 07-02-022, and on February 15, 2010, by resolution number 10-02-010, the Board of Trustees awarded contracts for complete design services for the Bioscience Education Center Building on the Germantown Campus to The Lukmire Partnership; and

WHEREAS, the interim vice president of college facilities and security requests approval of an architectural and engineering construction administration services contract for the Bioscience Education Center Building; and

WHEREAS, based upon the Board's prior appointment of The Lukmire Partnership, the Facilities Office requested a fee proposal for and negotiated a final fee for architectural and engineering construction administration services for the Bioscience Education Center Building; and

WHEREAS, the interim vice president of finance/chief financial officer certifies that, contingent upon Maryland State Department of General Services approval, funds are available in the FY12 capital budget to enable the College to award the construction administration services contract for the Bioscience Education Center Building as recommended; and

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

Resolved, That contingent upon Maryland State Department of General Services approval, a contract for architectural and engineering construction administration services for the Bioscience Education Center Building on the Germantown Campus is awarded to The Lukmire Partnership, of Alexandria, Virginia, at a fee of \$1,195,150; and be it further

Resolved, That the Board of Trustees respectfully requests of the Maryland State Department of General Services provide full state-eligible funding for this contract; and be it further

Resolved, That following state approval, the president is authorized to execute the contract with The Lukmire Partnership, of Alexandria, Virginia, on behalf of the College for architectural and engineering construction administration services for the Bioscience Education Center Building on the Germantown Campus.

DPP:abg

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

Agenda Item Number: 8C
June 11, 2012

**AWARD OF CONTRACT,
ROOF REPLACEMENTS AT THE GERMANTOWN CAMPUS
GOLDENROD BUILDING AND THE
TAKOMA PARK/SILVER SPRING CAMPUS
HEALTH SCIENCES CENTER – ROOF SECTION D, BID NO. 612-008**

BACKGROUND

This award is for the complete replacement of the Goldenrod Building roof at the Germantown Campus and a partial roof replacement for the Health Sciences Center at the Takoma Park/Silver Spring Campus.

The Goldenrod roof is 26 years old and has exceeded the typical 20-year life span for a typical commercial grade flat roof system. The College Foundation's purchase of this former office building was completed in September 2011. Before the College renovated and moved into the building in 2008, the previous owner had allowed a prior tenant to have numerous satellite dishes on the roof. There were not adequate funds in the renovation budget for a full replacement of the roof, which was desired at that time. So, as a cost reduction, repairs were made instead of a replacement. These repairs have now failed and a full replacement is warranted. The Foundation Board has authorized the replacement of the roof by the College and this is a planned expenditure of roofing funds in the College's capital budget.

At the Takoma Park/Silver Spring Campus, roof section 'D' of the Health Sciences Center supports the structural framing of the solar panel arrays on the building's south wing which fronts Jesup Blair Park. This roof is 10 years old, but it was determined that water infiltrated the insulation under the roof membrane through a failed wall flashing detail behind the brick veneer of the adjacent wall of the east wing of the building. This hidden condition was discovered after a scheduled roof survey. This failure is not covered by the roof warranty and it is too late to go back and recover costs from the construction contractor. Now, during construction projects, we include the services of a third-party roofing inspector, a building envelope inspector, and a commissioning agent. While this replacement is not a planned expenditure of funds, the capital roof replacement budget can cover unforeseen circumstances.

Additionally, because this section of the Health Sciences roof has many penetration points due to the supports for the solar array, the replacement also includes the installation of an electronic field vector mapping leak detection system in order to improve leak detection in the future.

Project contract documents, including drawings and specifications, were prepared by a roofing consultant and facilities staff. The project was advertised for bid on April 19, 2012. Bids were opened on May 17, 2012. Seven bids were received with one vendor being declared as non-responsive. The remaining bids ranged from \$520,000 to \$910,000. The estimated cost of this project is \$810,000. The apparent low bid was submitted by J & K Contracting, Inc, Capitol Heights, Maryland. The consulting project engineer reviewed the bids. With competitive market conditions, the award is in an acceptable range. Sufficient funds are available in the FY12

Capital Budget Roof Replacement Project for both replacements.

References were checked and positive responses were received. Board approval is required for competitive sealed proposals valued above \$100,000.

RECOMMENDATION

It is recommended that an award of contract for \$520,000 be made to J & K Contracting, Inc., Capitol Heights, Maryland, as the recommended low bidder for the replacement of Goldenrod Building roof at Germantown Campus and roof section 'D' of the Health Sciences Center at the Takoma Park/Silver Spring Campus.

BACK-UP INFORMATION

Board Resolution
Board Policy 63001
Bid Summary (Board Members Only)
Bidders' List (Board Members Only)

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSON(S)

Ms. Cubar
Mr. Johnson
Ms. Sherman

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

Resolution Number: **12-06-040**
Adopted on: **6/11/2012**

Agenda Item Number: 8C
June 11, 2012

Subject: Award of Contract for Roof Replacements, Germantown Campus Goldenrod Building Roof and Takoma Park/Silver Spring Campus Health Sciences Center Roof Section 'D', Bid No. 612-008

WHEREAS, the senior vice president for administrative and fiscal services requests approval of a contract for the replacements of the Goldenrod Building roof at the Germantown Campus and roof section 'D' of the Health Sciences Center at the Takoma Park/Silver Spring Campus; and

WHEREAS, the Montgomery College Foundation Board, as owner of the Goldenrod Building, has authorized the replacement of the roof by the College; and

WHEREAS, the acting vice president of procurement certifies that project specifications and drawings were developed by appropriate College staff and consultants; and

WHEREAS, pursuant to Md. (Educ.) Ann. Sec. 16-311, a request for bid was advertised on April 19, 2012, in the *Washington Post*, *Baltimore Sun*, and on April 19, 2012, posted on the procurement website, and eMaryland Marketplace, downloaded by 46 vendors, seven responses were received including one vendor who was deemed as nonresponsive, were publicly opened, and recorded beginning at 3:00 p.m. local time on May 17, 2012; and

WHEREAS, after analysis of the bids, it was determined that the low bid of \$520,000 submitted by J & K Contracting, Inc., Capitol Heights, Maryland, meets all College specifications and is therefore the lowest responsive bidder; and

WHEREAS, Board approval is required for competitive sealed bids valued above \$100,000; and

WHEREAS, the interim vice president of finance/chief financial officer certifies that funds are available in the FY12 Capital Budget Roof Replacement project to enable the College to award the contract as recommended; and

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

Resolved, That a contract for providing all necessary materials, labor, equipment, and insurance for the replacement of the Goldenrod Building roof at the Germantown Campus and roof section 'D' of the Health Sciences Center at the Takoma Park/Silver Spring Campus be awarded to J & K Contracting, Inc., Capitol Heights, Maryland, at the firm's low bid price of \$520,000; and be it further

Resolved, That the president is authorized to execute a contract with J & K Contracting, Inc., Capitol Heights, Maryland, on behalf of the Board of Trustees.

DPP:abg

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

Agenda Item Number: 9
June 11, 2012

**AFFIRMATION OF EMERGENCY PROCUREMENT,
AWARD OF CONTRACT FOR DATA SECURITY SERVICES**

BACKGROUND

On May 10, 2012, a Montgomery College professor conducting a web search discovered a faculty workload report, in PDF format, that contained the Social Security numbers of full-time instructional faculty members from the 2001–2002 academic year. The professor reported the incident to his dean, who reported it to senior administrators, including the Office of Information Technology (OIT). Initial research by OIT located and removed the document from the College's web folder. OIT also worked with Google, Bing, and Yahoo search engine companies to request that they remove the document from their caches.

At this time, there is no evidence that personal data has been compromised, but the College took action and made available identity theft protection services for those individuals who may have been affected.

The discovery of this PDF recalls a previous incident that occurred in December 2010, in which a similar document with private data was found online. Following that discovery, OIT scanned the College website for any other documents containing private employee data, and none was found.

In addition to identity theft protection services, the College took further precautions and expeditiously contracted with an industry leading data security services company, Cyveillance, Inc., to conduct an assessment of College systems and web pages, and to ensure that any personally identifiable information was removed. The first phase of Cyveillance's work includes identifying potential data risks anywhere on the open source Internet. The second phase involves monitoring the Internet for statements related to privacy, confidentiality, or security of employee information, leaks of confidential information or intellectual property, threats against network assets. The final phase involves undergoing advanced analysis on any intelligence gathered by firm during phases one and two.

The total cost for all services listed above is \$114,995.

RECOMMENDATIONS

It is recommended that the Board of Trustees affirm the authorization of a procurement, on an emergency basis, to Cyveillance, Inc., of Fairfax, Virginia, at a cost of \$114,995.

BACK-UP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSONS

Dr. Cain

Ms. Sherman

Mr. Johnson

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

Resolution Number: **12-06-041**
Adopted on: **6/11/2012**

Agenda Item Number: 9
June 11, 2012

**Subject: Affirmation of Emergency Procurement, Award of Contract for
Data Security Services**

WHEREAS, May 10, 2012, a Montgomery College professor conducting a web search discovered a faculty workload report, in PDF format, that contained the Social Security numbers of full-time instructional faculty members from the 2001–2002 academic year; and

WHEREAS, the incident was reported to senior administrators, who immediately contacted the Office of Information Technology (OIT), which took corrective action steps; and

WHEREAS, immediate action was required in order to permanently remove personally identifiable data from the Internet; and

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

WHEREAS, the acting vice president of procurement affirms that the emergency procurement is justified due to the impact on college operations; and the interim vice president of business services certifies that funds are available in the FY12 operating budget; and

WHEREAS, in accordance with College policy on emergency procurements, appropriate notifications were provided to the extent possible at the time; and

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

Resolved, That an emergency award of contract is affirmed for providing data security services, Cyveillance, Inc., of Fairfax, Virginia, at a cost of \$114,995.

DPP:abg