

BOARD OF TRUSTEES
BALTIMORE CITY COMMUNITY COLLEGE

Special Meeting Minutes | 4:00pm Tuesday, December 21, 2021 (Virtual Zoom Meeting)

I. **Call to Order** – Chairman Kurt L. Schmoke called the meeting to order at 4:08pm.

Adoption of Agenda (Vote)

a. Approval of the December 21, 2021 Agenda

Chair Schmoke asked for a motion to approve the Agenda. Trustee Brothers made the motion and Trustee Weiss seconded it. Without objections, the Agenda was adopted.

II. **College Policies**

▪ **Procurement Policies & Procedures (Vote)**

Chairman asked that Ms. Williams review new information not covered at the December Board of Trustees meeting. President McCurdy indicated that the draft Procurement Policies and Procedures were previously distributed at the December 15, 2021 meeting of the Board. The Procurement Procedures are before the Board in this Special Meeting for approval and to clarify and approve the authority for spending levels.

VP Williams provided an update regarding the President's and the Board of Trustees' roles and responsibilities. She indicated that the Procurement Manual provided to the Board an outline covering the procurement requirements and spending authorities. VP Williams covered the following points regarding the change in procurement authority:

- Senate 326 Overview which was effective July 1, 2021
- Senate Bill 326 Requirements
- Board & President's Roles and Responsibilities
 - Board of Trustees
 - Approve all contracts with a value of more than \$100,000
 - Approve any contract modifications that exceeds \$100,000
 - Approve the use of obligation bonds prior to the utilization of the bonds
 - Approve proposed policies outlined in Section 1. 4. of the procurement manual governing conflict of interest issues
 - Amend procurement policies and procedures from time to time to stay consistent with the law and best practices.
 - Establishes the College's Procurement Delegation of Authority
 - President
 - Approves all contracts from \$25,000 up to \$100,000
 - Prior approvals needed to conduct any procurements exceeding \$25,000
 - Establish specific internal procurement requirements and compliance

The approval level for contracts and the prior approvals for College processes are being developed.

- Board of Public Works
 - Approves any contract for capital improvement or services with a value that exceeds \$500,000
 - Approves any modifications to contracts for capital improvements or services in excess of \$500,000
 - Approves the utilization of obligation bonds
 - Approves the College's Procurement Policies and Procedures and any changes thereafter.
- Procurement Manual
 - Section 1 – General Information
 - Outlines the purpose, delegation of authority, and roles and responsibilities of the President, Board of Trustees, and BPW approval authority on contracts and procurement exclusions. This section also includes the policies governing conflict of interest issues.
 - Section 2 – Advertising and Competition Requirements
 - This section outlines the advertising requirements for procurement based on dollar value and sole source procurements:
 - From \$0.01 to \$4,999 competition is preferred but not required.
 - From \$5,000 up to \$25,000 shall have at least two written bids/proposals
 - From \$25,000 up to \$50,000 shall be advertised for minimum of 3 days
 - From \$50,000 and above shall be advertised for at least 20 days

Trustee Weiss indicated a clarification needed to amend dollar values to reflect the following:

- *From \$5,000 up to \$24,999 shall have at least two written bids/proposals*
- *From \$25,000 up to \$49,999 shall be advertised for minimum of 3 days*
- Section 3 – Electronic Procurement Authorization
 - This section allows the College to conduct procurement transactions by electronic means.
- Section 4 – Procurement Methods
 - This section outlines the various procurement methods, associated requirements and documentation needed for each procurement method including modifications, renewals options, cancellations, and terminations.
- Section 5 – Contract Types
 - This section outlines the allowable contract types that the College can utilize when establishing a contract in order to be meet the operation's needs.
- Section 6 – Contract Administration

- The section outlines the administration duties and requirements for all contracts after execution per Section 11-203 (e) of the State Finance and Procurement Article.
- Section 7 – Vendors
 - This section outlines the requirements of vendor to be considered responsible and responsive in order to be awarded a contract by the College.
- Section 8 – Socio-Economic Policies and Compliance
 - This section outlines the mandated socio-economic programs that the College must abide by per law.
- Section 9 – Protests and Claims
 - The section outlines the procedures, and roles and responsibilities of the College, the Approving Authority and the Maryland State Board of Contract Appeals when dealing with protests and claims.
- Section 10 – Definitions
 - This section outlines the various definitions on words being used throughout the manual.
- Required Action(s) by the Board:
 - Delegation of Authority - defines the College's procurement delegation of authority - establishes dollar thresholds for the procurement officers, director, and President or designee.
 - Approval of the Procurement Manual including proposed section for conflict of interests
 - Decision to continue to allow the Maryland State Board of Contract Appeals the authority to oversee contract claims / protests by vendors – this will be subject to approval by the Board of Public Works

Chairman Schmoke asked for a motion to approve the College's Procurement Policies & Procedures which contain the institution's procurement delegation of authority and established dollar thresholds. Trustee Pfeifer made the motion for approval and Trustee Brothers seconded it. Without objections, the motion was approved.

- BCCC & Regent Education Inc. **(Vote)**
Contract Modification No. 4 (\$324,000)

VP Williams brought forward a request for a contract modification for BCCC & Regent Education which supports the financial aid management system. The amount requested is for the renewal option year commencing on January 1, 2022 through December 1, 2022 in the amount of \$324,000.

Chairman Schmoke asked for a motion to approve the BCCC & Regent Education Inc. Contract Modification No. 4. Trustee Weiss made the motion for approval and Trustee Blum seconded it. Without objections, the motion was approved.

III. Motion for Adjournment **(Vote)**

Chairman Schmoke asked for a motion for adjournment. Trustee Pfeifer made the motion and Trustee Perkins-Cohen seconded it. Without objections, the motion was approved.