



**MONTGOMERY COLLEGE  
BOARD OF TRUSTEES**

**RECORD OF RESOLUTIONS  
May 19, 2015**

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

Agenda Item Number: 7  
May 19, 2015

**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 and Strategic Talent Management on new hires and employees who have separated from the College.

RECOMMENDATION

It is recommended that the Board adopt the attached report.

BACKUP INFORMATION

Board Resolution  
Personnel Actions Confirmation Report  
Policy 34001–Changes in Employee Status

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSON

Ms. Porter

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

Resolution Number: 15-05-039  
Adopted on: 5/19/2015

Agenda Item Number: 7  
May 19, 2015

**Subject: Personnel Actions Confirmation**

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WHEREAS, By state law the Board of Trustees has the authority and responsibility for appointments to the College; and

WHEREAS, The attached summary indicates related personnel actions taken by the College during the period March 1, 2015, through March 31, 2015; 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 reports and confirms the actions of the president.

Attachments

MONTGOMERY COLLEGE  
SUMMARY OF PERSONNEL ACTIONS  
From March 1, 2015, through March 31, 2015

**STAFF**

**STAFF EMPLOYMENTS**

Effective Date	Name	Position Title	Grade	Department
03/30/2015	Bethea, Loretta K	Safety & Security Officer	F	Facilities Security - RV
03/02/2015	Davis, Orlando L	Building Equipment Mechanic	H	Facilities Operations - TP/SS
03/02/2015	Grant, Val D	Building Services Supervisor	H	Facilities - Central Admin
03/30/2015	Johnson, Helen T	Accountant I	J	BITS Dean - WDCE
03/02/2015	Mitchell, James D	Simulation Technology Spec	H	Health Sciences Dean
03/30/2015	Norberg, Kerry B	Campus Planner	K	Facilities - Central Admin
03/30/2015	Quinde, Christian	Office Associate	E	Community Based Grants - WDCE
03/30/2015	Rojas, Jeanette	ACES Academic Coach	K	ACES - Achieve College Excel & Success

**STAFF SEPARATIONS**

Effective Date	Name	Position Title	Grade	YOS	Department
03/27/2015	Dotel Galvan, Nurys A	Building Services Worker	B	5	Facilities - Central Admin
03/31/2015	Hardy, Charles E <sup>1</sup>	Building Services Worker	B	13	Facilities - Central Admin

**STAFF EMPLOYMENTS: Ethnicity and Gender**

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	1	2	1	0	0	4
Male	1	2	1	0	0	4
<b>TOTAL</b>	<b>2</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>8</b>

**STAFF SEPARATIONS: Ethnicity and Gender**

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	0	0	1	0	0	1
Male	0	1	0	0	0	1
<b>TOTAL</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>

**FACULTY**

**FACULTY EMPLOYMENTS: None**

**FACULTY SEPARATIONS: None**

<sup>1</sup> Retirement

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

Agenda Item Number: 8  
May 19, 2015

**DECLARATION OF COVENANTS  
INSPECTION MAINTENANCE OF STORMWATER  
MANAGEMENT SYSTEM FOR THE PAVILION 3 RENOVATION PROJECT ON THE  
TAKOMA PARK/SILVER SPRING CAMPUS**

**BACKGROUND**

The city of Takoma Park, Maryland, municipal code requires an inspection and maintenance agreement between the city and the owner for all privately owned environmental site design treatment practices and structural stormwater management measures.

In 2013 the College applied for approval of the stormwater concept plan with the city of Takoma Park for the Pavilion 3 Renovation Project on the Takoma Park/Silver Spring Campus. The stormwater concept plan was conditionally approved while the College and the city negotiated the agreement.

This action allows the city of Takoma Park to intervene on any stormwater management issue related to the P3 Building—the College is the owner in this case—in the event that the storm water management field is not properly managed. Board action is required to approve inspection and maintenance agreements for all easements.

**RECOMMENDATION**

It is recommended that the Board of Trustees authorize the Chair of the Board of Trustees and the president to execute this Declaration of Covenants Inspection/Maintenance of Stormwater Management System for the Pavilion 3 Renovation Project on the Takoma Park/Silver Spring Campus or any other in substantially similar form as that attached.

**BACKUP INFORMATION**

Board Resolution  
Declaration of Covenants Inspection/Maintenance of Stormwater Management System (Board Members Only)

**RESPONSIBLE SENIOR ADMINISTRATOR**

Dr. Wormack

**RESOURCE PERSON**

Dr. Yeatts

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

Resolution Number: 15-05-040  
Adopted on: 5/19/2015

Agenda Item Number: 8  
May 19, 2015

**Subject: Declaration of Covenants Inspection/Maintenance of Stormwater Management System for the Pavilion 3 Renovation Project on the Takoma Park/Silver Spring Campus**

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WHEREAS, On March 27, 2013, the College applied for approval of the stormwater concept plan with the city of Takoma Park, Maryland, for the Pavilion 3 Renovation Project on the Takoma Park/Silver Spring Campus and, subsequently, the city of Takoma Park conditionally approved the stormwater concept plan; and

WHEREAS, The city of Takoma Park conditionally approved the project permit while the agreement was finalized; and

WHEREAS, An inspection and maintenance agreement between the owner and the city for all privately owned environmental site design treatment practices and structural stormwater management measures prior to the issuance of a final stormwater management permit is required; and

WHEREAS, The Declaration of Covenants Inspection/Maintenance of Stormwater Management System (attached) requires execution by the Chair of the Board of Trustees and the president; and

WHEREAS, All recorded inspection and maintenance agreements require the Montgomery College Board of Trustees' approval prior to recordation; and

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

Resolved, That the Board of Trustees authorizes the Chair of the Board of Trustees and the president to execute a Declaration of Covenants Inspection/Maintenance of Stormwater Management System with the city of Takoma Park, Maryland, as attached, or any other in substantially similar form as that attached, necessary to implement the terms of this resolution.

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

Agenda Item Number: 9  
May 19, 2015

**AWARD OF CONTRACT  
FOR THE CONSTRUCTION OF THE  
NORTH GARAGE ON THE ROCKVILLE CAMPUS, BID 615-002**

BACKGROUND

<b>Request:</b>	Construction of the North Garage on the Rockville Campus
<b>Office/SVP Originating Request:</b>	Vice President of Facilities and Security, and the Senior Vice President for Administrative and Fiscal Services
<b>Award Type:</b>	Competitive Award of Contract
<b>Bid Number:</b>	615-002
<b>Explanation of Request:</b>	<p>The vice president of facilities and security has requested an award of contract for the construction of the North Garage on the Rockville Campus. This parking garage is required to ensure adequate parking on the campus due to the loss of parking spaces associated with the construction of the Science Center Building (approximately 200 spaces) and the future Student Services Center Building (approximately 200 spaces).</p> <p>The parking structure will be located at the east end of Parking Lot 4 and will consist of seven parking levels that will provide 922 parking spaces resulting in a net gain of 679 additional parking spaces for the campus. The Rockville North Garage project is included in the facilities master plan and the Board of Trustees approval of the FY14 capital budget (for design funding) and the FY15 capital budget (for construction funding).</p> <p>The construction project cost estimate is \$24,000,000.</p>
<b>Reason Being Brought to Board:</b>	Board approval is required for competitive sealed bid awards valued over \$250,000.
<b>Certifications:</b>	The director of procurement certifies that bid specifications were developed by appropriate College staff and consultants. The vice president of finance/chief finance officer certifies that funds are available in the FY15 capital budget to enable the College to award the contract as recommended.
<b>Contract Award:</b>	A contract for providing all necessary materials, labor, equipment, and insurance for construction of the North Garage, Rockville Campus, is \$23,275,000, the base bid price.

<b>Contractor Name:</b>	The Christman Company
<b>Contractor Address:</b>	1881 Campus Commons Drive, Suite 405 Reston, Virginia 20191
<b>Minority Status:</b>	No
<b>Term of Contract:</b>	One-time project

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the competitively-bid award for a contract to The Christman Company of Reston, Virginia, for the construction of the North Garage on the Rockville Campus for a total amount of \$23,275,000.

**BACKUP INFORMATION**

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

**RESPONSIBLE SENIOR ADMINISTRATOR**

Dr. Wormack

**RESOURCE PERSONS**

Mr. Johnson  
 Dr. Yeatts

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

Resolution Number: 15-05-041  
Adopted on: 5/19/2015

Agenda Item Number: 9  
May 19, 2015

**Subject: Award of Contract for the Construction of the North Garage on the Rockville Campus, Bid 615-002**

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WHEREAS, The vice president of facilities and security requests approval of an award of contract for the construction of the North Garage on the Rockville Campus to address parking shortages due to the addition of the Science Center Building and the future Student Services Building; and

WHEREAS, The director of procurement certifies that specifications were developed by appropriate College staff and the vice president of finance/chief finance officer certifies that funds are available in the FY15 capital budget; and

WHEREAS, Pursuant to Md. (Educ.) Ann. Sec. 16-311, a Request for Bid (RFB), Part A Contractor Qualifications and Part B Price Proposals, were publicly advertised on April 1, 2015, in *The Baltimore Sun* and *The Washington Post*; and posted on the Montgomery College Procurement web site and eMaryland Marketplace; and

WHEREAS, Eighty-two contractors downloaded the RFB and were recorded; and

WHEREAS, On April 16, 2015, seven responses, including one no bid, were received and recorded in the Office of Procurement by 3:00 p.m. for the Part A technical qualifications; and

WHEREAS, After evaluation of Part A technical qualifications, five contractors were deemed qualified and invited to submit Part B price proposals; and

WHEREAS, On May 12, 2015, five price bid responses were received and recorded in the Office of Procurement by 3:00 p.m.; and

WHEREAS, Following evaluation of price proposals, it was determined that The Christman Company of Reston, Virginia, submitted the lowest base bid price of \$23,275,000 and met all College specifications; and

WHEREAS, Board approval is required for bids valued above \$250,000; and

WHEREAS, The vice president of finance/chief finance officer certifies that funds are available in the FY15 capital budget, contingent upon the success of the revenue authority bond offering 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 the success of the revenue authority bond offering to fully fund the FY15 capital budget, a contract for providing all necessary materials, labor, equipment, and insurance for the construction of the North Garage on the Rockville Campus be awarded to The

Christman Company of Reston, Virginia, at the submitted base bid price of \$23,275,000; and be it further

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

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

Agenda Item Number: 10  
May 19, 2015

**APPROVAL OF INFORMATION ABOUT THE COLLEGE IN THE OFFICIAL STATEMENT FOR  
BONDS TO FINANCE THE ROCKVILLE PARKING GARAGE AND REFINANCE THE  
TAKOMA PARK/SILVER SPRING CAMPUS PARKING GARAGE**

**BACKGROUND**

On April 26, 2015, the Board adopted an omnibus resolution authorizing the College to participate in the bond issue (the "2015 Bonds") for the purpose of financing of the Rockville Campus parking garage and refinancing the Takoma Park/Silver Spring Campus parking garage (the "West Garage").

A substantially final draft of a Preliminary Official Statement of the Montgomery County Revenue Authority ("the Issuer") for the 2015 Bonds has been developed and furnished to the Board. It contains information about the College, its operations and finances, the Transportation Fees, the Transportation Fees Fund, the parking garages and legal agreements, as well as financial statements of the College (the "College Information").

This resolution approves the College Information that is contained in the draft Preliminary Official Statement and authorizes the president and senior vice president for administrative and fiscal services to modify or supplement such information to comply with securities laws, market practices, to correct inaccuracies or omissions, or to make changes that are necessary or desirable in connection with the sale of the refunding bonds.

Board approval of information about the College in Preliminary and Final Official Statements for bond issues in which the College participates is a best practice in the municipal finance market and is consistent with federal securities laws.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the College Information in the draft Preliminary Official Statement and direct and empower the president and senior vice president for administrative and fiscal services to modify or supplement such information.

**BACKUP INFORMATION**

Board Resolution  
Draft of Preliminary Official Statement (Board members only)

**RESPONSIBLE SENIOR ADMINISTRATOR**

Dr. Wormack

RESOURCE PERSONS

Dr. Yeatts  
Mr. Sorrell

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

Resolution Number: 15-05-042  
Adopted on: 5/19/2015

Agenda Item Number: 10  
May 19, 2015

**Subject: Approval of Information about the College to be Included in the Official Statement for Bonds to Finance the Rockville Parking Garage and Refinance the Takoma Park/Silver Spring Campus Parking Garage**

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WHEREAS, Montgomery College (the "College") leases the existing West Garage parking structure on its Takoma Park/Silver Spring Campus (the "2008 Project") in Silver Spring, Maryland; and

WHEREAS, In 2008, the Montgomery County Revenue Authority (the "Issuer") issued its revenue bonds (the "2008 Bonds") to finance the 2008 Project; and

WHEREAS, The Issuer will issue its revenue bonds (the "2015 Bonds") to finance part of the costs of the parking garage to be built on the College's Rockville Campus (the "2015 Project") and to refund the 2008 Bonds; and

WHEREAS, On April 26, 2015, the Board adopted an omnibus resolution authorizing the College to participate in these financings ("the Omnibus Resolution"); and

WHEREAS, The Issuer will issue its preliminary official statement and its official statement in connection with the sale of the 2015 Bonds; and

WHEREAS, The preliminary official statement and the official statement will contain information about the College, its operations and finances, the Transportation Fees, the Transportation Fee Fund, the 2008 Project, the 2015 Project, and related legal agreements as well as financial statements of the College (the "College Information") and such information has been provided by the College; and

WHEREAS, A draft of the Preliminary Official Statement has been provided to the Board of Trustees; and

WHEREAS, In connection with the 2015 Bonds, it is desirable for the College to approve the inclusion of the College Information in the preliminary official statement and official statement of the Issuer; and

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

Resolved, That the College Information contained in the draft Preliminary Official Statement that has been presented to the Board is hereby approved for use in connection with the issuance and distribution by the Issuer of its Preliminary Official Statement and Final Official Statement for the 2015 Bonds; and be it further

Resolved, That the president and senior vice president for administrative and fiscal services are severally hereby authorized, directed and empowered (i) to provide, modify, and supplement the

College Information so as to meet the requirements of securities laws and market practices; (ii) to correct inaccuracies or omissions or to make changes that are necessary or desirable in connection with the issuance and sale of the 2015 Bonds; and (iii) when appropriate, to confirm that the preliminary official statement for the refunding bonds is deemed final as of its date for purposes of Rule 15c2-12, promulgated under the Securities Exchange Act of 1934, as amended Rule 15c2-12, except for permitted omissions; and be it further

Resolved, That the use and distribution by the Issuer or its underwriters of a preliminary official statement and final official statement containing College Information is hereby approved; and be it further

Resolved, That the provisions of the Omnibus Resolution are ratified and confirmed; 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; and 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 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.

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

Agenda Item Number: 11  
May 19, 2015

**CORPORATE AUTHORIZATION RESOLUTION REQUIRED BY BANK  
FOR TRUST AND SAFEKEEPING SERVICES**

**BACKGROUND**

State law restricts how investments may be made by the College and requires that certain transactions involving securities are made through qualified third-party custodians and on a delivery-versus-payment basis. The vice president of finance/chief financial officer has determined that Wilmington Trust, an affiliate of M&T Bank, is a properly qualified third-party custodian that will conduct transactions with appropriate safekeeping receipts as required by law, and will meet the cash flow needs of the College.

Wilmington Trust, an affiliate of M&T Bank, requires this proposed resolution of the Board of Trustees in order to do business with the custodian, including the provision of trust and safekeeping services through an account with the bank and the establishment of fully authorized signatories for the account.

The referenced "Certificate of Authority" confirms that those individuals designated in the certificate have the authority to act on behalf of the College in executing transactions between the bank and the College and that the College agrees to the terms and conditions of the resolution.

This resolution, once adopted by the Board of Trustees, must be certified by the secretary of the corporation, which, for Montgomery College, is the president.

**RECOMMENDATION**

It is recommended that the Board of Trustees adopt this resolution to approve the "Certificate of Authority" resolution required by Wilmington Trust, attached to and incorporated in the resolution of the Board of Trustees, and authorize the president to sign the attached Wilmington Trust Corporate authorization resolution certifying this action.

**BACKUP INFORMATION**

Resolution  
Policy 61004–College Investment Program  
Wilmington Trust Corporate Authorization Resolution, entitled "Certificate of Authority" (Board Members Only)  
Wilmington Trust "Certificate of Incumbency" (Board Members Only)

**RESPONSIBLE SENIOR ADMINISTRATOR**

Dr. Wormack

RESOURCE PERSON

Ms. Sherman

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

Resolution Number: 15-05-043  
Adopted on: 15/19/2015

Agenda Item Number: 11  
May 19, 2015

**Subject: Corporate Authorization Resolution Required by Bank for Trust and Safekeeping Services**

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WHEREAS, It is the policy of Montgomery College to invest its funds in a manner that will conform to all state of Maryland investment statutes while meeting the daily cash flow demands of the College; and

WHEREAS, All security transactions entered into by the College shall be conducted on a delivery-versus-payment basis; and

WHEREAS, The vice president of finance/chief financial officer (or designee) is authorized to invest such funds and has determined that Wilmington Trust is qualified and appropriate to provide such trust/safekeeping bank services; and

WHEREAS, Wilmington Trust requires that the Board of Trustees of the College adopt certain resolutions relating to College authorization to open account(s) and establish signature authorities for the account(s) with respect to such trust/safekeeping agreements; and

WHEREAS, The president of the College recommends that the Board of Trustees accept the following resolution; now therefore be it

Resolved, That the Board of Trustees hereby approves, adopts, and incorporates herein as a part of this resolution, the Wilmington Trust Certificate of Authority attached hereto.