

**UNION COLLEGE
OF UNION COUNTY, NEW JERSEY**

**BOARD OF TRUSTEES
Minutes of Meeting
May 2, 2023**

CALL TO ORDER

The meeting was called to order by Victor M. Richel, Chair, at 6:37 p.m. in the Engagement Arena on the Scotch Plains Campus. The following were in attendance:

TRUSTEES

Mr. Richel; Rafael J. Betancourt, Esq.; George A. Castro, II; Miguel A. Figueredo; Jeffrey H. Katz, Esq.; Anjali Mehrotra; Miguel A. Merino; Daryl Palmieri; Dr. Kamran Tasharofi; Dr. Margaret M. McMenamin, President.

GOVERNORS

Mr. Richel; Mr. Betancourt; Nancy J. Benz; Brian Campbell; Stephen F. Hehl, Esq.; Donna M. Herran; Gary S. Horan; Mr. Katz; J. Anthony Manger, Esq.; Paul T. O'Neill; Allan L. Weisberg.

ALSO PRESENT

Denise Collins; Michael M. Horn, Esq., McCarter English; Dr. Jaime M. Segal.

A quorum of the Board of Trustees was present.

OPEN PUBLIC MEETING ACT

Completed.

MINUTES

On motion duly made by Dr. Tasharofi and seconded by Mr. Castro, the Minutes of the Meeting of the Board of Trustees of March 21, 2023 were approved as submitted.

COMMUNICATIONS

Completed.

REPORTS OF JOINT TRUSTEES AND GOVERNORS' COMMITTEES

EDUCATIONAL PLANNING AND POLICY COMMITTEE

Mr. Betancourt reported to the Board that at the Educational Planning and Policy meeting held earlier, Dr. Lown discussed the Supply Chain Management (SCM) CT.A. which is an 18-credit program to upskill industry employees which is designed to be completed in two 15-week semesters over the course of an academic year. Mr. Betancourt reported that Dr. Ziner provided an introduction into the Annual Planning Matrix for 2024-2025. This matrix consists of Academic Services; Administrative Services; Facilities Services; IT Services and Student Development Services. He also stated that as of April 24, 2023, enrollment for Summer I is +9.1% in FTE hours and Summer II is +3.1% in FTE hours.

Mr. Betancourt submitted the following Resolutions for approval:

Resolution E023-014 - Staff Personnel Actions

RESOLVED, that the following personnel actions recommended by the President be approved:

Appointments:

Edward Griffin, Instructional Support Specialist, Academic Affairs, effective April 3, 2023, \$55,000 per annum.

Skye Davis, Student Services Generalist, Student Development, effective April 17, 2023, \$44,600 per annum.

Melisa Reyes, Administrator, American Honors, Academic Affairs, effective April 24, 2023, \$59,000 per annum.

Christopher Guillen, Student Services Associate, Student Development, effective May 1, 2023, \$35,337 per annum.

Promotions/Reclassifications:

Patsy Nazzaro, Receiving Coordinator, from Courier, Finance & Operations, effective March 1, 2023, \$41,000 per annum.

Mary Greco, Director of Academic Learning Center, from Assistant Director of Academic Learning Center, Academic Affairs, effective March 16, 2023, \$70,000 per annum.

Maria Fernandez, Associate Director of Financial Aid, from Student Services Specialist, Student Development, effective April 1, 2023, \$70,000 per annum.

Melissa Guillen, Student Services Specialist, from Admissions and Enrollment Generalist, Student Development, effective April 1, 2023, \$53,000 per annum.

Katrina James-Pellam, Assistant Program Director (Employer Engagement), from Student Services Generalist, Administrative Services, effective April 1, 2023, \$65,000 per annum.

Lana Liddy-LaPadura, Senior Instructional Support Specialist, from Instructional Support Specialist, Academic Affairs, effective April 16, 2023, \$70,000 per annum.

Employment Separations:

Nora Babos, Office Manager/Coordinator, ALC, Academic Affairs, effective April 28, 2023.

On motion duly made by Mr. Castro, seconded by Mr. Figueredo and unanimously carried, the Board approved the Resolution for adoption.

Resolution E023-015 - Non-Aligned Staff Salary Increases

BE IT RESOLVED that the Board of Trustees of Union College, upon recommendation of the President, authorizes salary increases of three and one-half (3.5%) percent of the aggregate total base salaries of all full time managerial and confidential personnel, effective July 1, 2023. The increases are to be applied based upon performance evaluations for those employees on the payroll as of July 1, 2023, and providing the employee was hired on or before March 31, 2023. Employees hired from January 1, 2023 to March 31, 2023 shall receive prorated salary increases.

On motion duly made by Dr. Tasharofi, seconded by Ms. Mehrotra and unanimously carried, the Board approved the Resolution for adoption.

Resolution E023-016 - Public Safety Association Contract

WHEREAS, the agreement between Union College of Union County, NJ (“College”) and the Union County College Public Safety Association/NJEA (the “Association”) expired on June 30, 2022, and

WHEREAS, the College and the Association have reached an agreement on a three-year contract for the period of July 1, 2022 to June 30, 2025, and

WHEREAS, the contract provides for annual salary increases for full-time Public Safety Officers of 3.50% for each of the three years, and increases in the hourly rate of pay for part-time Public Safety Officers of 3.50% for each of the three years, and

WHEREAS, the revised contract also reflects: increases in the hourly shift differential rates of pay; re-stating paid time-off in hours versus days; increases in the minimum salaries for full-time and part-time employees; and other wording changes for clarity and administrative purposes, and

WHEREAS, on April 21, 2023 the Association ratified the Memorandum of Agreement to a successor collective negotiations agreement with the College for the period of July 1, 2022 to June 30, 2025, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, NJ approves the contract with the Union County College Public Safety Association/NJEA for the period of July 1, 2022 to June 30, 2025.

On motion duly made by Dr. Tasharofi, seconded by Mr. Castro and unanimously carried, the Board approved the Resolution for adoption.

Resolution E023-017 - College Policies

WHEREAS, Union College of Union County, NJ, as a comprehensive community college, has college-wide policies to ensure compliance with policy objectives and accountability, and

WHEREAS, a College policy is a prescribed institutional course of action, a guiding principle, or a procedure intended to enhance strategic goals; reduce institutional risks; improve internal controls; establish delegation of authority and responsibility; promote compliance with federal, state and other applicable laws and regulations; further operational alignment, consistency, or efficiency; and/or influence and determine decisions, actions, conduct, and other matters at the College, and

WHEREAS, the College's Policy on Policies sets forth that the Board of Trustees or the President serve as the "Approval Authority" for College-wide policies, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, NJ approves the revisions to the following policies attached as Exhibit 1: 200-4 Academic Integrity Policy, 200-10 Cheating/Plagiarism Policy, 200-16 Grade Change Policy, and 500-1 Communications Policies.

On motion duly made by Mr. Castro, seconded by Ms. Mehrotra and unanimously carried, the Board approved the Resolution for adoption.

Resolution E023-018 - New Program – Hotel, Restaurant, and Tourism Management, CT.A.

WHEREAS, it has been determined there is a need for a Hotel, Restaurant, and Tourism Management Certificate of Achievement (CT.A.) program (CIP code 520901) at Union College of Union County, NJ (Exhibit I) and,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, NJ approves, upon recommendation of the faculty, a Certificate of Achievement in Hotel, Restaurant, and Tourism Management (CIP code 520901) at Union College of Union County, NJ (Exhibit I) and,

BE IT FURTHER RESOLVED that the Certificate of Achievement in Hotel, Restaurant, and Tourism Management (CIP code 520901) at Union College of Union County, NJ be submitted to the Academic Issues Committee of the New Jersey Presidents' Council for its information.

On motion duly made by Mr. Castro, seconded by Dr. Tasharofi and unanimously carried, the Board approved the Resolution for adoption.

SAFETY REPORT

Dr. McMenamin stated that in compliance with N.J.S.A. 18A:3B-71 requiring reporting of campus crimes and fire incidents for the period from March 3, 2023 to April 21, 2023, Public Safety advises that there were no incidents to report.

BUDGET AND FINANCE COMMITTEE

Mr. Campbell stated that the Budget and Finance Committee met earlier and reviewed the Investment Report and reported that all investments are found to be in order and are within acceptable norms.

Mr. Campbell stated that Financial Report was also reviewed and reported revenue is up slightly due to an increase in credit hours of out-of-county students year over year, and the net increase in total expenses year over year is a result of timing of expenses and the increase in compensation, legal, insurance and software costs. He stated that State funding is up \$687 thousand due to the new funding formula.

Current Estimate Report:

Mr. Campbell stated also reviewed was the Current Estimate Report and reported that at this time, a transfer to Unrestricted Net Position of \$3.7 million is anticipated for fiscal year ended June 30, 2023.

Mr. Campbell presented the following Resolutions for approval:

Contracts Exempt from Competitive Bidding

Resolution F023-043 - Additional Digital Subscription Services

WHEREAS, the College has a need for additional digital course subscription services to offer greater affordability of learning materials to enhance student outcomes, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(6) provides for exceptions to the requirements for advertising for bids for purchase of copyrighted materials, library books, magazines and periodicals and specialized library services, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(21) provides for exceptions to the requirements for advertising for bids for purchase of educational supplies, books, articles of clothing and other miscellaneous articles purchased by a county college bookstore, or by a service or management company under contract with a county college to operate a county college bookstore for resale to college students and employees, and

WHEREAS, on February 23, 2021, the Board of Trustees awarded a two-year contract to Cengage Learning, Inc., Boston, MA for digital learning materials at an annual cost of \$780,000 which provides 6,000 subscriptions at a cost of \$130 per student, for a total amount not to exceed \$1,560,000 for the period of March 1, 2021 through February 28, 2023, and

WHEREAS, an additional 1,268 students at \$130 per student for a cost of \$164,840 and 211 students at the dual enrollment rate of \$25 per student for a cost of \$5,275 (for a total additional cost of \$170,115) were provided access to Cengage Unlimited subscriptions through the Follett bookstore for the period of March 1, 2022 through February 28, 2023, and

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provide that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

WHEREAS, the Vice President of Finance and Operations has determined that the total contract award will exceed \$17,500, and

WHEREAS, Cengage Learning, Inc., Boston, MA has completed and submitted their Business Entity Disclosure and Political Contribution Disclosure Certifications certifying that they have not made any reportable contributions to a political or candidate committee in the one year before their contract award, and that they will be prohibited from making any reportable contributions through the term of the contracts, and

WHEREAS, Certification of Funds availability has been filed by the Vice President of Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract for additional digital subscription services to Cengage Learning, Inc., Boston, MA for a total cost not to exceed \$170,115 for the twelve months ended February 28, 2023, for a total award for Fiscal Year 2022-2023 of \$950,115.

Resolution F023-044 - Fire Systems Maintenance and Remediation Services

WHEREAS, the College requires annual fire systems maintenance and remediation of College-wide fire systems to provide for campus safety, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.11.a.b. provides for awarding contracts without public competitive bids when there is a nationally recognized and accepted cooperative agreement that has been publicly bid for the product or service, and

WHEREAS, on May 24, 2022 the Board of Trustees awarded a contract to Johnson Controls US Holdings Inc Db a Johnson Controls Fire Protection LP, Milwaukee, WI for fire systems maintenance and remediation services for a total cost of \$73,783, and

WHEREAS, Johnson Controls US Holdings Inc Db a Johnson Controls Fire Protection LP, Milwaukee, WI a Sourcewell vendor, has submitted a proposal for remediation services for all campuses for utilizing contract #030421-JHN at a cost not to exceed \$10,000 for Fiscal Year 2022-2023, and

WHEREAS, Johnson Controls US Holdings Inc Db a Johnson Controls Fire Protection LP, Milwaukee, WI a Sourcewell vendor, has submitted an additional proposal utilizing contract #030421-JHN to provide annual maintenance for all campus buildings in an amount not to exceed \$74,134 for Fiscal Year 2023-2024, and

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceed \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

WHEREAS, the Vice President of Finance and Operations has determined that the total contract award will exceed \$17,500, and

WHEREAS, Sourcewell utilized competitive bidding for the awards of contracts to Johnson Controls US Holdings Inc Db a Johnson Controls Fire Protection LP, Milwaukee, WI thereby releasing Union College of Union County, New Jersey from the requirement to obtain Pay-to-Play documentation, and

WHEREAS, a Certification of Funds availability has been filed by the Vice President of Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract to Johnson Controls US Holdings Inc Db a Johnson Controls Fire Protection LP, Milwaukee, WI for fire system maintenance and remediation services at a cost not to exceed \$10,000 for a total award of \$83,783 for Fiscal Year 2022-2023 and \$74,134 for Fiscal Year 2023-2024.

Resolution F023-045 - Broker and Risk Management Consultant and Administrative Services

WHEREAS, the College requires the services of an insurance broker and risk management consultant to provide broker and risk management consulting services including marketing and placement of insurance, provide policy administration, serve as a liaison between the College and insurance providers, aid with special projects and to market and place additional lines of coverage, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(11) provides for an exception to the requirement of advertising for bids for insurance, including the purchase of insurance coverage and consulting services, and

WHEREAS, RSC Insurance Brokerage, Inc. Db a Risk Strategies Company, Boston, MA has submitted a proposal to provide specified insurance broker and risk management consulting services at a cost not to exceed \$46,350 for Fiscal Year 2023-2024, and

WHEREAS, RSC Insurance Brokerage, Inc. Db a Risk Strategies Company, Boston, MA has also submitted a proposal to provide brokerage services including consulting and administration for the College's group dental and vision insurance plans at a cost not to exceed \$15,000 for Fiscal Year 2023-2024, and

WHEREAS, the cost for services for Fiscal Year 2022-2023 was \$46,350 for insurance broker and risk management consulting services and \$15,000 for dental and vision insurance brokerage services, and

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

WHEREAS, the Vice President of Finance and Operations has determined that the total contract award will exceed \$17,500, and

WHEREAS, RSC Insurance Brokerage, Inc. Db a Risk Strategies Company, Boston, MA has completed and submitted Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the one year previous to their contract award, and they will be prohibited from making any reportable contributions through the term of the contract, and

WHEREAS, a Certification of Funds availability has been filed by the Vice President of Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract to RSC Insurance Brokerage, Inc. Db a Risk Strategies Company, Boston, MA for insurance broker and risk management consulting services for Fiscal Year 2023-2024 for a total cost not to exceed \$61,350.

Resolution F023-046 - Legal Services

WHEREAS, there are ongoing needs for legal counsel services at the College, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A-64A-25.5.a.(1) provides an exception to the requirement of advertising for bids for professional services, and

WHEREAS, the College currently utilizes the legal firm of Cleary Giacobbe Alfieri & Jacobs, LLC, Matawan, NJ as employment law counsel, including lead negotiator in bargaining unit talks and counsel for miscellaneous related matters, and

WHEREAS, Cleary Giacobbe Alfieri & Jacobs, LLC, Matawan, NJ has submitted a proposal to provide legal counsel with respect to bargaining unit negotiations with faculty, labor law, and other miscellaneous legal matters at an hourly fee of \$215 for partner involvement, \$175 for associate involvement and \$90 for paralegal and law clerk involvement in an amount not to exceed \$180,000 for Fiscal Year 2023-2024, and

WHEREAS, the cost for similar legal services for Fiscal Year 2022-2023 is projected to be \$165,000, and

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

WHEREAS, the Vice President of Finance and Operations has determined that the total contract award will exceed \$17,500, and

WHEREAS, Cleary Giacobbe Alfieri & Jacobs, LLC, Matawan, NJ has completed and submitted Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the previous one year and that they will be prohibited from making any reportable contributions through the term of the contract, and

WHEREAS, a Certification of Funds availability has been filed by the Vice President of Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract to Cleary Giacobbe Alfieri & Jacobs, LLC, Matawan, NJ for legal services at a total cost not to exceed \$180,000 for the Fiscal Year 2023-2024.

Resolution F023-047 - Online Professional Development Program

WHEREAS, the College has a need for an online discussion platform equipped with pedagogical support technology to maximize instructor feedback and promote students' critical thinking skills to increase faculty effectiveness, strengthen course instruction and further enhance student success, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(15) provides an exception to the requirement of advertising for bids for professional consulting services, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(19) provides an exception to the requirement of advertising for bids in the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

WHEREAS, the County College Contracts Law N.J.S.A. 18A:64A-25.28.f. provides that contracts for the provision of goods or services for the use, support, or maintenance of leasing equipment may be awarded for a term not to exceed five (5) years, and

WHEREAS, Packback Inc., Chicago, IL has submitted a proposal not to exceed \$242,500 to provide an artificial intelligence supported online discussion platform to promote faculty and student engagement for three (3) years commencing August 2, 2023 through August 1, 2026, and

WHEREAS, the cost for the Online Professional Development Program for the past (3) three years was \$150,000, however the renewal includes access to Deep Dive, a new tool for developing and assessing writing and research skills, and

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

WHEREAS, the Vice President of Finance and Operations has determined that the total contract award will exceed \$17,500, and

WHEREAS, Packback Inc., Chicago, IL has completed and submitted their Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the one year previous to their contract award, and that they will be prohibit from making any reportable contributions through the term of their contract, and

WHEREAS, a Certification of Funds availability has been filed by the Vice President of Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract to Packback Inc., Chicago, IL for an online professional development program at a total cost not to exceed \$242,500 for the period of August 1, 2023 through August 1, 2026.

Resolution F023-048 - Digital Recruitment and Enrollment Marketing Services

WHEREAS, the College requires digital recruitment and enrollment marketing services which will target potential students through social media for admissions recruitment, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A.18A:64A-25.5.a.(15) provides for awarding of contracts for professional consulting services, without public competitive bids, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(20) provides for an exception to the requirement for advertising for bids for personnel recruitment and advertising, including without limitation, advertising seeking student enrollment, and

WHEREAS, Motimatic PBC, Santa Cruz, CA has submitted a proposal for digital recruitment and enrollment marketing services which will target potential students through digital marking posts on social media and upon active registration with fees only paid upon actual registration with a \$200 fee for students registered for three credits and a \$400 fee for a student registered for four credits or more, and

WHEREAS, to date the efforts of Motimatic have generated fees of \$207,400 based upon actual registration and have generated gross revenue of \$1,492,445 to the College, and

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the value of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

WHEREAS, the Vice President of Finance and Operations has determined the total contract award will exceed \$17,500, and

WHEREAS, Motimatic PBC, Santa Cruz, CA has completed and submitted their Business Entity Disclosure and Political Contribution Disclosure Certifications that certify they have not made any reportable contributions to a political or candidate committee in the one year previous to their contract award, and the contract will prohibit from making any reportable contributions through the term of their contracts, and

WHEREAS, a Certification of Funds availability has been filed by the Vice President of Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey ratify an award to Motimatic PBC, Santa Cruz, CA for digital recruitment and enrollment marketing services at a cost not to exceed \$207,400 for Fiscal Year 2022-2023.

Resolution F023-049 - Copier Lease Program-All Campuses

WHEREAS, the College requires a copier lease program for the thirty-nine (39) units on all campuses, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.9. authorizes County Colleges to be a participating contracting unit in a state pricing system established pursuant to the laws of the State of New Jersey, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.11.b. authorizes County Colleges to be a participating contracting unit in a national cooperative pricing system established pursuant to the laws of the State of New Jersey, and

WHEREAS, the County College Contracts Law N.J.S.A. 18A:64A-25.28.f. provides that contracts for the provision of goods or services for the use, support, or maintenance of leasing equipment may be awarded for a term not to exceed five (5) years, and

WHEREAS, a request for proposals (RFP) was sent to six (6) state, national and cooperative vendors on February 14, 2023 and four (4) proposals were received, and

WHEREAS, Atlantic Tomorrow's Office, Bloomfield, NJ submitted the most responsible, price and other factors considered, fair market value (FMV) copier lease proposal for thirty-six (36) months under State contract # G-2075 for all campuses at a cost not to exceed \$233,165 from September 5, 2023 through September 4, 2026, and

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

WHEREAS, the Vice President of Finance and Operations has determined that the total contract award will exceed \$17,500, and

WHEREAS, NJ State Contract vendors are subject to the Pay-to-Play Law and are required to maintain Business Entity Disclosure and Political Contribution Disclosure Certifications with the State of New Jersey to maintain their position as a state contract vendor, thereby releasing Union College of Union County, New Jersey from the requirement to obtain such documentation, and

WHEREAS, a Certification of Funds availability has been filed by the Vice President of Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract to Atlantic Tomorrow's Office, Bloomfield, NJ for a FMV copier lease program for all campuses the at a cost not to exceed \$233,165 for Fiscal Years 2023-2027.

Resolution F023-050 - Content Management Software and Maintenance

WHEREAS, support of technology applications including software licensing and maintenance are necessary components of the technological environment, which is essential to the teaching and administrative functions, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(19) provides for an exception to the requirement of advertising for bids in the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

WHEREAS, Hyland LLC, Olathe, KS has submitted a proposal to provide software and maintenance of ImageNow, the College's content management software and document imaging system, at a cost not to exceed \$60,788 for the Fiscal Year 2023-2024, and

WHEREAS, the cost for content management software for Fiscal Year 2022-2023 was \$57,953, and

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

WHEREAS, the Vice President of Finance and Operations has determined that the total contract award will exceed \$17,500, and

WHEREAS, Hyland LLC, Olathe, KS has completed and submitted their Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in

the previous one year, and that they will be prohibited from making any reportable contributions through the term of the contract, and

WHEREAS, a Certification of Funds availability has been filed by the Vice President of Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract to Hyland LLC, Olathe, KS for content management software and maintenance at a cost not to exceed \$60,788 for the Fiscal Year 2023-2024.

Resolution F023-051 - Elevate Colleague Licensing for Continuing Education and Security Software

WHEREAS, there is an ongoing need for integrative technology applications for administrative functionality within the Continuing Education Department and security software for the College's servers, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(19) provides for an exception to the requirement of advertising for bids in the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

WHEREAS, the County College Contracts Law N.J.S.A. 18A:64A-25.28.d. provides that contracts for the provision of software peripherals and system development for hardware for any term of not more than five (5) years, and

WHEREAS, Ellucian Company L.P., Reston, VA has submitted a proposal to continue provision of Elevate, a platform wholly integrative with the existing Colleague ERP, for the continuing education programs to supply online registration, cost tracking, and communications at a total not to exceed \$143,758 from July 1, 2023 through June 30, 2026, and

WHEREAS, the cost for Elevate for the past (3) three years was \$168,399; this includes the one-time set up cost of \$40,599 and the initial contract price of \$127,800 for the first three years of service.

WHEREAS, Ellucian Company L.P., Reston, VA has also submitted a proposal to provide security software for the College's servers at a cost not to exceed \$36,926 from June 1, 2023 through September 30, 2027, and

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

WHEREAS, the Vice President of Finance and Operations has determined that the total contract award will exceed \$17,500, and

WHEREAS, Ellucian Company L.P., Reston, VA has completed and submitted Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the one year previous to their contract award, and that they will be prohibited from making any reportable contributions through the term of the contract, and

WHEREAS, a Certification of Funds availability has been filed by the Vice President of Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award contracts to Ellucian Company L.P., Reston, VA for provision of Elevate Colleague licensing for the Continuing Education Department in an amount not to exceed \$143,758 from July 1, 2023 through June 30, 2026 and security software in an amount not to exceed \$36,926 from June 1, 2023 through September 27, 2027.

Resolution F023-052 - Spend \$17,500-\$37,499

WHEREAS, there exists a need throughout the College for good or services, and

WHEREAS, the attached purchases of goods and services are under the bid threshold of \$37,500, and

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

WHEREAS, the Vice President of Finance and Operations has determined that the individual contracts will exceed \$17,500, and

WHEREAS, the vendors provided information that exhibited compliance with the Pay-to-Play Law, N.J.S.A. 19:44A-20.4 et seq. or the contracts were arrived at through an open and fair process thereby releasing Union College of Union County, New Jersey from the requirement to obtain such documentation, and

WHEREAS, the Vice President of Finance and Operations certifies that sufficient funds are available for the goods and services, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award contracts between \$17,500 and \$37,499 to the listed vendors for a total spend of \$129,000.

On motion duly made by Dr. Tasharofi, seconded by Mr. Betancourt and unanimously carried, the Board approved Resolutions F023-043 through F023-052 for adoption.

BUILDINGS AND GROUNDS

Mr. Katz reported that there were no changes to the Project Prioritization List and noted the revised format of the list.

Mr. Betancourt presented the following Resolutions for approval:

Resolution B023-007 - Public Service Electric & Gas Company (PSE&G) Facility Relocation-Cranford Campus

WHEREAS, the College requires an electrical substation upgrade on the Cranford Campus, in support of the mission of the College, and

WHEREAS, on February 21, 2023 the Board of Trustees awarded a contract after a fair and open bid to BW Electrical Service LLC, Hillsborough, NJ for an electrical substation upgrade on the Cranford campus for a total cost not to exceed \$4,034,700, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(8) provides for an exception to the requirement for advertising for bids for the supplying of any product or rendering of any service by the public utility subject to the jurisdiction of the Board of Public Utilities (BPU), and

WHEREAS, Public Service Electric & Gas Company (PSE&G), a public utility, has submitted a proposal for a customer facility relocation, which will include poles, wires, transformers, meters or other PSE&G equipment or facilities, in an amount not to exceed \$91,417 which is necessary for the effectuation of the electrical substation upgrade, and

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that vendors regulated by the Board of Public Utilities are exemptions to the Pay-to-Play law, and

WHEREAS, a Certification of Funds availability has been filed by the Vice President of Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract to Public Service Electric & Gas Company (PSE&G) for facility relocation on the Cranford campus for a total award not to exceed \$91,417.

On motion duly made by Dr. Tasharofi, seconded by Mr. Castro and one abstention, the Board approved the Resolution for adoption. Mr. Katz abstained due to his association with PSE&G.

Cell Tower Update:

Mr. Katz reported that there are no updates and no delays, with the end of discovery scheduled for July 1, 2023.

Campus Projects:

Mr. Katz reported on the various ongoing projects on all four campuses.

OPEN MEETING TO THE PUBLIC

No one addressed the Board.

UNFINISHED BUSINESS

On motion duly made by Mr. Katz, seconded by Mr. Castro and unanimously carried, the Board ratified all actions taken at the Joint Board of Governors and Trustees that immediately preceded this Trustees Meeting, and that the Minutes of the Joint Meeting shall be appended to and made part of these Trustees Minutes.

NEW BUSINESS

Completed.

EXECUTIVE SESSION

There was no Executive Session after this meeting.

ADJOURNMENT

With no further business on the agenda, a motion for adjournment was made by Mr. Katz, seconded by Mr. Castro at 6:51 p.m.