



Essex County College
Board of Trustees
PUBLIC MEETING AMENDED AGENDA

September 20, 2022 – 4:30pm

Virtual Meeting

Please click the link below to join the webinar:

<https://essex-edu.zoom.us/j/92646571487> or

Dial 1 646 558 8656 then enter Webinar ID: 926 4657 1487

Public comments on actions to be approved may be e-mailed to agendacomment@essex.edu; general public comments may be e-mailed to publiccomments@essex.edu. Written comments must be received prior to noon on the meeting date in order to be read into the record of the meeting. Please include your name and contact information. Comments will be entertained at the meeting in the following order: 1) written comments submitted by email; 2) Summarized duplicative written comments submitted by email; 3) In-person oral comments; and 4) Remote Oral Comments. Public comments, whether written or oral, are limited to three (3) minutes.

- I. Call to Order/Roll Call.....Chair M. Bolden
- II. Open Public Meetings Act Announcement.....Ms. J. Grimes
- III. Minutes.....Ms. J. Grimes
- IV. Communications.....Ms. J. Grimes
- V. Public Comments on Agenda Items..... TBD
- VI. Finance Committee Report..... Mr. J. Zarra

Actions – Submitted for Ratification - Approved by the Executive Committee on August 24, 2022

| | | |
|--------------|--|---|
| 3-1.1/8-2022 | Authorize the Award of a Bid for a Proposed Parking Structure at West Essex Campus Dobco, Inc., Wayne, New Jersey State Funded – Capital Expense | Amount not to exceed \$7,700,000.00 |
| 3-1.2/8-2022 | Authorize the Award of Five (5) Blanket Orders for Utility Services and PSE&G Buried Underground Distribution (BUD) Facilities City of Newark / Water Township of West Caldwell Direct Energy Marketing PSE&G Co. Constellation New Energy College Funded \$1,300,000.00 – Operating Expense Go Building Our Future Bond Project \$50,000 – Capital Expense | Amount not to exceed \$1,300,000.00 50,000.00 \$1,350,000.00 |

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| 3-1.3/8-2022 | Authorize the Award of a Contract for Fire Alarm, Fire Suppression, and Burglar Alarm System Testing, Maintenance, and Technical Services Johnson Controls Fire Protection, LP., Totowa, NJ College Funded – Operating Expense | \$87,683.17 |
| 3-1.4/8-2022 | Authorize the Award of Five (5) Blanket Orders for Maintenance Renewal for Network Infrastructure Equipment Dell Insight Public Sector Johnston GP, Inc. New Era Tech SHI Int'l College Funded – Operating Expense | Amount not to exceed \$120,000.00 30,000.00 70,000.00 60,000.00 <u>40,000.00</u> \$320,000.00 |
| 3-1.5/8-2022 | Authorize the Payment for Council and Joint Purchasing Consortium New Jersey Council of County Colleges, Trenton, NJ College Funded – Operating Expense | \$65,889.00 |
| 3-1.6/8-2022 | Authorize the Award for Legal Services Walsh Pizzi O'Reilly Falanga LLP, Newark, NJ Fernandez Garcia, LLC, Morristown, NJ College Funded – Operating Expense | Amount not to exceed \$40,000.00 <u>25,000.00</u> \$65,000.00 |
| 3-1.7/8-2022 | Authorize the Payment for ETAC Assessment ABET, Baltimore, MD College Funded – Operating Expense | \$20,100.00 |
| 3-1.8/8-2022 | Authorize the Additional Payment for Insurance Policy Renewal IMAC Insurance Agency LLC, Belleville, NJ College Funded – Operating Expense | \$498.01 |
| 3-2.1/8-2022 | Settlement Agreement and Mutual Release – CulinArt Group, Inc. | |

Actions – Submitted for Recommendation to the Board on September 20, 2022

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|--------------|---|-------------------------------------|
| 3-1.1/9-2022 | Authorize the award of a Two-year Bid for HVAC Preventive Maintenance and General Repair Services McCloskey Mechanical Contractors, Inc., Blackwood, New Jersey College Funded – Operating Expense | \$92,434.00 |
| 3-1.2/9-2022 | Authorize the award of a Two-year Contract for General Plumbing Repair Services McCloskey Mechanical Contractors, Inc., Blackwood, New Jersey College Funded – Operating Expense | Amount not to exceed \$50,000.00 |

| | | |
|---------------|--|---|
| 3-1.3/9-2022 | Authorize the award of a Two-year Contract for Heating Boilers Maintenance & Services McCloskey Mechanical Contractors, Inc., Blackwood, New Jersey College Funded – Operating Expense | Amount not to exceed \$47,266.00 |
| 3-1.4/9-2022 | Authorize the award of a Two-year Contract for Roof Repair Services U.S.A. General Contractors Corp., Manalapan, New Jersey College Funded – Operating Expense | Amount not to exceed \$25,000.00 per year |
| 3-1.5/9-2022 | Authorize the award of the Third Year of a Three-Year Contract for Ellucian Elevate Ellucian Company, LP., Chicago, Illinois CRRSAA Grants Fund: Cares Act II - Operating Expense | \$ 42,600.00 |
| 3-1.6/9-2022 | Authorize the award of a Contract for Information Technology Department Alterations & Renovations Brahma Construction, Wayne, New Jersey Chapter XII Funded – Capital Expense | \$35,172.72 |
| 3-1.7/9-2022 | Authorize the award of Additional Blanket Order for Testing Materials National Healthcareer Association, Chicago, IL Newark One Stop and PACE Grant (NJDOL) Funded – Operating Expense | Amount not to exceed \$90,000.00 |
| 3-1.8/9-2022 | Authorize the award of Renewal Subscription at the MLK Jr. Library NJEDGE – VALE, Newark, NJ College Funded – Operating Expense | \$31,090.66 |
| 3-1.9/9-2022 | Authorize the award of an Additional Blanket Order for Dell goods, supplies and services Dell, Round Rock, TX College Funded – Operating Expense | Amount not to exceed \$100,000.00 |
| 3-1.10/9-2022 | Authorize the award of Contract for Consulting Services Susan K. Perkins, Skillman, NJ College Funded – Operating Expense | Amount not to exceed \$60,000.00 |
| 3-1.11/9-2022 | Authorize the award of a Two-year Contract for Medical Services for Student Employees Ironbound Medical Services, Newark, NJ College Funded – Operating Expense | Amount not to exceed \$149,150.00 |
| 3-1.12/9-2022 | Authorize the award of Purchase for Microsoft License SHI International Corporation, Somerset, NJ College Funded – Operating Expense | Amount not to exceed \$48,321.86 |

Goldenrod Action

3-1.13/9-2022 Authorize the award of a contract for Cafeteria Demolition at the Newark Campus
Nehme Brothers, Inc., Edgewater, NJ \$34,000.00
Chapter XII – Capital Expense

VII. Personnel Committee Report Ms. J. Grimes

Actions Recommended for Approval

Memorandum of Agreement

4-1A/9-2022 Faculty Association
Effective September 1, 2022

4-1B/9-2022 Support Staff Association
Effective August 1, 2022

Appointments

4-2/9-2022 Cheryl McClymont
Program Manager - Allied Health Programs, Training, Inc.
Effective September 21, 2022
Salary \$57,500 Grant Funded

4-3/9-2022 Ramon D’Aguilar
Program Coordinator - Technology Programs, Training, Inc.
Effective September 21, 2022
Salary \$54,000 Grant Funded

4-4/9-2022 Edyta Niedbal
EOF Eligibility Program Coordinator, Educational Opportunity Fund (EOF)
Effective September 21, 2022
Salary \$50,000 Grant Funded

4-5/9-2022 Juanita Jones
Coordinator, Testing Center
Effective September 21, 2022
Salary \$45,000

4-6/9-2022 Lan Wang
Coordinator - Bloomberg Lab, Business
Effective September 21, 2022
Salary \$50,000 Grant Funded

4-7/9-2022 Ehsan Alizadeh
Student Support Services Representative, Welcome Center
Effective September 21, 2022 Salary \$35,900

4-8/9-2022 Byron Amaya-Ortega
Student Support Services Representative, Welcome Center
Effective September 21, 2022 Salary \$35,900

4-9/9-2022 Arcadio Cruz
Junior Graphic Designer, Graphics
Effective September 21, 2022
Salary \$40,000

4-10/9-2022 Wanda Griffins
Security Officer, Public Safety
Effective September 21, 2022
Salary \$27,040

Promotion in Academic Rank (Administrative)

4-11/9-2022 Elvira Vieira
Dean of Community and Continuing Education and Workforce
Development
Professor, Education
Effective September 1, 2022

Promotion in Academic Rank (Faculty)

4-12/9-2022 Thomas Donofrio
Assistant Professor, Physical Therapy
Effective September 1, 2022
Salary \$91,629.17, One-Time Lump Sum Bonus \$212.65

Gennevieve Danville
Associate Professor, Nursing
Effective September 1, 2022
Salary \$79,431, One-Time Lump Sum Bonus \$3,951

Yasser Kabakibi
Associate Professor, Biology
Effective September 1, 2022
Salary \$102,522.24, One-Time Lump Sum Bonus \$939.97

Nessie Hill
Professor, English
Effective September 1, 2022
Salary \$89,452, One-Time Lump Sum Bonus \$8,188

Nidhal Marashi
Professor, Chemistry
Effective September 1, 2022
Salary \$84,293, One-Time Lump Sum Bonus \$8,581

Supplement

4-13/9-2022 Karen Bridgett
Title IX Coordinator
Compliance
Effective July 1, 2022 to June 30, 2023
Supplement Amount \$5,000

Phyllis Walker
504 Coordinator
Compliance
Effective July 1, 2022 to June 30, 2023
Supplement Amount \$5,000

Retirement

4-14/9-2022 Rita Higgins
Assistant Professor, English Effective August 31, 2022

Jill Stein
Professor, Biology
Effective August 31, 2022

Ned Wilson
Professor, Computer Science
Effective October 31, 2022

Fiordaliza Mendez
Retention and Academic Advisor, Welcome Center
Effective September 30, 2022

Resignation

4-15/9-2022 Nadiyah Samad
Director, Custodial Services and Campus Events
Effective June 24, 2022

David Smedley
Director, Financial Aid
Effective July 15, 2022

Kelsey Cruz
Financial Aid Officer, Financial Aid
Effective August 18, 2022

Sommer Flood
Human Resources Representative, Human Resources
Effective July 28, 2022

Shadiquah Hordge
Assistant Director of Career and Transfer Services, Student Development
and Counseling Effective August 8, 2022

Mark Hosein
Alumni Liaison Officer, Institutional Advancement
Effective June 24, 2022

Robert Hwang
Database Administrator, Information Technology
Effective July 22, 2022

Rose Castro
Secretary, Facilities Management
Effective September 2, 2022

Keith Julien
Maintenance Service Worker, Facilities Management
Effective July 7, 2022

VIII. Educational Programs Committee ReportDr. A. Lewis

Actions – Submitted for Ratification – Approved by the Executive Committee on July 18, 2022

- 7-1.1/7-2022 Acceptance of Funds: Consolidated Adult Basic Skills and Integrated English Literacy and Civics Education Grant
- 7-1.2/7-2022 Grant Award: Career Accelerator Internship Grant Program
Office of the Secretary of Higher Education
- 7-1.3/7-2022 Adoption of the Essex County College Emergency Management Protocol Manual

Actions – Submitted for Ratification – Approved by the Executive Committee on August 24, 2022

- 7-1.1/8-2022 Acceptance of Funds: Consolidated Adult Basic Skills and Integrated English Literacy and Civics Education Grant - FY 23
- 7-1.2/8-2022 Acceptance of Funds: New Jersey Pathways to Career Opportunities
- 7-1.3/8-2022 Acceptance of Funds: Johnson Controls Community College Partnership Program
- 7-1.4/8-2022 Memorandum of Understanding: Urban League of Essex County

Actions – Submitted for Recommendation to the Board on September 20, 2022

- 7-1.1/9-2022 Acceptance of Funds: Center for Adult Transition Grant Agreement

IX. Site Facilities and Equipment Committee Report Ms. C. Morales
Actions – Submitted for Ratification – Approved by the Executive Committee on August 24, 2022

- 7-2.1/8-2022 Approve and Authorize the Terms of the Securing Our Children’s Future Bond Act County College Career and Technical Education (CTE) Grant
- 7-2.2/8-2022 Creation of a Technical Training Institute in the A. Zachary Yamba Building
- 7-2.3/8-2022 Establishment and Implementation of Learning Communities Across the Academic Divisions
- 7-2.4/8-2022 Renovation and Expansion of Classroom Space Throughout the Campus

X. Policy and Governance Committee Report Ms. I. Cruz
Actions – Submitted for Recommendation to the Board on September 20, 2022

- 7-3.1/9-2022 Revision to Board Policy 3-4: Investment Policy
- 7-3.2/9-2022 Revision to Board Policy 3-6: Approval of Trustee Expense Vouchers

- XI. Community Relations Committee Report Ms. J. Wright
- XII. Alumni Association Report..... Ms. S. Carter
- XIII. Student Government Association Report..... Ms. Y Rosales
- XIV. Faculty Association Report Prof. J. Alexandre
- XV. President’s Report Dr. Augustine A. Boakye
- XVI. New Business..... Chair M. Bolden
- XVII. Public Comments..... TBD
- XVIII. Notice of Executive Session Ms. J. Grimes
- XIX. Adjournment Chair M. Bolden

***Public meeting agenda subject to change**

BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

| | | |
|------------------|---|--|
| Subject: | | Finance: Dobco, Inc. Non-SBE/MBE/WBE |
| Contact: | Mohamed Seddiki / Executive Dean of Administrative & Learning Technology/CIO | |
| Meeting Date: | | August 24, 2022 |
| Agenda Item No.: | | 3-1.1/8-2022 |
| | Resolution Authorizing the Award of a Bid for Proposed Parking Structure at West Essex Campus | |

Recommendation: It is recommended that the Board of Trustees ratifies the award of a contract to **Non-SBE/MBE/WBE, Dobco, Inc.**, One Geoffrey Way, Wayne, New Jersey 07470 in the amount not to exceed **\$7,700,000.00** for Proposed Parking Structure at West Essex Campus.

The award of this bid shall be made as “Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00.

Bid #8146 was advertised in The Star-Ledger on July 12, 2022. There were Fifty (50) bids solicited. Three (3) responses were received, opened, and publicly read on August 3, 2022.

The Architectural/Engineering firm, Comito Associates, PC reviewed the submitted bid and offered a letter of recommendation to the first-lowest responsive and responsible bidder **Dobco, Inc.** (see attached).

Nature of Bid: Essex County College – Proposed Parking Structure at West Essex Campus.

Bid Item # 1: **The recommendation is for the first-lowest responsive and responsible bidder.**

Source of Funding: The Comptroller of Essex County College has determined and certified in writing that the following funds are available for this purpose:

| <u>Description</u> | <u>Account #</u> | <u>\$Amount</u> |
|---------------------------|-------------------|-----------------|
| State of New Jersey Funds | 902108-02108-7951 | \$7,700,000.00 |

Resolution: The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award the contract to **Dobco, Inc.** in the amount not to exceed **\$7,700,000.00** for the Proposed Parking Structure at West Essex Campus.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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|------------------|---|---|
| Subject: | | Finance: Utility Services Non-SBE/MBE/WBE |
| Contact: | Mohamed Seddiki / Executive Dean of Administrative & Learning Technology/CIO | |
| Meeting Date: | | August 24, 2022 |
| Agenda Item No.: | | 3-1.2/8-2022 |
| | Resolution Authorizing the Award of Five (5) Blanket Orders for Utility Services and PSE&G Buried Underground Distribution (BUD) Facilities | |

WHEREAS, Essex County College needs to ratify the approval of five (5) blanket orders in the total amount not to exceed **\$1,300,000.00** to the below-listed companies, which will provide Utility Services from July 1, 2022, through June 30, 2023, at the Newark Campus, West Essex Campus, and Student Housing. In addition, service fee in the amount not to exceed **\$50,000.00** to **PSE&G** for the new Buried Underground Distribution (BUD) utility installation at the West Essex Campus New Building, in which contract goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3 and N.J.S.A.18A:64A-25.5.a(8) The supplying of any product or the rendering of any service by the public utility which is subject to the jurisdiction of the Board of Public Utilities, in accordance with tariffs and schedules of charges made, charged and exacted, filed with said board; and

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Non-Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose,

NOW THEREFORE, BE IT RESOLVED by the Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award five (5) blanket orders in the total amount not to exceed **\$1,300,000.00** for utility services for the fiscal year 2022-2023 at the Newark Campus, West Essex Campus, and Student Housing. In addition, services fees for new Buried Underground Distribution (BUD) utility installation in the amount not to exceed **\$50,000.00** at the new Academic Building located at the West Essex Campus. Subject to availability of funds:

Water & Sewage Services

City of Newark/Water (5 accounts)
Township of West Caldwell (1 account)
Direct Energy Marketing (23 accounts)

Electrical & Gas Services

PSE&G Co. (32 accounts)
Constellation New Energy (24 accounts)
WEC – PSE&G Co.

2. These blanket orders and PSE&G service fees are awarded without public bidding in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.3 and N.J.S.A.18A:64A-25.5.a(8);
3. The specific line items against which these blanket orders are to be charged are as follows:
10-7351-7660 Operating Expense
10-7252-7660 Operating Expense
10-7351-7640 Operating Expense
902104-02104-7951B Go Building Our Future Bond Project - \$50,000.00
FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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| Subject: | Finance: Johnson Controls Fire Protection, LP Non-SBE/MBE/WBE |
| Contact: | Mohamed Seddiki / Executive Dean of Administrative & Learning Technology/CIO |
| Meeting Date: | August 24, 2022 |
| Agenda Item No.: | 3-1.3/8-2022 |
| Resolution Authorizing the Award of a Contract for Fire Alarm, Fire Suppression, and Burglar Alarm System Testing, Maintenance, and Technical Services | |

WHEREAS, Essex County College needs to ratify a contract in the total amount of **\$87,683.17** to **Non-SBE/MBE/WBE, Johnson Controls Fire Protection, LP**, 930 Riverview Drive, Suite 800, Totowa, New Jersey 07512 for Fire Alarm, Fire Suppression, and Burglar Alarm System Testing, Maintenance, and Technical Services Fire Alarm, Fire Suppression, and Burglar Alarm System Testing, Maintenance, and Technical Services for the main campus and student housing from July 1, 2022, through June 30, 2023, in which contract goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3 and N.J.S.A.18A:64A-25.5.a(24) Items available from vendors at costs below State contract pricing for the same product or service, which meets or exceeds the State contract terms or conditions; and

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Non-Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose,

NOW THEREFORE, BE IT RESOLVED by the Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award a contract with **Johnson Controls Fire Protection, LP** in the total amount of **\$87,683.17** for the fiscal year 2023 for the following. Subject to the availability of funds:

| <u>Description</u> | <u>\$ Amount</u> |
|--------------------|--------------------|
| Service cost | \$79,183.17 |
| Allowances | <u>\$ 8,500.00</u> |
| Total | \$87,683.17 |

2. The contract is awarded without public bidding in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.3 and N.J.S.A.18A:64A-25.5.a(24);
3. The specific line item against which this contract is to be charged is as follows:
10-7251-7620L Operating Expense

FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

| | |
|--|--|
| Subject: | Finance: Blanket Orders for FY' 23 |
| Contact: | Mohamed Seddiki / Executive Dean of Administrative & Learning Technology/CIO |
| Meeting Date: | August 24, 2022 |
| Agenda Item No.: | 3-1.4/8-2022 |
| Resolution Authorizing the Award of Five (5) Blanket Orders for Maintenance Renewal for Network Infrastructure Equipment | |

WHEREAS, Essex County College needs to ratify the approval of five (5) blanket orders on an as-needed basis in the total amount not to exceed **\$320,000.00** to the below-listed companies which will maintain the network infrastructure equipment, hardware/software licenses, and others, in which contract goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3, N.J.S.A.18A:64A-25.5.a(19) and N.J.S.A.18A:64A-25.9.(a), Any county college, without advertising for bids, or after having rejected all bids obtained pursuant to advertising therefor, may purchase any materials, supplies, goods, services, or equipment pursuant to a contract or contracts for such materials, supplies, goods, services, or equipment entered into on behalf of the State of New Jersey Contract; and

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20.4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose,

NOW THEREFORE, BE IT RESOLVED by Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award blanket orders in the total amount not to exceed **\$320,000.00** on an as-needed basis for maintenance of the network infrastructure equipment, hardware/software licenses, and others from July 1, 2022, through June 30, 2023, to the following vendors. Subject to the availability of funds;

| <u>Vendor</u> | <u>Status</u> | <u>State Contract</u> | <u>\$Amount</u> |
|-----------------------|-----------------|--------------------------|-----------------|
| Dell | Non-SBE/MBE/WBE | NASPO M0483/19TELE000656 | \$120,000.00 |
| Insight Public Sector | Non-SBE/MBE/WBE | T3121 | \$30,000.00 |
| Johnston GP, Inc. | Non-SBE/MBE/WBE | T1316/80802 | \$70,000.00 |
| New Era Tech | SBE | NASPO A87720-CISCO | \$60,000.00 |
| SHI Int'l | WBE | NASPO AR615 #88536 | \$40,000.00 |

2. These blanket orders are awarded without public bidding as a purchase through the State of NJ Division of Purchase and Property in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.3, N.J.S.A.18A:64A-25.5.a(19) and N.J.S.A.18A:64A-25.9.(a);
3. The above-mentioned vendors are the authorized vendor for the State of New Jersey Contracts;
4. The specific line items against which these blanket orders are to be charged are as follows:
10-1723-7620 Operating Expense
FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

| | |
|---|---|
| Subject: | Finance: New Jersey Council of Community Colleges (Non-SBE/MBE/WBE) |
| Contact: | Dr. Augustine A. Boakye / Interim President |
| Meeting Date: | August 24, 2022 |
| Agenda Item No.: | 3-1.5/8-2022 |
| Resolution Authorizing the Payment for Council and Joint Purchasing Consortium Assessment | |

WHEREAS, Essex County College needs to ratify a payment of **\$65,889.00** to **Non-SBE/MBE/WBE, New Jersey Council of County Colleges (NJCCC)**, 330 West State Street, Trenton, New Jersey 08618 for Essex County College’s assessment for the fiscal year 2023, in which contracts goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3, N.J.S.A.18A:64A-25.5.b, and N.J.S.A.18A:64A-25.10, Joint purchases by county colleges, municipalities or counties; authority; and

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Non-Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose,

NOW THEREFORE, BE IT RESOLVED by the Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to approve payment with the **New Jersey Council of County Colleges (NJCCC)** of **\$65,889.00** for the annual assessed fee for Essex County College Fiscal Year 2023:

| <u>Description</u> | <u>\$Amount</u> |
|--|-----------------|
| Council Assessment | \$65,063.00 |
| Joint Purchasing Consortium Assessment (JPC) | \$ 826.00 |

2. This payment is awarded without public bidding in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.3, N.J.S.A.18A:64A-25.5.b, and N.J.S.A.18A:64A-25.10;
3. The specific line item against which this payment is to be charged is as follows:
10-1701-7460 Operating Expense
FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



**BOARD OF TRUSTEES
REQUEST FOR BOARD ACTION**

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|---|--|
| Subject: | Finance: Legal Service Small Business Enterprise (SBE) |
| Contact: | Christine Ann Soto, Esq./General Counsel |
| Meeting Date: | August 24, 2022 |
| Agenda Item No.: | 3-1.6/8-2022 |
| Resolution Authorizing the Award for Legal Services | |

WHEREAS, Essex County College needs to ratify a contract for legal services on an as-needed basis to the law firms below in the total amount not to exceed **\$130,000.00** from July 1, 2022, through June 30, 2024. The firms listed are currently representing the College in various legal matters; and

WHEREAS, The award of this purchase shall be made as “Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, RFQ # 8132 Legal Services was advertised in The Star-Ledger on February 11, 2022. There were fifty-six (56) vendors solicited. Nineteen (19) responses were received on March 2, 2022. Firms will be selected from the two-year Qualified list on an as-needed basis at the sole discretion of Essex County College with a pay scale of \$150.00 per hour to a maximum of \$350.00 per hour; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose, and;

NOW THEREFORE, BE IT RESOLVED by the Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to approve the legal services on an as-needed basis for the law firms below for a total amount not to exceed **\$130,000.00** from July 12, 2022, through June 30, 2024. Subject to the availability of funds:

| <u>Law Firms</u> | <u>Fiscal Year 22-23</u> | <u>Fiscal Year 23-24</u> |
|----------------------------------|--------------------------|--------------------------|
| Walsh Pizzi O'Reilly Falanga LLP | \$40,000.00 | \$40,000.00 |
| Fernandez Garcia, LLC | \$25,000.00 | \$25,000.00 |

2. The specific line item against which these payments are to be charged is as follows:
902104-02104-7954B Go Building Our Future Bond Project
10-1701-7827 Operating Expense
FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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|------------------|--|
| Subject: | Finance: ABET (Non-SBE/MBE/WBE) |
| Contact: | Dr. Alvin Williams / Executive Dean of Academic Affairs |
| Meeting Date: | August 24, 2022 |
| Agenda Item No.: | 3-1.7/8-2022 Resolution Authorizing the Payment for ETAC Assessment |

WHEREAS, Essex County College needs to ratify a payment of **\$20,100.00** to **Non-SBE/MBE/WBE, ABET**, 415 North Charles Street, Baltimore, Maryland 21201 for ETAC assessment for the fiscal year 2023, in which contracts goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3, N.J.S.A.18A:64A-25.5.a(2), and N.J.S.A.18A:64A-25.5.a(3), Materials or supplies which are not available from more than one potential bidder, including without limitation materials or supplies which are patented or copyrighted; and

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Non-Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20.4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose,

NOW THEREFORE, BE IT RESOLVED by the Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to approve payment with **ABET** of **\$20,100.00** for the following:

| <u>Description</u> | <u>\$Amount</u> |
|-----------------------------|-----------------|
| 2023 ETAC Base Review Fee | \$ 3,350.00 |
| 2023 ETAC Program Evaluator | \$16,750.00 |

2. This payment is awarded without public bidding in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.3, N.J.S.A.18A:64A-25.5.a(2), and N.J.S.A.18A:64A-25.5.a(3);
3. The specific line item against which this payment is to be charged is as follows:
 10-2203-7733 Operating Expense
 FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | FINAL DISPOSITION <b style="color: red;">Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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| Subject: | Finance: IMAC Insurance Agency, LLC Small Business Enterprise (SBE) |
| Contact: | Evans Wagnac / Comptroller |
| Meeting Date: | August 24, 2022 |
| Agenda Item No.: | 3-1.8/8-2022 |
| Resolution Authorizing the Additional Payment for Insurance Policy Renewal | |

WHEREAS, Essex County College needs to ratify the additional payment of **\$498.01** to **IMAC Insurance Agency LLC**, 540 Mill Street, Belleville, New Jersey 07109, vendor approved by the State of New Jersey under Small Business Enterprise (**SBE**) for the fiscal year 2022-2023 for Insurance Policy Renewal, in which contracts for Insurance are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3 and N.J.S.A. 18A:64A-25.5.(11), Insurance, including the purchase of insurance coverage and consulting services which exceptions shall be in accordance with the requirements for extraordinary unspecifiable services; and

WHEREAS, On June 21, 2022 (3-1.25/6-2022), the Board of Trustees approved payment for insurance policy renewal of \$880,241.00 for the fiscal year 2023. The additional charge of \$498.01 is a pre-adjusted quote that was submitted in the board packet to guarantee coverage and avoid a lapse in coverage; and

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Non-Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose, and;

NOW THEREFORE, BE IT RESOLVED by the Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to approve additional payment to **IMAC Insurance Agency LLC**. for Insurance Policy Renewal for the fiscal year 2022-2023 for **\$498.01**. Subject to the availability of funds;
2. This payment is awarded without public bidding in accordance with the provisions of the County College Contract Law N.J.S.A.18A:64A-25.3 and 18A:64A-25.5.(11);
3. The specific line item against which this payment is to be charged are as follows:
10-1851-7711 Operating Expense
FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES
REQUEST FOR BOARD ACTION

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| Subject: | Settlement Agreement and Mutual Release – CulinArt Group, Inc. |
| Contact: | Dr. Augustine Boakye, President |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 3-2.1/08-2022 |

WHEREAS, Plaintiff, CulinArt Group, USA, Inc., filed a civil lawsuit against Essex County College and the Board of Trustees in a matter docketed as Docket No. ESX-L-004091-22; and

WHEREAS, the parties sought to resolve all outstanding claims and mitigate further costs and the uncertainties of litigation; and

WHEREAS, the parties resolved the matter via Settlement Agreement and Mutual Release; and

NOW THEREFORE, BE IT RESOLVED: by the Essex County College Board of Trustees, the Settlement Agreement and Mutual Release, relative to Docket No. ESX-L-004091-22, is approved.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |

BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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| Subject: | Finance: McCloskey Mechanical Contractors, Inc. | Non-SBE/MBE/WBE |
| Contact: | Mohamed Seddiki / Executive Dean of Administrative & Learning Technology/CIO | |
| Meeting Date: | September 20, 2022 | |
| Agenda Item No.: | 3-1.1/9-2022 | |
| Resolution Authorizing the Award of a Two-year Bid for HVAC Preventive Maintenance and General Repair Services | | |

Recommendation: It is recommended that the Board of Trustees approves the award of a two-year bid to **Non-SBE/MBE/WBE, McCloskey Mechanical Contractors, Inc.**, 445 Lower Landing Road, Blackwood, New Jersey 08012 in the total amount not to exceed **\$92,434.00** for HVAC Preventive Maintenance and General Repair Services from the date of award through June 30, 2024.

The award of this bid shall be made as “Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00.

Bid #8147 was advertised in The Star-Ledger on July 21, 2022. There were four (4) bids solicited. One (1) response was received, opened, and publicly read on August 16, 2022.

Nature of Bid: HVAC Preventive Maintenance Services and General Repair Services

The maintenance agreement is for the following Fiscal Year:

FY 2022-2023

| | | |
|--------------------|----------------------------|---------------------|
| HVAC | General Repairs | |
| <u>PM Services</u> | <u>Services Allowances</u> | <u>Total Amount</u> |
| \$40,608.00 | \$5,000.00 | \$45,608.00 |

FY 2023-2024

| | | |
|--------------------|----------------------------|---------------------|
| HVAC | General Repairs | |
| <u>PM Services</u> | <u>Services Allowances</u> | <u>Total Amount</u> |
| \$41,826.00 | \$5,000.00 | \$46,826.00 |

Bid Item #1: **The recommendation is for the lowest responsive and responsible bidder.**

Source of Funding: The Comptroller of Essex County College has determined and certified in writing that the following funds are available for this purpose:

| | | |
|-------------------|------------------|----------------------------------|
| <u>Department</u> | <u>Account #</u> | <u>Total Amount for Two-Year</u> |
| Facilities | 10-7351-7620J | \$92,434.00 |

Resolution: The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award the bid to **McCloskey Mechanical Contractors, Inc.** in the total amount not to exceed **\$92,434.00** for HVAC Preventive Maintenance and General Repair Services from the date of award through June 30, 2024. Subject to the availability of funds.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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|------------------|--|------------------------|
| Subject: | Finance: McCloskey Mechanical Contractors, Inc. | Non-SBE/MBE/WBE |
| Contact: | Mohamed Seddiki / Executive Dean of Administrative & Learning Technology/CIO | |
| Meeting Date: | | September 20, 2022 |
| Agenda Item No.: | | 3-1.2/9-2022 |
| | Resolution Authorizing the Award of a Two-year Contract for General Plumbing Repair Services | |

Recommendation: It is recommended that the Board of Trustees approves the award of a two-year quote to **Non-SBE/MBE/WBE, McCloskey Mechanical Contractors, Inc.**, 445 Lower Landing Road, Blackwood, New Jersey 08012 in the total amount not to exceed **\$50,000.00** for General Plumbing Repair Services from the date of award through June 30, 2024.

The award of this bid shall be made as “Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00.

Quote# FY23Q-0003 was published in the web services on July 18, 2022. There were fourteen (14) quotes solicited. One (1) response was received on August 2, 2022.

Nature of Quote: Essex County College – General Plumbing Repair Services

Quote Item #1-3: **The recommendation is for the lowest responsive and responsible bidder.**

Source of Funding: The Comptroller of Essex County College has determined and certified in writing that the following funds are available for this purpose:

| <u>Department</u> | <u>Account #</u> | <u>FY22-23</u> | <u>FY23-24</u> |
|-------------------|------------------|----------------|----------------|
| Facilities | 10-7351-7620B | \$25,000.00 | \$25,000.00 |

Resolution: The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award the quote in the total amount not to exceed **\$50,000.00** to **McCloskey Mechanical Contractors, Inc.** for General Plumbing Repair Services from the date of award through June 30, 2024. Subject to the availability of funds.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |

BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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|------------------|--|
| Subject: | Finance: McCloskey Mechanical Contractors, Inc. Non-SBE/MBE/WBE |
| Contact: | Mohamed Seddiki / Executive Dean of Administrative & Learning Technology/CIO |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 3-1.3/9-2022 |
| | Resolution Authorizing the Award of a Two-year Contract for Heating Boilers Maintenance & Services |

Recommendation: It is recommended that the Board of Trustees approves the award of a two-year quote to **Non-SBE/MBE/WBE, McCloskey Mechanical Contractors, Inc.**, 445 Lower Landing Road, Blackwood, New Jersey 08012 in the total amount not to exceed **\$47,266.00** for Heating Boilers Maintenance & Services from the date of award through June 30, 2024.

The award of this bid shall be made as “Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00.

Quote# FY23Q-0005 was published in the web services on July 21, 2022. There were seven (7) quotes solicited. The quote was canceled as a non-response.

Quote# FY23Q-0005A was published in the web services on August 9, 2022. There were seven (7) quotes solicited. One (1) response was received on August 23, 2022.

Nature of Quote: Essex County College – Heating Boilers Maintenance & Services

Quote Item #1-4: **The recommendation is for the lowest responsive and responsible bidder.**

Source of Funding: The Comptroller of Essex County College has determined and certified in writing that the following funds are available for this purpose:

| <u>Department</u> | <u>Account #</u> | <u>FY22-23</u> | <u>FY23-24</u> |
|-------------------|------------------|----------------|----------------|
| Facilities | 10-7351-7620J | \$23,432.00 | \$23,834.00 |

Resolution: The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award the quote in the total amount not to exceed **\$47,266.00** to **McCloskey Mechanical Contractors, Inc.** for Heating Boilers Maintenance & Services from the date of award through June 30, 2024. Subject to the availability of funds.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |

BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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| Subject: | Finance: U.S.A. General Contractors Corp. | Small Business Enterprise (SBE) |
| Contact: | Mohamed Seddiki / Executive Dean of Administrative & Learning Technology/CIO | |
| Meeting Date: | September 20, 2022 | |
| Agenda Item No.: | 3-1.4/9-2022 | |
| Resolution Authorizing the Award of a Two-year Contract for Roof Repair Services | | |

Recommendation: It is recommended that the Board of Trustees approves the award of a two-year quote to **U.S.A General Contractors Corp.**, 167 Route 33, Manalapan, New Jersey 07726, vendor approved by the State of New Jersey under Small Business Enterprise (**SBE**) in the amount not to exceed **\$25,000.00** per year for Roof Repair Services from the date of award through June 30, 2024.

The award of this bid shall be made as “Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00.

Quote# FY23Q-0006 was published in the web services on July 28, 2022. There were three (3) quotes solicited. One (1) response was received on August 11, 2022.

Nature of Quote: Essex County College – Roof Repair Services

Quote Item #1-4: **The recommendation is for the lowest responsive and responsible bidder.**

Source of Funding: The Comptroller of Essex County College has determined and certified in writing that the following funds are available for this purpose:

| <u>Department</u> | <u>Account #</u> | <u>FY22-23</u> | <u>FY23-24</u> |
|-------------------|------------------|----------------|----------------|
| Facilities | 10-7351-7620F | \$25,000.00 | \$25,000.00 |

Resolution: The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award the quote in the amount not to exceed **\$25,000.00** per year to **U.S.A General Contractors Corp.** for Roof Repair Services from the date of award through June 30, 2024. Subject to the availability of funds.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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|--|--|---|
| Subject: | | Finance: Ellucian Company, L.P. Small Business Enterprise (SBE) |
| Contact: | Mohamed Seddiki / Executive Dean of Administrative & Learning Technology/CIO | |
| Meeting Date: | | September 20, 2022 |
| Agenda Item No.: | | 3-1.5/9-2022 COVID-19 |
| Resolution Authorizing the Award of the Third Year of a Three-Year Contract for Ellucian Elevate | | |

WHEREAS, Essex County College needs to approve the third year of a three-year contract of **\$42,600.00** to **Ellucian Company, L.P.**, 14083 Collections Center Drive, Chicago, Illinois 60693, vendor approved by the State of New Jersey under Small Business Enterprise (**SBE**) for Cloud Software License and Services Agreement, in which contract goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3, and N.J.S.A.18A:64A-25.5.a(19), Providing goods or services for the use, support, or maintenance of proprietary computer hardware, software peripherals, and systems development of the hardware; and

WHEREAS, On June 26, 2020 (3-1.1/6-2020S), and on November 16, 2021 (3-1.4/11-2021), the Board of Trustees awarded the contract for Cloud Software in the total amount of \$130,294.00 as follows:

| | | | |
|--------------------------------------|-------------|------------------|------|
| Ellucian Elevate annual subscription | \$42,600.00 | per | year |
| Professional services implementation | \$45,094.00 | one-time payment | |

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Non-Fair and Open” pursuant to the provisions of N.J.S.A. 10:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose and the contract document was reviewed and approved by the General Council Office,

NOW THEREFORE, BE IT RESOLVED by the Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to approve the third year of a three-year contract to **Ellucian Company, L.P.** for **\$42,600.00** for a Cloud Software annual license. Subject to the availability of funds;
2. This contract is awarded without public bidding in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.3, and 18A:64A-25.5.a(19);
3. The specific line item against which this service is to be charged is as follows:
29010-9010-7511 CRRSAA Grant Funds – Cares Act 2.0
FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |

BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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|--|---|
| Subject: | Finance: Brahma Construction, Corp. Small Business Enterprise (SBE) |
| Contact: | Mohamed Seddiki / Executive Dean of Administrative & Learning Technology/CIO |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 3-1.6/9-2022 |
| Resolution Authorizing the Award of a Contract for Information Technology Department Alterations & Renovations | |

WHEREAS, Essex County College needs to approve a change order in the total amount of **\$35,172.72** to **Brahma Construction, Corp.**, 1360 Route 23, Wayne, New Jersey 07470, vendor approved by the State of New Jersey under Small Business Enterprise (**SBE**) for additional material during the construction renovation of the Information Technology Department, in which contract goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3, and N.J.S.A.18A:64A-25.5.a(10) specialized machinery or equipment of a technical nature which will not reasonably permit the drawing of specifications, and the procurement thereof without advertising is in the public interest; and

WHEREAS, On June 22, 2021 (3-1.24/6-2021) the Board of Trustees awarded Bid #8114 opened on June 8, 2021, for \$718,000.00 for Information Technology Department Alterations & Renovations. The change order is on the original bid for the following items; cutting holes in floor and ceiling for data, transferring grill openings, replacing glass at five (5) windows, RTU support steel, demo wall in a corridor to deck & creating an opening for relocated door #4310 Repair Lab, the wall under the floor; and

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as "Fair and Open" pursuant to the provisions of N.J.S.A. 10:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose,

NOW THEREFORE, BE IT RESOLVED by Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to approve a change order to **Brahma Construction, Corp.** for **\$35,172.72** for additional material for the Information Technology Department Renovation. Subject to the availability of funds;
2. This change order is awarded without public bidding in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.3, and 18A:64A-25.5.a(10);
3. The specific line item against which this contract is to be charged is as follows:
901411-3111-7951A \$29,887.74 Chapter XII Ordinance 0-2014-00011
9021A2-3126-7951A \$5,284.98 Chapter XII Ordinance 0-2021-00002
FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |

BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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| Subject: | Finance – National Healthcareer Association Non-SBE/MBE/WBE |
| Contact: | Dr. Elvy M. Vieira / Dean of Community, Continuing Education, and Workforce Development |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 3-1.7/9-2022 |
| Resolution Authorizing Award for Additional Blanket Order for Testing Materials | |

WHEREAS, Essex County College needs to approve an additional blanket order for the purchase of certification tests for Allied Health Vocational Training under the Essex County Division of Training & Employment, the Newark One-Stop, and the PACE Grant funds in the total amount not to exceed **\$90,000.00 to Non-SBE/MBE/WBE, National Healthcareer Association.**, 62280 Collection Center Drive, Chicago, IL 60693-0622 from May 2022 through June 30, 2023; in which contract goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3 and N.J.S.A.18A:64A-25.5.a(6) Textbooks, copyrighted materials, student-produced publications, and services incidental thereto, library materials including without limitation books, periodicals, newspapers, documents, pamphlets, photographs, reproductions, microfilms, pictorial or graphic works, video and magnetic tapes, other printed or published matter and audiovisual and other materials of a similar nature, necessary binding or rebinding of library materials and specialized library services; and

WHEREAS, On May 24, 2022 (3-1.7/5-2022) the Board of Trustees approved the award in the total amount of \$40,000.00 for testing materials for the Training, Inc. Department’s students, an additional \$10,000.00 for FY 2022 and \$30,000.00 for FY 2023. The additional upsurge is to pay the remaining invoices from the FY 2022, and the blanket order for the current year is an estimated blanket order for upcoming invoices; and

WHEREAS, Essex County College wishes to award a said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq., and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Non-Fair and Open” pursuant to the provisions of N.J.S.A. 10:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose,

NOW THEREFORE, BE IT RESOLVED by Essex County College Board of Trustees as follows:

1. The Essex County College is hereby authorized and directed to approve an additional blanket order for the purchase of certification tests with **National Healthcareer Association**, in the total amount not to exceed **\$90,000.00**. Subject to the availability of funds;

| <u>Description</u> | <u>FY21-22</u> | <u>FY22-23</u> |
|--------------------|----------------|----------------|
| Blanket Order | \$30,000.00 | \$60,000.00 |

2. This blanket order is awarded without public bidding in accordance with the provisions of the County College Contracts N.J.S.A.18A:64A-25.3 and N.J.S.A.18A:64A-25.5.a(6);
3. The specific line item against which this blanket order is to be charged is as follows:
29798-9798-7792 Newark One Stop and PACE Grant (NJDOL)
FY 2021/2022
FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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| Subject: | | Finance: NJEDGE-VALE Non-SBE/MBE/WBE |
| Contact: | Dr. Elvira Vieira / Dean of Continuing Education & Workforce Development | |
| Meeting Date: | September 20, 2022 | |
| Agenda Item No.: | 3-1.8/9-2022 | |
| Resolution Authorizing the Award of a Renewal Subscription at the MLK Jr. Library | | |

WHEREAS, Essex County College needs to renew the annual subscription for the following publishers; EBSCO, The Chronicle of Higher Education, ProQuest, Springshare, Gale-Cengage Learning, Springer Nature, American Library Associate, and VALE for the Martin Luther King Jr. Library in the total amount of **\$31,090.66** to **Non-SBE/MBE/WBE, Virtual Academic Library Environment (VALE)**, 625 Broad Street, Newark, New Jersey 07102 from July 1, 2022 through June 30, 2023; in which contract goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3, N.J.S.A.18A:64A-25.5.a(19), and N.J.S.A.18A:64A-25.5.a(6) Textbooks, copyrighted materials, student-produced publications and services incidental thereto, library materials including without limitation books, periodicals, newspapers, documents, pamphlets, photographs, reproductions, microfilms, pictorial or graphic works, musical scores, maps, charts, globes, sound recordings, slides, films, filmstrips, video and magnetic tapes, other printed or published matter and audiovisual and other materials of a similar nature, necessary binding or rebinding of library materials and specialized library services; and

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Non-Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose, and the Office of General Counsel reviewed and approved the contract attached, and;

NOW THEREFORE, BE IT RESOLVED by the Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award a renewal subscription with **Virtual Academic Library Environment (VALE)**, in the total amount of **\$31,090.66** for library materials for the Martin Luther King Jr. Library from July 1, 2022, to June 30, 2023. Subject to the availability of funds:
2. This renewal is awarded without public bidding in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.3, N.J.S.A.18A:64A-25.5.a(19), and N.J.S.A.18A:64A-25.5.a(6);
3. The specific line item against which this renewal is to be charged is as follows:
10-6000-7516 Operating Expense
FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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| Subject: | Finance: Dell Non-SBE/MBE/WBE |
| Contact: | Denise Williams / Director of Purchasing |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 3-1.9/9-2022 |
| Resolution Authorizing the Award of an Additional Blanket Order for Dell | |

WHEREAS, Essex County College needs to approve an additional blanket order in the amount not to exceed **\$100,000.00** to the **Non-SBE/MBE/WBE, Dell**, One Dell Way, Round Rock, Texas 78682 which will serve to help the departments of the College to request computer supplies/equipment such as Network, Computer Hardware, Software, and Peripheral support on an as-needed basis from the date of award through June 30, 2023, in which contract goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3, N.J.S.A.18A:64A-25.5.a(19), N.J.S.A.18A:64A-25.5.a(24), and N.J.S.A.18A:64A-25.9 Any county college, without advertising for bids, or after having rejected all bids obtained pursuant to advertising therefor, may purchase any materials, supplies, goods, services, or equipment pursuant to a contract or contracts for such materials, supplies, goods, services or equipment entered into on behalf of the State of New Jersey Contract, NASPO M0483/19TELE00656; and

WHEREAS, On June 21, 2022 (3-1.19/6-2022), the Board of Trustees approved seven (7) blanket orders of which Dell was among them for \$50,000.00 and now it has been exhausted by the Adult Learning Center Department acquiring computers and laptops for students under the extension of Grants, Department of Labor – Adult Basic Education, (DOL-ABE). The additional blanket order will serve to help the departments of the College to request computer supplies/equipment for the fiscal year 2023; and

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose,

NOW THEREFORE, BE IT RESOLVED by the Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award an additional blanket order to an NJ State Contract, **Dell** in the amount not to exceed **\$100,000.00** on an as-needed basis for computer supplies/equipment from date of award through June 30, 2023. Subject to the availability of funds;
2. The additional blanket order is awarded without public bidding in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.3, N.J.S.A.18A:64A-25.5.a(19), N.J.S.A.18A:64A-25.5.a(24), and N.J.S.A.18A:64A-25.9;
3. Dell is the authorized vendor for the State of New Jersey Contract NASPO M0483/19TELE00656;
4. The specific line item against which this blanket order is to be charged is as follows:

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



Operating Expense

BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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|--|--|
| Subject: | Finance – Susan K. Perkins Women and Small Business Enterprise (WBE/SBE) |
| Contact: | Dr. Augustine A. Boakye / President |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 3-1.10/9-2022 |
| Resolution Authorizing the Award of a Contract for Consulting Services | |

FY 2022/2023

WHEREAS, Essex County College needs to approve a contract for consulting services in the amount not to exceed **\$60,000.00** to **Susan K. Perkins**, 9 Dogwood Lane, Skillman, New Jersey 08558, vendor approved by the State of New Jersey under Women (**WBE**) and Small Business Enterprise (**SBE**) to assist the College by providing financial opinions, advice, recommendations with regard to other finance-related policies, procedures and practice, from the date of award through June 30, 2023, in which contract goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.5.a(15), professional consulting services; and

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Non-Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose,

NOW THEREFORE, BE IT RESOLVED by the Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award a contract for consulting services to **Susan K Perkins** in an amount not to exceed **\$60,000.00** from the date of award through June 30, 2023. Subject to the availability of funds;
2. The service is awarded without public bidding as a purchase through and in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.5.a(15);
3. The specific line item against which this service is to be charged is as follows:
10-0300-7180 Operating Expense
FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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|---|---|
| Subject: | Finance: Ironbound Medical Services Non-SBE/MBE/WBE |
| Contact: | Yvette Henry / Executive Director of Human Resources |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 3-1.11/9-2022 |
| Resolution Authorizing the Award of a Two-Year Contract for Medical Services for Students and Employees | |

WHEREAS, Essex County College needs to approve a two-year quote in the total amount not to exceed **\$149,150.00** per year to **Non-SBE/MBE/WBE, Ironbound Medical Services**, 221 Chestnut Street, Newark, New Jersey 07105 for medical services for students and employees in the amount not to exceed **\$149,150.00** per year from the date of award through June 30, 2024, in which contract goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3, and N.J.S.A.18A:64A-25.5.a(1) Professional services; and

WHEREAS, Essex County College - Purchasing Department received quote# FY23Q-0008 on August 31, 2022 (see attached).

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Fair and Open” pursuant to the provisions of N.J.S.A. 10:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose,

NOW THEREFORE, BE IT RESOLVED by the Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to approve a two-year quote to **Ironbound Medical Services** in the total amount not to exceed **\$149,150.00** per year for medical services for students and employees from the date of award through June 30, 2024. Subject to the availability of funds;

| <u>Department</u> | <u>Account #</u> | <u>FY 22-23</u> | <u>FY 23-24</u> |
|-------------------|------------------|---------------------|---------------------|
| Human Resources | 10-1501-6242 | \$111,650.00 | \$111,650.00 |
| Student Athletics | 32-8215-6242 | <u>\$ 37,500.00</u> | <u>\$ 37,500.00</u> |
| | | \$149,150.00 | \$149,150.00 |

2. This contract is awarded without public bidding in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.3, and 18A:64A-25.5.a(1);
3. The specific line item against which this service is to be charged is as follows:

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



Operating Expense: 10-1501-6242 & 32-815-6242
 FY 2022/2023

BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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| Subject: | Finance: SHI International Corporation Minority Woman Business Enterprises (MWBE) |
| Contact: | Mohamed Seddiki / Executive Dean of Administrative & Learning Technology/CIO |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 3-1.12/9-2022 |
| Resolution Authorizing the Award of a Purchase for Microsoft License | |

WHEREAS, Essex County College needs to approve the purchase of Microsoft Licenses that includes MS Office, Windows Operating System, Anti-virus, and Client Security Protection for all of the computers throughout the College in the amount not to exceed **\$48,321.86** to **SHI International Corporation**, 290 Davidson Avenue, Somerset, New Jersey 08873, vendor approved by the State of New Jersey under Minority Woman Business Enterprise (**MWBE**) from October 12, 2022, through October 11, 2023, in which contract goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3, N.J.S.A.18A:64A-25.5.a(19) and N.J.S.A.18A:64A-25.9.(a), Any county college, without advertising for bids, or after having rejected all bids obtained pursuant to advertising therefor, may purchase any materials, supplies, goods, services, or equipment pursuant to a contract or contracts for such materials, supplies, goods, services, or equipment entered into on behalf of the State by the Division of Purchase and Property. State of New Jersey, NJEdge Contract #269EMCPS-19-001; and

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose,

NOW THEREFORE, BE IT RESOLVED by Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award a purchase with **SHI International Corporation** in the amount not to exceed **\$48,321.86** for Microsoft License from October 12, 2022, through October 11, 2023. Subject to the availability of funds;
2. This license is awarded without public bidding as a purchase through the State of NJ Division of Purchase and Property in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.3, N.J.S.A.18A:64A-25.5.a(19) and N.J.S.A.18A:64A-25.9.(a);
3. SHI International Corporation is the authorized vendor for the State of New Jersey Contracts, NJEdge Contract #269EMCPS-19-001;
4. The specific line item against which this license is to be charged is as follows:
 10-6105-7511 Operating Expense
 FY 2022/2023

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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| Subject: | | Finance: Nehme Brothers, Inc. Small Business Enterprise (SBE) |
| Contact: | Mohamed Seddiki / Executive Dean of Administrative & Learning Technology/CIO | |
| Meeting Date: | | September 20, 2022 |
| Agenda Item No.: | | 3-1.13/9-2022 |
| Resolution Authorizing the Award of a Contract for Demolition of the Cafeteria | | |

WHEREAS, Essex County College needs to approve the award of a contract of **\$34,000.00** to **Nehme Brothers, Inc.**, 547 River Rd, Edgewater, New Jersey 07020, vendor approved by the State of New Jersey under Small Business Enterprise (**SBE**) for Cafeteria Demolition at the Newark Campus, in which contract goods are exempt from bidding pursuant to the provisions of County College Contracts Law N.J.S.A.18A:64A-25.3a Purchases, contracts and agreements not requiring advertising;

WHEREAS, Essex County College wishes to award said contract without the need for public bidding in compliance with the provisions of the County College Contracts Law, N.J.S.A.18A:64A-25.1 et seq, and the provisions of N.J.S.A.19:44A-20, 4 et seq; and

WHEREAS, The award of this purchase shall be made as “Fair and Open” pursuant to the provisions of N.J.S.A. 19:44A-20,4. When the aggregation rules (NJAC 5:34-8-2) are applied, the value of this acquisition exceeds \$17,500.00; and

WHEREAS, The Comptroller of Essex County College has determined and certified in writing that the funds are available for this purpose,

NOW THEREFORE, BE IT RESOLVED by Essex County College Board of Trustees as follows:

1. The Essex County College Board of Trustees hereby authorizes and directs the appropriate officials of the College to award a contract with **Nehme Brothers, Inc.** of **\$34,000.00** for the Demolition of the Cafeteria located at the Newark Campus. Subject to the availability of funds;

The College has solicited and received proposals from the following vendors:

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|--------------------------------------|-------------|
| - Nehme Brothers, Inc. | \$34,000.00 |
| - Memargi Demolition & Environmental | \$56,800.00 |

2. The is awarded without public bidding as a purchase through the State of NJ Division of Purchase and Property in accordance with the provisions of the County College Contracts Law N.J.S.A.18A:64A-25.3a;
3. The specific line item against which this purchase is to be charged is as follows:
901706-3115-7951A Chapter XII Ordinance 0-2017-00006
FY 2021/2022

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES
REQUEST FOR BOARD ACTION

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|------------------|---|
| Subject: | Personnel: Memorandum of Agreement, Essex County College Faculty Association |
| Contact: | Dr. Augustine Boakye, President |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-1A/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees ratify the Memorandum of Agreement between Essex County College and the Essex County College Faculty Association for the period September 1, 2022 through August 31, 2023.

BACKGROUND AND RATIONALE: The Essex County College Faculty Association is the recognized negotiating agent for the labor unit comprised of Faculty Association members. Essex County College and the Essex County College Faculty Association have engaged in an agreement for the salaries of three faculty members be adjusted to align with the salary ranges of the faculty members appointed for FY 2023 and be effective for the period commencing September 1, 2022 through August 31, 2023. Due to increase in starting salaries for faculty members appointed in FY 2023, the three faculty members with comparable credentials and experience, who were appointed in FY 2022, are presently compensated at a lower rank on the negotiated salary guide.

FISCAL NOTES: The recommended salaries are included in the Department's annual budget.

RESOLUTION: Board of Trustees ratifies the Memorandum of Agreement between Essex County College and the Essex County College Faculty Association for the period September 1, 2022 through August 31, 2023.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES
REQUEST FOR BOARD ACTION

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| Subject: | Personnel: Memorandum of Agreement, Essex County College Support Staff Association |
| Contact: | Dr. Augustine Boakye, President |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-1B/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees ratify the Memorandum of Agreement between Essex County College and the Essex County College Support Staff Association for the period August 1, 2022 through June 30, 2023.

BACKGROUND AND RATIONALE: The Essex County College Support Staff Association is the recognized negotiating agent for the labor unit comprised of Support Staff Association members. Essex County College and the Essex County College Support Staff Association have engaged in an agreement that in anticipation of the increase in minimum wages, in advance compliance with the State’s minimum wage increase to \$15.00/hour on January 1, 2024, the hourly wage for eight (8) members be increased to \$15.00/hour, effective for the period commencing retroactively from August 1, 2022 through June 30, 2023.

FISCAL NOTES: The recommended salaries are included in the Department's annual budget.

RESOLUTION: Board of Trustees ratifies the Memorandum of Agreement between Essex County College and the Essex County College Support Staff Association for the period August 1, 2022 through June 30, 2023.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



**BOARD OF TRUSTEES
REQUEST FOR BOARD ACTION**

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| Subject: | Personnel: Appointment, Cheryl McClymont |
| Contact: | Elvira Vieira, Dean of Community, Continuing Education and Workforce Development |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-2/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees approve the appointment of Cheryl McClymont, to the position of Program Manager – Allied Health Programs, for the Training Inc. Department, contingent upon grant funding, for the period September 21, 2022 through June 30, 2023. The recommended annual salary for the position is \$57,500.

BACKGROUND AND RATIONALE: This position vacancy was posted in accordance with College policy and EEO/AA guidelines. One (1) application was received and reviewed. Cheryl McClymont is the recommended candidate.

DEGREE/CERTIFICATION QUALIFICATIONS (MASTER’S DEGREE REQUIRED):

| <u>Degree or Certification</u> | <u>Date Awarded</u> | <u>Institution Name, Location</u> | <u>Major Area of Study</u> |
|------------------------------------|---------------------|---|----------------------------|
| ● Master of Administrative Science | 2016 | Fairleigh Dickinson University Teaneck, NJ | Administrative Science |
| ● Bachelor of Science | 2013 | Ashworth College Peachtree Corners, GA | Business Administration |

FISCAL NOTES: The recommended salary of \$57,500 is included in the Department’s annual budget.

RESOLUTION: The Board of Trustees of Essex County College approves the appointment of Cheryl McClymont, at the annual salary of \$57,500, to the position of Program Manager – Allied Health Programs, for the Training Inc. Department, contingent upon grant funding, for the period September 21, 2022 through June 30, 2023.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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| Subject: | Personnel: Appointment, Ramon D’Aguilar |
| Contact: | Elvira Vieira, Dean of Community, Continuing Education and Workforce Development |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-3/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees approve the appointment of Ramon D’Aguilar, to the position of Program Coordinator – Technology Programs, for the Training Inc. Department, contingent upon grant funding, for the period September 21, 2022 through June 30, 2023. The recommended annual salary for the position is \$54,000.

BACKGROUND AND RATIONALE: This position vacancy was posted in accordance with College policy and EEO/AA guidelines. Two (2) applications was received and reviewed. Ramon D’Aguilar is the recommended candidate.

DEGREE/CERTIFICATION QUALIFICATIONS (BACHELOR’S DEGREE REQUIRED):

| <u>Degree or Certification</u> | <u>Date Awarded</u> | <u>Institution Name, Location</u> | <u>Major Area of Study</u> |
|--------------------------------|---------------------|------------------------------------|--|
| ● Bachelor of Arts | 2010 | Kean University Union, NJ | Communications / Management Science |
| ● Associate in Science | 2007 | Essex County College Newark, NJ | Computer Information System |

FISCAL NOTES: The recommended salary of \$54,000 is included in the Department’s annual budget.

RESOLUTION: The Board of Trustees of Essex County College approves the appointment of Ramon D’Aguilar, at the annual salary of \$54,000, to the position of Program Coordinator – Technology Programs, for the Training Inc. Department, contingent upon grant funding, for the period September 21, 2022 through June 30, 2023.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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| Subject: | Personnel: Appointment, Edyta Niedbal | |
| Contact: | Elvira Vieira, Dean of Community, Continuing Education and Workforce Development | |
| Meeting Date: | September 20, 2022 | |
| Agenda Item No.: | 4-4/9-2022 | |

RECOMMENDATION: It is recommended that the Board of Trustees approve the appointment of Edyta Niedbal, to the position of EOF Program Eligibility Coordinator, for the Educational Opportunity Fund (EOF) Department, contingent upon grant funding, for the period September 21, 2022 through June 30, 2023. The recommended annual salary for the position is \$50,000.

BACKGROUND AND RATIONALE: This position vacancy was posted in accordance with College policy and EEO/AA guidelines. A total of 12 applications were reviewed and three (3) applicants were selected to be interviewed. Edyta Niedbal is the recommended candidate.

DEGREE/CERTIFICATION QUALIFICATIONS (BACHELOR’S DEGREE REQUIRED):

| <u>Degree or Certification</u> | <u>Date Awarded</u> | <u>Institution Name, Location</u> | <u>Major Area of Study</u> |
|--------------------------------|---------------------|--|----------------------------|
| ● Bachelor of Science | 2012 | New Jersey City University Jersey City, NJ | Business Administration |
| ● Associate in Arts | 2009 | Hudson County Community College Jersey City, NJ | Business |

FISCAL NOTES: The recommended salary of \$50,000 is included in the Department’s annual budget.

RESOLUTION: The Board of Trustees of Essex County College approves the appointment of Edyta Niedbal, at the annual salary of \$50,000, to the position of EOF Program Eligibility Coordinator, for the Educational Opportunity Fund (EOF) Department, contingent upon grant funding, for the period September 21, 2022 through June 30, 2023.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



**BOARD OF TRUSTEES
REQUEST FOR BOARD ACTION**

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|------------------|---|
| Subject: | Personnel: Appointment, Juanita Jones |
| Contact: | Aylin Brandon, Executive Director of Enrollment Management and Services |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-5/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees approve the appointment of Juanita Jones, to the position of Coordinator – Testing Center, for the Testing Department, for the period September 21, 2022 through June 30, 2023. The recommended annual salary for the position is \$45,000.

BACKGROUND AND RATIONALE: This position vacancy was posted in accordance with College policy and EEO/AA guidelines. A total of 22 applications were reviewed and three (3) applicants were selected to be interviewed. Juanita Jones is the recommended candidate.

DEGREE/CERTIFICATION QUALIFICATIONS (BACHELOR’S DEGREE REQUIRED):

| <u>Degree or Certification</u> | <u>Date Awarded</u> | <u>Institution Name, Location</u> | <u>Major Area of Study</u> |
|--------------------------------|---------------------|---|----------------------------|
| ● Bachelor of Science | 2021 | New Jersey City University Jersey City, NJ | Criminal Justice |
| ● Associate in Science | 2018 | Essex County College Newark, NJ | Criminal Justice |

FISCAL NOTES: The recommended salary of \$45,000 is included in the Department’s annual budget.

RESOLUTION: The Board of Trustees of Essex County College approves the appointment of Juanita Jones, at the annual salary of \$45,000, to the position of Coordinator – Testing Center, for the Testing Department, for the period September 21, 2022 through June 30, 2023.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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| Subject: | Personnel: Appointment, Lan Wang |
| Contact: | Alvin Williams, Dean of Faculty and Academics |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-6/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees approve the appointment of Lan Wang, to the position of Coordinator – Bloomberg Lab, for the Business Division, contingent upon grant funding, for the period September 21, 2022 through June 30, 2023. The recommended annual salary for the position is \$50,000.

BACKGROUND AND RATIONALE: This position vacancy was posted in accordance with College policy and EEO/AA guidelines. A total of nine (9) applications were reviewed and three (3) applicants were selected to be interviewed. Lan Wang is the recommended candidate.

DEGREE/CERTIFICATION QUALIFICATIONS (BACHELOR’S DEGREE REQUIRED):

| <u>Degree or Certification</u> | <u>Date Awarded</u> | <u>Institution Name, Location</u> | <u>Major Area of Study</u> |
|--------------------------------|---------------------|---------------------------------------|----------------------------|
| ● Master of Science | 1994 | Northeastern University Boston, MA | Computer Science |

FISCAL NOTES: The recommended salary of \$50,000 is included in the Department’s annual budget.

RESOLUTION: The Board of Trustees of Essex County College approves the appointment of Lan Wang, at the annual salary of \$50,000, to the position of Coordinator – Bloomberg Lab, for the Business Division, contingent upon grant funding, for the period September 21, 2022 through June 30, 2023.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | Approved by Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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|------------------|---|
| Subject: | Personnel: Appointment, Ehsan Alizadeh |
| Contact: | Aylin Brandon, Executive Director of Enrollment Management and Services |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-7/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees approve the appointment of Ehsan Alizadeh, to the position of Student Support Services Representative, for the Welcome Center, for the period September 21, 2022 through June 30, 2023. The recommended annual salary for the position is \$35,900.

BACKGROUND AND RATIONALE: This position vacancy was posted in accordance with College policy and EEO/AA guidelines. A total of 26 applications were reviewed and three (3) applicants were selected to be interviewed. Ehsan Alizadeh is the recommended candidate.

DEGREE/CERTIFICATION QUALIFICATIONS (ASSOCIATE’S DEGREE REQUIRED):

| <u>Degree or Certification</u> | <u>Date Awarded</u> | <u>Institution Name, Location</u> | <u>Major Area of Study</u> |
|--------------------------------|---------------------|------------------------------------|----------------------------|
| ● Associate in Science | 2019 | Essex County College Newark, NJ | Business Administration |

FISCAL NOTES: The recommended salary of \$35,900 is included in the Department’s annual budget.

RESOLUTION: The Board of Trustees of Essex County College approves the appointment of Ehsan Alizadeh, at the annual salary of \$35,900, to the position of Student Support Services Representative, for the Welcome Center, for the period September 21, 2022 through June 30, 2023.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



**BOARD OF TRUSTEES
REQUEST FOR BOARD ACTION**

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|------------------|---|
| Subject: | Personnel: Appointment, Byron Amaya-Ortega |
| Contact: | Aylin Brandon, Executive Director of Enrollment Management and Services |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-8/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees approve the appointment of Byron Amaya-Ortega, to the position of Student Support Services Representative, for the Welcome Center, for the period September 21, 2022 through June 30, 2023. The recommended annual salary for the position is \$35,900.

BACKGROUND AND RATIONALE: This position vacancy was posted in accordance with College policy and EEO/AA guidelines. A total of 26 applications were reviewed and three (3) applicants were selected to be interviewed. Byron Amaya-Ortega is the recommended candidate.

DEGREE/CERTIFICATION QUALIFICATIONS (ASSOCIATE’S DEGREE REQUIRED):

| <u>Degree or Certification</u> | <u>Date Awarded</u> | <u>Institution Name, Location</u> | <u>Major Area of Study</u> |
|--------------------------------|---------------------|------------------------------------|----------------------------|
| ● Associate in Science | 2018 | Essex County College Newark, NJ | General Science |

FISCAL NOTES: The recommended salary of \$35,900 is included in the Department’s annual budget.

RESOLUTION: The Board of Trustees of Essex County College approves the appointment of Byron Amaya-Ortega, at the annual salary of \$35,900, to the position of Student Support Services Representative, for the Welcome Center, for the period September 21, 2022 through June 30, 2023.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



**BOARD OF TRUSTEES
REQUEST FOR BOARD ACTION**

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|------------------|---|
| Subject: | Personnel: Appointment, Arcadio Cruz |
| Contact: | Alfred Bundy, Institutional Advancement |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-9/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees approve the appointment of Arcadio Cruz, to the position of Junior Graphic Designer, for the Graphics Department, for the period September 21, 2022 through June 30, 2023. The recommended annual salary for the position is \$40,000.

BACKGROUND AND RATIONALE: This position vacancy was posted in accordance with College policy and EEO/AA guidelines. A total of 10 applications were reviewed and three (3) applicants were selected to be interviewed. Arcadio Cruz is the recommended candidate.

DEGREE/CERTIFICATION QUALIFICATIONS (ASSOCIATE’S DEGREE REQUIRED):

| <u>Degree or Certification</u> | <u>Date Awarded</u> | <u>Institution Name, Location</u> | <u>Major Area of Study</u> |
|--------------------------------|---------------------|------------------------------------|----------------------------|
| ● Associate in Applied Science | 2014 | Essex County College Newark, NJ | New Media Technology |

FISCAL NOTES: The recommended salary of \$40,000 is included in the Department’s annual budget.

RESOLUTION: The Board of Trustees of Essex County College approves the appointment of Arcadio Cruz, at the annual salary of \$40,000, to the position of Junior Graphic Designer, for the Graphics Department, for the period September 20, 2022 through June 30, 2023.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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|------------------|---|
| Subject: | Personnel: Appointment, Wanda Griffins |
| Contact: | Mohamed Seddiki, Executive Dean/Chief Information Officer (CIO) |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-10/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees approve the appointment of Wanda Griffins, to the position of Security Officer, for the Public Safety Department, for the period beginning September 26, 2022. The recommended annual salary for the position is \$27,040.

BACKGROUND AND RATIONALE: This position vacancy was posted in accordance with College policy and EEO/AA guidelines. A total of 10 applications were reviewed and three (3) applicants were selected to be interviewed. Wanda Griffins is the recommended candidate.

DEGREE/CERTIFICATION QUALIFICATIONS (NO DEGREE REQUIRED)

FISCAL NOTES: The recommended salary of \$27,040 is included in the Department’s annual budget.

RESOLUTION: The Board of Trustees of Essex County College approves the appointment of Wanda Griffins, at the annual salary of \$27,040, to the position of Security Officer, for the Public Safety Department, for the period beginning September 26, 2022.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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|------------------|--|
| Subject: | Personnel: Promotion in Academic Rank (Administrative) |
| Contact: | Alvin Williams, Dean of Faculty and Academics |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-11/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees approve promotion in academic rank for the individual(s) listed, effective September 1, 2022, in accordance with the terms and conditions of the Administrative Association Collective Bargaining Agreement.

BACKGROUND AND RATIONALE: Promotion in academic rank is reserved for individual(s) who have established reputations in their fields and whose contributions to their profession and the College’s mission are exemplary. The following member has met the requirements and is recommended for promotion in academic rank:

| <u>From</u> | <u>To</u> | <u>Name</u> | <u>Discipline</u> | <u>Degree and Major</u> |
|---------------------|-----------|---------------|-------------------|--|
| Associate Professor | Professor | Elvira Vieira | Education | Doctor of Education – Educational Leadership Master of Science - Administration and Supervision Bachelor of Science – Management |

FISCAL NOTES: There is no fiscal impact in the College’s annual budget.

RESOLUTION: The Board of Trustees of Essex County College approves promotion in academic rank for the individual(s) listed, effective September 1, 2022, in accordance with the terms and conditions of the Administrative Association Collective Bargaining Agreement.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

| | |
|------------------|---|
| Subject: | Personnel: Promotion in Academic Rank (Faculty) |
| Contact: | Alvin Williams, Dean of Faculty and Academics |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-12/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees approve promotion in academic rank for the individual(s) listed, effective September 1, 2022, in accordance with the terms and conditions of the Faculty Association Collective Bargaining Agreement.

BACKGROUND AND RATIONALE: Promotion in academic rank is reserved for individual(s) who have established reputations in their fields and whose contributions to their profession and the College’s mission are exemplary. The following members have met the requirements and are recommended for promotion in academic rank:

| <u>From</u> | <u>To</u> | <u>Name</u> | <u>Discipline</u> | <u>Degree and Major</u> |
|---------------------|---------------------|--------------------|-------------------|---|
| Instructor | Assistant Professor | Thomas Donofrio | Physical Therapy | Doctor of Physical Therapy Master of Science – Physical Therapy Bachelor of Science – Economics |
| Assistant Professor | Associate Professor | Genevieve Danville | Nursing | Doctor of Nursing Practice Master of Science – Nursing Bachelor of Science – Nursing |
| Assistant Professor | Associate Professor | Yasser Kabakibi | Biology | 33 Post Graduate Credits Master of Science – Biology Bachelor of Science – Biology |
| Associate Professor | Professor | Nessie Hill | English | Doctor of Philosophy – Women Studies & Development Master of Arts – Communications & Journalism Bachelor of Arts – Journalism |
| Associate Professor | Professor | Nidhal Marashi | Chemistry | Doctor of Philosophy – Chemistry Bachelor of Science – Chemistry |

FISCAL NOTES: The recommended salaries are included in the College’s annual budget.

RESOLUTION: The Board of Trustees of Essex County College approves promotion in academic rank for the individual(s) listed, effective September 1, 2022, in accordance with the terms and conditions of the Faculty Association Collective Bargaining Agreement.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

| | |
|------------------|---------------------------------|
| Subject: | Personnel: Supplement |
| Contact: | Christine Soto, General Counsel |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-13/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees approve the payment of supplements.

BACKGROUND AND RATIONALE: Each semester faculty and staff are selected to complete duties in addition to the responsibilities of their full-time positions at the College. The following supplement is recommended for the individuals listed below:

| <u>Name</u> | <u>Amount</u> | <u>Additional Responsibilities</u> <u>Effective and Expiration Dates</u> |
|----------------|---------------|---|
| Karen Bridgett | \$5,000 | Title IX Coordinator, Compliance 07/01/2022 – 06/30/2023 |
| Phyllis Walker | \$5,000 | 504 Coordinator, Compliance 07/01/2022 – 06/30/2023 |

FISCAL NOTES: The recommended supplement is included within the Departments’ annual budget.

RESOLUTION: The Board of Trustees of Essex County College approves the payment of supplements.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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|------------------|---|
| Subject: | Personnel: Retirement |
| Contact: | Yvette Henry, Executive Director, Human Resources |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-14/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees accept the retirement of the individual(s) listed, effective on the date indicated:

| <u>Name</u> | <u>Title</u> <u>Department</u> | <u>Unit</u> | <u>Hire Date</u> | <u>Effective</u> <u>Date</u> |
|-------------------|--|--------------------------|------------------|---------------------------------|
| Rita Higgins | Assistant Professor English | Faculty | 10/01/1991 | 08/31/2022 |
| Jill Stein | Professor Biology | Faculty | 09/01/1999 | 08/31/2022 |
| Ned Wilson | Professor Computer Science | Faculty | 09/02/1968 | 10/31/2022 |
| Fiordaliza Mendez | Retention & Academic Advisor Welcome Center | Professional Level II | 02/02/1988 | 09/30/2022 |

FISCAL NOTES: The impact of this recommendation is undetermined at this time.

RESOLUTION: The Board of Trustees of Essex County College accepts the retirement of the individual(s) listed, effective on the date indicated.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

| | |
|------------------|---|
| Subject: | Personnel: Resignation |
| Contact: | Yvette Henry, Executive Director, Human Resources |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 4-15/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees accept the resignation of the individual(s) listed, effective on the date indicated:

| <u>Name</u> | <u>Title</u> <u>Department</u> | <u>Unit</u> | <u>Hire Date</u> | <u>Effective</u> <u>Date</u> |
|------------------|---|---|------------------|---------------------------------|
| Nadiyah Samad | Director Custodial Services & Campus Events | Administrative Confidential | 01/04/2010 | 06/24/2022 |
| David Smedley | Director Financial Aid | Administrative | 07/16/2018 | 07/15/2022 |
| Kelsey Cruz | Financial Aid Officer Financial Aid | Professional Level II | 01/04/2022 | 08/18/2022 |
| Sommer Flood | HR Representative Human Resources | Professional Level I Confidential | 01/26/2022 | 07/28/2022 |
| Shadiquah Hordge | Assistant Director, Career & Transfer Services Student Development & Counseling | Professional Level IV | 11/01/2004 | 08/08/2022 |
| Mark Hosein | Alumni Liaison Officer Institutional Advancement | Professional Level II | 07/06/2021 | 06/24/2022 |
| Robert Hwang | Database Administrator Information Technology | Professional Level IV | 03/28/2022 | 07/22/2022 |
| Rose Castro | Secretary Facilities Management | Support Staff Grade 10 | 09/10/2001 | 09/02/2022 |
| Keith Julien | Maintenance Service Worker Facilities Management | Support Staff | 01/02/2019 | 07/07/2022 |

FISCAL NOTES: The impact of this recommendation is undetermined at this time.

RESOLUTION: The Board of Trustees of Essex County College accepts the resignation of the individual(s) listed, effective on the date indicated.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

| | |
|------------------|---|
| Subject: | Acceptance of Funds: Consolidated Adult Basic Skills and Integrated English Literacy and Civics Education Grant |
| Contact: | Dr. Elvira Vieira Dean, Community, Continuing Education and Workforce Development |
| Meeting Date: | July 18, 2022 |
| Agenda Item No.: | 7-1.1/7-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees accept additional state funding from Fiscal Year 2022 in the amount of \$250,000 from the New Jersey Department of Labor and Workforce Development for NJ DOL Office of Adult Literacy (OAL) for the Online Teaching & Learning Initiative.

BACKGROUND AND RATIONALE: Essex County College’s Adult Learning Center responded to a Notice of Grant Opportunity from the New Jersey Department of Labor and Workforce Development to submit for the Online Teaching & Learning Initiative proposal to provide adult basic skills education and literacy programs to the residents of Essex County. The Adult Learning Center has served as the lead agency for its eight (8) partners: Jewish Vocational Service Metro West, East Orange Board of Education/ Fresh Start Academy High School, Essex County Vocational Technical High School, FOCUS Hispanic Center, La Casa de Don Pedro, Literacy Volunteers of America, New Community Corporation, and 1199 SEIU Training and Employment Funds for the past ten years providing adult basic education and literacy programs to our county residents. Acceptance of this grant would allow Essex County College Adult Learning Center and Jewish Vocational Service Metro West for the delivery of these educational services in one or more of the four following areas:

1. The building of or expansion of device “loaner” programs which can ensure adult learners have access to the technology and educational services needed to advance learning.
2. Expanding Title II virtual learning and course access by way of more online offerings, test preparation, a digital navigator position, or software.
3. Funds may be used for curriculum PD for educators in June, July and August 2022 who will be involved in online teaching in state fiscal year 23.
4. New, field-initiated models for providing remote education not yet imagined from program entrance to exit, to ensure that every Title II student is learning and preparing to be successful.

FISCAL NOTES: The grant amount is \$250,000 for FY 2022. The amount allocated is:

| Consortium Partner | Agency |
|------------------------------------|------------------|
| Essex County College (Lead Agency) | \$140,000 |
| Jewish Vocational Services | \$110,000 |
| Total | \$250,000 |

RESOLUTION: The Board of Trustees accepts additional state funding from Fiscal Year 2022 in the amount of \$250,000 from the New Jersey Department of Labor and Workforce Development for NJ DOL Office of Adult Literacy (OAL) for the Online Teaching & Learning Initiative.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE July 18, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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|------------------|---|
| Subject: | Acceptance of Funds: State of New Jersey Office of The Secretary of Higher Education County - Career Accelerator Internship Grant |
| Contact: | Dr. Keith Kirkland, Dean of Student Affairs |
| Meeting Date: | July 18, 2022 |
| Agenda Item No.: | 7-1.2/7-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees of Essex County College accepts grants fund from the State of New Jersey Office of the Secretary of Higher Education the in amount of \$13,613.64 for a Career Accelerator Internship Grant for the period of April 15, 2022 through August 31, 2022.

BACKGROUND AND RATIONALE: Essex County College continues provide student support services to enhance our students’ educational experience. Internship programs have provided students with a meaningful bridge between academics and real-world work experience. The Career Accelerator Internship Grant funds will provide the financial resources to develop an internship program that will provide our students with external learning opportunities to argument their classroom experience and the ability to receive hands-on learning from professionals in their chosen career field. In addition, these grant funds will allow our college to purchase software that will enable local companies and corporations to post internship opportunities within the application and allow our students to access and apply for these positions.

FISCAL NOTES: The grant amount is \$13,613.64 for FY 2022.

RESOLUTION: The Board of Trustees of Essex County College accepts grants fund from the State of New Jersey Office of the Secretary of Higher Education the in amount of \$13,613.64 for a Career Accelerator Internship Grant for the period of April 15, 2022 through August 31, 2022

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | Approved By Board of Trustees |
| BOARD APPROVAL DATE July 18, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

| | |
|------------------|---|
| Subject: | Acceptance of ECC Emergency Operations Plan |
| Contact: | Dr. Augustine Boakye, President |
| Meeting Date: | July 18, 2022 |
| Agenda Item No.: | 7-1.3/7-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees accepts Essex County College’s Emergency Operations Plan for the state of New Jersey’s Office of Emergency Management.

BACKGROUND AND RATIONALE: Essex County College’s Emergency Operations Plan is a collection of resources, actions, procedures and information that is developed, tested and held in readiness for use in the event of a major disruption of business operations. It directly addresses the question of emergency response protocol and business continuity when normal operating procedures are not possible. The intent of the plan, which aligns with requirements issued by the State of New Jersey’s Office of Emergency Management, is to provide a quick guide to campus activities when natural, human, or technological shortfalls or failures threaten the College’s ability to operate.

FISCAL NOTES:

RESOLUTION: The Board of Trustees of Essex County College accepts Essex County College’s Emergency Operations Plan for the state of New Jersey’s Office of Emergency Management.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE July 18, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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|------------------|---|
| Subject: | Acceptance of Funds: Consolidated Adult Basic Skills and Integrated English Literacy and Civics Education Grant |
| Contact: | Dr. Elvira Vieira Dean, Community, Continuing Education and Workforce Development |
| Meeting Date: | August 24, 2022 |
| Agenda Item No.: | 7-1.1/8-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees accepts Fiscal Year 2023 award of **\$2,348,846** from the New Jersey Department of Labor and Workforce Development for the Consolidated Adult Basic Skills and Integrated English Literacy and Civics Education Grant to provide adult basic education and literacy programs to the residents of Essex County.

BACKGROUND AND RATIONALE: Essex County College’s Adult Learning Center responded to a Notice of Grant Opportunity from the New Jersey Department of Labor and Workforce Development to submit a continuation proposal to provide adult basic skills education and literacy programs to the residents of Essex County. The Adult Learning Center has served as the lead agency for its eight (8) partners: Jewish Vocational Service Metro West, East Orange Board of Education/ Fresh Start Academy High School, Essex County Vocational Technical High School, FOCUS Hispanic Center, La Casa de Don Pedro, Literacy Volunteers of America, New Community Corporation, and 1199 SEIU Training and Employment Funds for the past ten years providing adult basic education and literacy programs to our county residents. Acceptance of this grant would allow for the continuance of delivery of these educational services.

FISCAL NOTES: The grant amount is **\$2,348,846** for FY 2023. The amount allocated per consortium partner is:

| Consortium Partner Agency | Funds |
|---|--------------------|
| Essex County College (Lead Agency) | \$600,000 |
| Jewish Vocational Services | \$335,000 |
| East Orange Board of Education/ Fresh Start Academy High School | \$93,330 |
| Essex County Vocational Technical High School | \$103,500 |
| FOCUS Hispanic Center for Comm. Development | \$256,500 |
| La Casa de Don Pedro | \$272,500 |
| Literacy Volunteers of America | \$178,500 |
| New Community Corporation | \$341,000 |
| 1199 SEIU Training and Employment Funds | \$122,330 |
| Professional Development Costs | \$15,776 |
| Lead Agency Fees | \$30,410 |
| Total | \$2,348,846 |

RESOLUTION: It is recommended that the Board of Trustees accepts Fiscal Year 2023 award of **\$2,348,846** from the New Jersey Department of Labor and Workforce Development for the Consolidated Adult Basic Skills and Integrated English Literacy and Civics Education Grant to provide adult basic education and literacy programs to the residents of Essex County.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE August 24, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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|-----------------|---|
| Subject: | New Jersey Pathways to Career Opportunities Award |
| Contact: | Dr. Elvy Vieira, Dean, Community, Cont. Ed & Workforce Dev. |
| Meeting Date: | August 24, 2022 |
| Agenda Item No: | 7-1.2/8-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees of Essex County College approve the Agreement between Essex County College, hereinafter referred to as “Essex” and the New Jersey Community College Consortium for Workforce and Economic Development for Essex’s participation in the planning phase of the New Jersey Pathways to Career Opportunities initiative from July 1st, 2022 to December 30th, 2022 in the total amount of \$377,000.

- Healthcare Technology and Administration \$215,000
- Programming & Software Engineering \$162,000

BACKGROUND AND RATIONALE: The New Jersey Pathways to Career Opportunities is an unprecedented education and training pathways initiative that will innovate New Jersey’s workforce for residents, businesses, and the economy for years to come. Essex’s participation will ensure its position as a State stakeholder that builds pathways with aligned curriculum shared across educational partners to serve the learning lifespan of students and workers. Essex has been selected to participate in the following Centers for Workforce Innovation: **Health Technology and Administration** and **Programming and Software Development**.

FISCAL NOTES: There is no fiscal impact to Essex.

RESOLUTION: The Board of Trustees of Essex County College accepts the New Jersey Community College Consortium for Workforce and Economic Development award for Essex’s participation in the planning phase of the New Jersey Pathways to Career Opportunities initiative from July 1st, 2022 to December 30th, 2022 in the amount of \$377,000.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE August 24, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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|------------------|--|
| Subject: | Grant Award: Johnson Controls Community College Partnership Program |
| Contact: | Dr. Elvy Vieira, Dean, Community, Continuing Education & Workforce Development |
| Meeting Date: | August 24, 2022 |
| Agenda Item No.: | 7-1.3/8-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees of Essex County College approve the Johnson Controls Community College Partnership Program Grant Award between Essex County College, hereinafter referred to as “Essex” and Johnson Controls, for the purpose of renewing the Johnson Controls Community College Partnership Program, hereinafter referred to as “JCCPP”, in the amount of \$90,000 to be delivered by Essex to Essex County’s urban communities from July 1, 2022 to August 30, 2023.

BACKGROUND AND RATIONALE: Johnson Controls seeks to expand its philanthropic strategy by opening new pathways and opportunities in technology education to historically underrepresented groups in their local communities. Essex, through its Community, Continuing Education and Workforce Development (CCEWD) Area, proposes to address the digital technologies gap that impedes Essex County’s urban communities, particularly Newark residents, from competing in the IT industry workforce. JCCPP will enable Essex to partner with CompTIA, the global leader in vendor-neutral IT certifications, to train and prepare Essex County residents to earn certifications that will launch and/or grow their careers in IT.

FISCAL NOTES: There is no fiscal impact to Essex.

RESOLUTION: The Board of Trustees of Essex County College accepts the Johnson Controls Community College Partnership Program Grant Award between Essex County College and Johnson Controls for the purpose of renewing the Johnson Controls Community College Partnership Program in the amount of \$90,000 to be delivered by Essex to Essex County’s urban communities from July 1, 2022 to August 30, 2023.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE August 24, 2022 | |



BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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|------------------|---|
| Subject: | Memorandum of Understanding: Urban League of Essex County |
| Contact: | Dr. Elvy M. Vieira, Dean, Comm, Cont. Ed & Workforce Dev. |
| Meeting Date: | August 24, 2022 |
| Agenda Item No.: | 7-1.4/8-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees of Essex County College approve the Memorandum of agreement between Urban League of Essex County and Essex County College to facilitate training opportunities for up to 60 individuals in the Phlebotomy Program. Urban League agrees to provide funding in the amount of \$1,329 per students for a total amount of \$79,740.

BACKGROUND AND RATIONALE: The Training, Inc. program has a long history of soliciting and securing funding from various foundations and public agencies. Training, Inc., utilizing the standards and practices of the business world, provides a wide variety of job training services at no cost to individuals, in business as well as allied health careers, to seeking initial entry, reentry or upward mobility in the workforce. The Training, Inc. program has operated successfully for the past 36 years, attaining a 75% completion rate and an 80% graduate job placement rate.

FISCAL NOTES: The costs associated with the program are funded by the grant.

RESOLUTION: The Board of Trustees of Essex County College approves the Memorandum of agreement between Urban League of Essex County and Essex County College to facilitate training opportunities for up to 60 individuals in the Phlebotomy Program. Urban League agrees to provide funding in the amount of \$1,329 per students for a total amount of \$79,740.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE August 24, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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| Subject: | Acceptance of Funds: State of New Jersey Office of The Secretary of Higher Education County College-Based for Adult Transition Grant |
| Contact: | Dr. Keith Kirkland, Dean of Student Affairs |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 7-1.1/9-2022 |

RECOMMENDATION: It is recommended that the Board of Trustees of Essex County College accepts the Grant Agreement between the State of New Jersey Office of The Secretary of Higher Education the in amount of \$250,000.00 for a County College-Based for Adult Transition Grant for the period of June 15, 2022 through June 30, 2023.

BACKGROUND AND RATIONALE: Essex County College continues provides support services for students with disabilities. Over the last three years number of students with mental and intellectual has increased. The purpose of the partnership between OSHE and our college is to provide students (up to the age of 24) who have developmental disabilities the support and resources necessary to experience more successful transitions from secondary school to postsecondary education and adult employment, and to promote independent living opportunities by providing appropriate skills to be successful. These grant funds would provide additional staff and services to serve this growing population of students.

FISCAL NOTES: The grant amount is \$250,000 for FY 2023.

RESOLUTION: The Board of Trustees of Essex County College accepts the Grant Agreement between the State of New Jersey Office of The Secretary of Higher Education the in amount of \$250,000.00 for a County College-Based for Adult Transition Grant for the period of June 15, 2022 through June 30, 2023.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



BOARD OF TRUSTEES REQUEST FOR BOARD ACTION

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| Subject: | Approve and Authorize the Terms of the Securing Our Children’s Future Bond Act County College Career and Technical Education (CTE) Grant Program |
| Contact: | Dr. Augustine Boakye, President |
| Meeting Date: | August 24, 2022 |
| Agenda Item No: | 7-2.1/8-2022 |

RESOLUTION: Essex County College Board of Trustees (the “Board”) needs to approve and authorize the undertaking and implementation of a project consisting of the renovation of the Center for Technology to adopt flexible classroom/laboratory design, as well as purchase of Career Technical Education (CTE) program equipment, and authorize the financing of all or a portion of the project through the Securing Our Children’s Future Bond Act County College Career and Technical Education (CTE) Grant Program (the “Grant Program”) to expand CTE in institutions of higher education, made available by the State of New Jersey pursuant to the Securing Our Children’s Future Bond Act, P.L. 2018, C. 119, and other available funding sources; and,

WHEREAS: The Board needs to approve and authorize the execution and delivery of any and all agreements in connection with undertaking, implementing, and financing the project(s) in the form approved by the officers of the institution executing such agreements(s); and designate and authorize the officers of the institution to take the aforementioned actions and to take any and all such other actions deemed necessary or desirable to undertake, implement and finance the project(s); and

WHEREAS: The Board wishes to approve the undertaking, implementation, and financing of the project(s) consisting of the Renovation of an existing building to capture underutilized space for instruction, create a robust infrastructure to meet the demands of in-demand CTE workforce skills and to provide specific CTE programs with equipment to expand offerings; and

WHEREAS: The Board wishes to approve the aggregate costs of the Project in an amount not to exceed \$5,000,000; and

WHEREAS: The Board wishes to finance a portion of the Project through the “Grant Program” to expand Career and Technical Education at Essex County College through funds made available by the State of New Jersey (the “State”) pursuant to the Securing Our Children’s Future Bond Act, P.L. 2018, c. 119 (the “Bond Act”); and

WHEREAS: The New Jersey State Legislature has appropriated \$4,000,000 to finance a portion of the costs of the Institution’s Project pursuant to the Bond Act, which Grant Amount is funded by proceeds of tax-exempt general obligation bonds issued by the State of New Jersey; and

WHEREAS: The Board wishes to accept receipt of the Grant Amount through the Grant Program, as implemented by the Office of the Secretary of Higher Education, in order to finance a portion of the costs of the Project pursuant to the Bond Act, including using the Grant Amount to reimburse Project costs incurred on or after January 1, 2023; and

WHEREAS: The Board wishes to authorize operating funds or any combination of such financing options for the costs of the Project; and

WHEREAS: The Board wishes to designate and authorize officers of the Institution to take necessary and desirable actions to undertake, implement, and finance the Project through the Grant Program, including executing and delivering a grant agreement and any and all other documents required under the Grant Program; and

WHEREAS: The Board wishes to authorize certain officers of the Institution to determine the financing structure which is most economically advantageous to the Institution provided the financing structure utilizes the Grant Amount, and take all action necessary or beneficial to accomplish the financing of the Project including the financing of capitalized interest if any, and other costs of issuing any debt including tax-exempt bonds or other financings (the "Financing Costs"); and

WHEREAS: The Board has determined that the Project will assist in serving the needs of its students and provide a benefit to the Institution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. The Board hereby approves the Project and authorizes the undertaking, implementation, and financing of the Project in an aggregate amount not to exceed \$5,000,000 (including Financing Costs) through the financing structure determined by the Authorized Officers (as defined below) to be the most economically advantageous to the Institution, which financing structure shall include the Grant Amount.
2. The Board hereby authorizes the financing of a portion of the costs of the Project (including reimbursement of Project costs incurred on or after January 1, 2023, with the Grant Amount, pursuant to the Bond Act, and hereby authorizes and directs the Authorized Officers to execute and deliver any and all agreements necessary to accept receipt of the Grant Amount through the Grant Program.
3. The Board further authorizes financing a portion of the Project with operating funds.
4. The Board hereby appoints the Board Secretary, the President, the Senior Comptroller, the Deputy Chief Financial Officer, the Executive Dean/Chief Information Officer, and the Dean of Community, Continuing Education and Workforce Development as Authorized Officers and each are hereby (i) authorized and directed to approve, execute, and deliver any and all agreements necessary to undertake, implement, and finance the Project as described herein; and (ii) authorized to execute and deliver any financing documents and instruments in the form approved by the Authorized Officers executing the same in the name of and on behalf of the Board or the Institution, in as many counterparts as may be necessary, and to affix or impress the official seal of the Institution thereon and to attest the same and such execution and attestation will be conclusive evidence of the approval of the form and content of such agreements and/or other document and/or instrument; and (iii) authorized and directed to do and perform such other acts and to

take such other actions as may be necessary or required, or which may be deemed to be appropriate to implement the purposes of this resolution to undertake, implement, and finance the Project; including Financing Costs.

5. This Resolution shall take effect immediately.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE August 24, 2022 | |



**BOARD OF TRUSTEES
REQUEST FOR BOARD ACTION**

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| Subject: | Creation of a Technical Training Institute in the A. Zachary Yamba Building |
| Contact: | Dr. Augustine Boakye, President |
| Meeting Date: | August 24, 2022 |
| Agenda Item No: | 7-2.2/8-2022 |

RESOLUTION: Approving and authorizing the undertaking and implementation of a project consisting of the creation of a technical training institute in the A. Zachary Yamba Building and authorizing the financing of all or a portion of the project through program(s) made available by the state of New Jersey for New Jersey Institutions of Higher Education and other available funding sources; approving and authorizing the form of the application to the Secretary of Higher Education for participation in such program(s) as are applicable to the projects with such changes as are approved by the officers of the institution designated herein and the submission of the application to the Secretary of Higher Education; approving and authorizing the execution and delivery of any and all agreements in connection with undertaking, implementing and financing the projects in the form(s) approved by the officers of the institution executing such agreement(s); and designating and authorizing the officers of the institution to take the aforementioned actions and to take any and all such other actions deemed necessary or desirable to undertake, implement and finance the project(s).

WHEREAS: The Board of Trustees (the “Board”) of Essex County College (the “Institution”) desires to approve the undertaking, implementation, and financing of a project (the “Project”) consisting of the creation of a Technical Training Institute in the A. Zachary Yamba building that prepares students for lucrative careers in skilled trade jobs and provides official industry-recognized credentials after completing their training; and

WHEREAS: The Board commits to using the grant funds for the purposes outlined in the Program-specific Project Eligibility Criteria; and

WHEREAS: The Board desires to approve the aggregate costs of the Project paid and/or financed through all sources in an amount not to exceed \$8,000,000; and

WHEREAS: The Board desires to finance all or a portion of the Project through one or more of the hereinafter defined Programs made available by the State of New Jersey (the “State”) for certain projects of New Jersey institutions of higher education (the "Programs"); and

WHEREAS: The Programs are the Higher Education Fund Capital Improvement Fund Act, N.J.S.A. 18A:72A-72 et seq. ("CIF"); the Higher Education Facilities Trust Fund Act, N.J.S.A.

18A:72A-49 et seq. ("HEFT"); the Higher Education Technology Infrastructure Trust Fund Act, N.J.S.A. 18A:72A-59 et seq ("HETI"); and the Higher Education Equipment Leasing Fund Act, N.J.S.A. 18A:72A-40 et seq. ("ELF");

WHEREAS: The Board has determined that the Project will assist in serving the needs of its students and providing a benefit to the Institution; and

WHEREAS: The Board desires to approve financing of all or portions of the Project through the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT"); and

WHEREAS: Portion(s) of the Project may also be financed by bonds issued by the New Jersey Educational Facilities Authority which bear tax-exempt interest for federal income tax purposes ("Tax-Exempt Bonds"), commercial loans or funds otherwise available to the Institution; and

WHEREAS: To provide maximum flexibility and the most efficient borrowing costs, the Board wishes to authorize financing of the Project through the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT") (the "Proposed Programs"), issuance of Tax-Exempt Bonds, commercial loans, and funds otherwise available to the Institution or any combination thereof (the "Financing Structure"); and

WHEREAS: The Board wishes to approve the form of the Application to be submitted to the Secretary of Higher Education (the "Secretary") for the Proposed Programs for the Project, and to designate and authorize officers of the Institution to take necessary and desirable actions to undertake, implement and submit to the Secretary the Application for the Project; and

WHEREAS: The Board hereby approves the Facilities Master Plan of the Institution in the form attached hereto as Exhibit A and authorizes and directs the officers designated in this resolution to include the Facilities Master Plan in the Application (s) approved herein; and

WHEREAS: The Board desires to authorize certain officers of the Institution to determine the Financing Structure which is most economically advantageous to the Institution provided the Financing Structure includes utilization of the Proposed Programs, and take all action necessary or beneficial to accomplish the financing of the Project including the financing of capitalized interest if any, and other costs of issuing any debt including, Tax-Exempt Bonds or other financings ("Financing Costs"); and

WHEREAS: The Board reasonably expects to reimburse expenditures for costs of the Project paid before issuance of Tax-Exempt Bonds or any debt-bearing interest which is exempt from gross income for federal income tax purposes which will fund an applicable

Project and/or Program.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ESSEX COUNTY COLLEGE AS FOLLOWS:

SECTION 1. The Board approves the Project and authorizes the undertaking, implementation, and financing of the Project in a maximum aggregate amount not to exceed \$ 8,000,000 (including Financing Costs). [The Board approves the Facilities Master Plan of the Institution in the form attached hereto as Exhibit A].

SECTION 2. The Board approves the financing of all or any portion of the Project through the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT"). The Board approves the Application for funding of the Project through such Program[s] in the form submitted to the Board and authorizes and directs the herein defined Designated Officers to submit such Application to the Secretary with such changes, modifications, and additions as are approved by the Designated Officers and such changes, modifications and additions shall be conclusively evidenced by the submission of the Application to the Secretary. [The Board expressly directs and authorizes the Designated Officers to submit the Long-Range Facilities Plan in the Application for any Program for which it is required.] The Board acknowledges and agrees that approval of the Application and receipt of funds pursuant to the Program(s) will obligate the Institution to: (a) provide funds for the operation and maintenance of the Project, (b) contribute to the cost of the Project; (c) pay all or a portion of debt service on Tax-Exempt Bonds issued to fund the Proposed Program(s) as applicable; and (d) fulfill other conditions imposed under the Program(s) and hereby directs and authorizes the Designated Officers to certify such acknowledgment and agreement as part of the submitted Application. The Designated Officers are hereby authorized and directed to fulfill all conditions of the Proposed Program(s) including without limitation providing for the operation and maintenance of the Project and using available funds of the Institution to pay for such operation and maintenance and to satisfy conditions of the Proposed Program(s) to contribute to the cost of Projects and/or debt service on Tax-Exempt Bonds issued to fund the Proposed Program(s) from available funds of the Institution.

SECTION 3. The Board further authorizes the financing of all or any portion of the Project with Tax-Exempt Bonds, commercial loans, and other funds available to the Institution and through the Financing Structure determined to be most economically advantageous to the Institution by Dr. Augustine Boakye and Ms. Kiswendsida Kaprou (the "Designated Officers"). The Designated Officers are expressly authorized and directed to determine such Financing Structure provided that the Financing Structure includes utilization of Programs that are approved by the Secretary for financing the Project.

SECTION 4. The Board Chairperson, the Board Secretary, the President, the Senior Comptroller, the Deputy Chief Financial Officer, and the Executive Dean of Information Technology and Operations/Chief Information Officer (each an "Authorized Officer") are each hereby authorized and directed to approve, execute and deliver any and all agreements

necessary to undertake, implement and finance the Project and any and all other financing documents and instruments in the form approved by the Authorized Officers executing the same in the name of and on behalf of the Board of Trustees of Essex County College, in as many counterparts as may be necessary, and to affix or impress the official seal of the Institution thereon and to attest the same and such execution and attestation will be conclusive evidence of the approval of the form and content of such agreements and other documents and instruments necessary to undertake, implement and finance the Project and to pay Financing Costs including through the financing thereof. The Authorized Officers are further authorized and directed to do and perform such other acts and to take such other actions as may be necessary or required, or which may be deemed to be appropriate to implement the purposes of this resolution to undertake, implement and finance the Project and Financing Costs and the payment and/or repayment thereof.

SECTION 5. This Resolution is a declaration of the official intent of the Institution that the Institution reasonably expects and intends to reimburse expenditures for costs of the Project[s] paid before issuance of Tax-Exempt Bonds or other tax-exempt debt issued to fund the Projects/Programs [“Applicable Tax-Exempt Debt”] in accordance with Treasury Regulation Section 1.150-2 and that the maximum principal amount of the Applicable Tax-Exempt Debt expected to be issued to finance costs of the Project [s] including amounts to be used to reimburse expenditures for such costs paid before the issuance of such Applicable Tax-Exempt Debt is \$ 0.00 (Including Financing Costs).

SECTION 6. All resolutions, orders, and other actions of the Board of the Institution in conflict with the provisions of this resolution to the extent of such conflict are hereby superseded, repealed, or revoked.

SECTION 7. This Resolution shall take effect immediately; and be it further

RESOLVED: No further approvals by the Board are necessary to implement this Resolution.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE August 24, 2022 | |



**BOARD OF TRUSTEES
REQUEST FOR BOARD ACTION**

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| Subject: | Establishment and Implementation of Learning Communities Across the Academic Divisions |
| Contact: | Dr. Augustine Boakye, President |
| Meeting Date: | August 24, 2022 |
| Agenda Item No: | 7-2.3/8-2022 |

RESOLUTION: Approving and authorizing the undertaking and implementation of a project consisting of establishment and implementation of learning communities across the academic divisions and authorizing the financing of all or a portion of the project through program(s) made available by the state of New Jersey for New Jersey Institutions of Higher Education and other available funding sources; approving and authorizing the form of the application to the Secretary of Higher Education for participation in such program(s) as are applicable to the projects with such changes as are approved by the officers of the institution designated herein and the submission of the application to the Secretary of Higher Education; approving and authorizing the execution and delivery of any and all agreements in connection with undertaking, implementing and financing the projects in the form(s) approved by the officers of the institution executing such agreement(s); and designating and authorizing the officers of the institution to take the aforementioned actions and to take any and all such other actions deemed necessary or desirable to undertake, implement and finance the project(s).

WHEREAS: The Board of Trustees (the “Board”) of Essex County College (the “Institution”) desires to approve the undertaking, implementation, and financing of a project (the “Project”) consisting of the establishment and implementation of learning communities across the Academic Divisions to create an efficient means of promoting and enhancing student achievement through collaboration, networking, and academic and social integration into campus life; and

WHEREAS: The Board commits to using the grant funds for the purposes outlined in the Program-specific Project Eligibility Criteria; and

WHEREAS: The Board desires to approve the aggregate costs of the Project paid and/or financed through all sources in an amount not to exceed \$1,500,000; and

WHEREAS: The Board desires to finance all or a portion of the Project through one or more of the hereinafter defined Programs made available by the State of New Jersey (the “State”) for certain projects of New Jersey institutions of higher education (the "Programs"); and

WHEREAS: The Programs are the Higher Education Fund Capital Improvement Fund Act, N.J.S.A.

18A:72A-72 et seq. ("CIF"); the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT"); the Higher Education Technology Infrastructure Trust Fund Act, N.J.S.A. 18A:72A-59 et seq ("HETI"); and the Higher Education Equipment Leasing Fund Act, N.J.S.A. 18A:72A-40 et seq. ("ELF");

WHEREAS: The Board has determined that the Project will assist in serving the needs of its students and providing a benefit to the Institution; and

WHEREAS: The Board desires to approve financing of all or portions of the Project through the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT"); and

WHEREAS: Portion(s) of the Project may also be financed by bonds issued by the New Jersey Educational Facilities Authority which bear tax-exempt interest for federal income tax purposes ("Tax-Exempt Bonds"), commercial loans or funds otherwise available to the Institution; and

WHEREAS: To provide maximum flexibility and the most efficient borrowing costs, the Board wishes to authorize financing of the Project through the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT") (the "Proposed Programs"), issuance of Tax-Exempt Bonds, commercial loans, and funds otherwise available to the Institution or any combination thereof (the "Financing Structure"); and

WHEREAS: The Board wishes to approve the form of the Application to be submitted to the Secretary of Higher Education (the "Secretary") for the Proposed Programs for the Project, and to designate and authorize officers of the Institution to take necessary and desirable actions to undertake, implement and submit to the Secretary the Application for the Project; and

WHEREAS: The Board hereby approves the Facilities Master Plan of the Institution in the form attached hereto as Exhibit A and authorizes and directs the officers designated in this resolution to include the Facilities Master Plan in the Application (s) approved herein; and

WHEREAS: The Board desires to authorize certain officers of the Institution to determine the Financing Structure which is most economically advantageous to the Institution provided the Financing Structure includes utilization of the Proposed Programs, and take all action necessary or beneficial to accomplish the financing of the Project including the financing of capitalized interest if any, and other costs of issuing any debt including, Tax-Exempt Bonds or other financings ("Financing Costs"); and

WHEREAS: The Board reasonably expects to reimburse expenditures for costs of the Project paid before issuance of Tax-Exempt Bonds or any debt-bearing interest which is exempt from gross income for federal income tax purposes which will fund an applicable Project and/or Program.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ESSEX COUNTY COLLEGE AS FOLLOWS:

SECTION 1. The Board approves the Project and authorizes the undertaking, implementation, and financing of the Project in a maximum aggregate amount not to exceed \$ 1,500,000 (including Financing Costs). [The Board approves the Facilities Master Plan of the Institution in the form attached hereto as Exhibit A].

SECTION 2. The Board approves the financing of all or any portion of the Project through the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT"). The Board approves the Application for funding of the Project through such Program[s] in the form submitted to the Board and authorizes and directs the herein defined Designated Officers to submit such Application to the Secretary with such changes, modifications, and additions as are approved by the Designated Officers and such changes, modifications and additions shall be conclusively evidenced by the submission of the Application to the Secretary. [The Board expressly directs and authorizes the Designated Officers to submit the Long-Range Facilities Plan in the Application for any Program for which it is required.] The Board acknowledges and agrees that approval of the Application and receipt of funds pursuant to the Program(s) will obligate the Institution to: (a) provide funds for the operation and maintenance of the Project, (b) contribute to the cost of the Project; (c) pay all or a portion of debt service on Tax-Exempt Bonds issued to fund the Proposed Program(s) as applicable; and (d) fulfill other conditions imposed under the Program(s) and hereby directs and authorizes the Designated Officers to certify such acknowledgment and agreement as part of the submitted Application. The Designated Officers are hereby authorized and directed to fulfill all conditions of the Proposed Program(s) including without limitation providing for the operation and maintenance of the Project and using available funds of the Institution to pay for such operation and maintenance and to satisfy conditions of the Proposed Program(s) to contribute to the cost of Projects and/or debt service on Tax-Exempt Bonds issued to fund the Proposed Program(s) from available funds of the Institution.

SECTION 3. The Board further authorizes the financing of all or any portion of the Project with Tax-Exempt Bonds, commercial loans, and other funds available to the Institution and through the Financing Structure determined to be most economically advantageous to the Institution by Dr. Augustine Boakye and Ms. Kiswendsida Kaprou (the "Designated Officers"). The Designated Officers are expressly authorized and directed to determine such Financing Structure provided that the Financing Structure includes utilization of Programs that are approved by the Secretary for financing the Project.

SECTION 4. The Board Chairperson, the Board Secretary, the President, the Senior Comptroller, the Deputy Chief Financial Officer, and the Executive Dean/Chief Information Officer (each an "Authorized Officer") are each hereby authorized and directed to approve, execute and deliver any and all agreements necessary to undertake, implement and finance the Project and any and all other financing documents and instruments in the form

approved by the Authorized Officers executing the same in the name of and on behalf of the Board of Trustees of Essex County College, in as many counterparts as may be necessary, and to affix or impress the official seal of the Institution thereon and to attest the same and such execution and attestation will be conclusive evidence of the approval of the form and content of such agreements and other documents and instruments necessary to undertake, implement and finance the Project and to pay Financing Costs including through the financing thereof. The Authorized Officers are further authorized and directed to do and perform such other acts and to take such other actions as may be necessary or required, or which may be deemed to be appropriate to implement the purposes of this resolution to undertake, implement and finance the Project and Financing Costs and the payment and/or repayment thereof.

SECTION 5. This Resolution is a declaration of the official intent of the Institution that the Institution reasonably expects and intends to reimburse expenditures for costs of the Project[s] paid before issuance of Tax-Exempt Bonds or other tax-exempt debt issued to fund the Projects/Programs [“Applicable Tax-Exempt Debt”] in accordance with Treasury Regulation Section 1.150-2 and that the maximum principal amount of the Applicable Tax-Exempt Debt expected to be issued to finance costs of the Project [s] including amounts to be used to reimburse expenditures for such costs paid before the issuance of such Applicable Tax-Exempt Debt is \$ 0.00 (Including Financing Costs).

SECTION 6. All resolutions, orders, and other actions of the Board of the Institution in conflict with the provisions of this resolution to the extent of such conflict are hereby superseded, repealed, or revoked.

SECTION 7. This Resolution shall take effect immediately; and be it further

RESOLVED: No further approvals by the Board are necessary to implement this Resolution.

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE August 24, 2022 | |



**BOARD OF TRUSTEES
REQUEST FOR BOARD ACTION**

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| Subject: | Renovation and Expansion of Classroom Space Throughout the Campus |
| Contact: | Dr. Augustine Boakye, President |
| Meeting Date: | August 24, 2022 |
| Agenda Item No: | 7-2.4/8-2022 |

RESOLUTION: Approving and authorizing the undertaking and implementation of a project consisting of renovation and expansion of classroom space throughout the campus and authorizing the financing of all or a portion of the project through program(s) made available by the state of New Jersey for New Jersey Institutions of Higher Education and other available funding sources; approving and authorizing the form of the application to the Secretary of Higher Education for participation in such program(s) as are applicable to the projects with such changes as are approved by the officers of the institution designated herein and the submission of the application to the Secretary of Higher Education; approving and authorizing the execution and delivery of any and all agreements in connection with undertaking, implementing and financing the projects in the form(s) approved by the officers of the institution executing such agreement(s); and designating and authorizing the officers of the institution to take the aforementioned actions and to take any and all such other actions deemed necessary or desirable to undertake, implement and finance the project(s).

WHEREAS: The Board of Trustees (the “Board”) of Essex County College (the “Institution”) desires to approve the undertaking, implementation, and financing of a project (the “Project”) consisting of the renovation and expansion of classroom space across the campus to work effectively, provide new technology, expand the instructional space footprint and program options, and reflect contemporary aesthetics intended to boost learning for students and their cognitive performance; and

WHEREAS: The Board commits to using the grant funds for the purposes outlined in the Program-specific Project Eligibility Criteria; and

WHEREAS: The Board desires to approve the aggregate costs of the Project paid and/or financed through all sources in an amount not to exceed \$ 4,500,000; and

WHEREAS: The Board desires to finance all or a portion of the Project through one or more of the hereinafter defined Programs made available by the State of New Jersey (the “State”) for certain projects of New Jersey institutions of higher education (the "Programs"); and

WHEREAS: The Programs are the Higher Education Fund Capital Improvement Fund Act, N.J.S.A.

18A:72A-72 et seq. ("CIF"); the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT"); the Higher Education Technology Infrastructure Trust Fund Act, N.J.S.A. 18A:72A-59 et seq ("HETI"); and the Higher Education Equipment Leasing Fund Act, N.J.S.A. 18A:72A-40 et seq. ("ELF");

WHEREAS: The Board has determined that the Project will assist in serving the needs of its students and providing a benefit to the Institution; and

WHEREAS: The Board desires to approve financing of all or portions of the Project through the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT"); and

WHEREAS: Portion(s) of the Project may also be financed by bonds issued by the New Jersey Educational Facilities Authority which bear tax-exempt interest for federal income tax purposes ("Tax-Exempt Bonds"), commercial loans or funds otherwise available to the Institution; and

WHEREAS: To provide maximum flexibility and the most efficient borrowing costs, the Board wishes to authorize financing of the Project through the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT") (the "Proposed Programs"), issuance of Tax-Exempt Bonds, commercial loans, and funds otherwise available to the Institution or any combination thereof (the "Financing Structure"); and

WHEREAS: The Board wishes to approve the form of the Application to be submitted to the Secretary of Higher Education (the "Secretary") for the Proposed Programs for the Project, and to designate and authorize officers of the Institution to take necessary and desirable actions to undertake, implement and submit to the Secretary the Application for the Project; and

WHEREAS: The Board hereby approves the Facilities Master Plan of the Institution in the form attached hereto as Exhibit A and authorizes and directs the officers designated in this resolution to include the Facilities Master Plan in the Application (s) approved herein; and

WHEREAS: The Board desires to authorize certain officers of the Institution to determine the Financing Structure which is most economically advantageous to the Institution provided the Financing Structure includes utilization of the Proposed Programs, and take all action necessary or beneficial to accomplish the financing of the Project including the financing of capitalized interest if any, and other costs of issuing any debt including, Tax-Exempt Bonds or other financings ("Financing Costs"); and

WHEREAS: The Board reasonably expects to reimburse expenditures for costs of the Project paid before issuance of Tax-Exempt Bonds or any debt-bearing interest which is

exempt from gross income for federal income tax purposes which will fund an applicable Project and/or Program.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ESSEX COUNTY COLLEGE AS FOLLOWS:

SECTION 1. The Board approves the Project and authorizes the undertaking, implementation, and financing of the Project in a maximum aggregate amount not to exceed \$ 4,500,000 (including Financing Costs). [The Board approves the Facilities Master Plan of the Institution in the form attached hereto as Exhibit A].

SECTION 2. The Board approves the financing of all or any portion of the Project through the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT"). The Board approves the Application for funding of the Project through such Program[s] in the form submitted to the Board and authorizes and directs the herein defined Designated Officers to submit such Application to the Secretary with such changes, modifications, and additions as are approved by the Designated Officers and such changes, modifications and additions shall be conclusively evidenced by the submission of the Application to the Secretary. [The Board expressly directs and authorizes the Designated Officers to submit the Long-Range Facilities Plan in the Application for any Program for which it is required.] The Board acknowledges and agrees that approval of the Application and receipt of funds pursuant to the Program(s) will obligate the Institution to: (a) provide funds for the operation and maintenance of the Project, (b) contribute to the cost of the Project; (c) pay all or a portion of debt service on Tax-Exempt Bonds issued to fund the Proposed Program(s) as applicable; and (d) fulfill other conditions imposed under the Program(s) and hereby directs and authorizes the Designated Officers to certify such acknowledgment and agreement as part of the submitted Application. The Designated Officers are hereby authorized and directed to fulfill all conditions of the Proposed Program(s) including without limitation providing for the operation and maintenance of the Project and using available funds of the Institution to pay for such operation and maintenance and to satisfy conditions of the Proposed Program(s) to contribute to the cost of Projects and/or debt service on Tax-Exempt Bonds issued to fund the Proposed Program(s) from available funds of the Institution.

SECTION 3. The Board further authorizes the financing of all or any portion of the Project with Tax-Exempt Bonds, commercial loans, and other funds available to the Institution and through the Financing Structure determined to be most economically advantageous to the Institution by Dr. Augustine Boakye and Ms. Kiswendsida Kaprou (the "Designated Officers"). The Designated Officers are expressly authorized and directed to determine such Financing Structure provided that the Financing Structure includes utilization of Programs that are approved by the Secretary for financing the Project.

SECTION 4. The Board Chairperson, the Board Secretary, the President, the Senior Comptroller, the Deputy Chief Financial Officer, and the Executive Dean of Information

Technology and Operations/Chief Information Officer (each an "Authorized Officer") are each hereby authorized and directed to approve, execute and deliver any and all agreements necessary to undertake, implement and finance the Project and any and all other financing documents and instruments in the form approved by the Authorized Officers executing the same in the name of and on behalf of the Board of Trustees of Essex County College, in as many counterparts as may be necessary, and to affix or impress the official seal of the Institution thereon and to attest the same and such execution and attestation will be conclusive evidence of the approval of the form and content of such agreements and other documents and instruments necessary to undertake, implement and finance the Project and to pay Financing Costs including through the financing thereof. The Authorized Officers are further authorized and directed to do and perform such other acts and to take such other actions as may be necessary or required, or which may be deemed to be appropriate to implement the purposes of this resolution to undertake, implement and finance the Project and Financing Costs and the payment and/or repayment thereof.

SECTION 5. This Resolution is a declaration of the official intent of the Institution that the Institution reasonably expects and intends to reimburse expenditures for costs of the Project[s] paid before issuance of Tax-Exempt Bonds or other tax-exempt debt issued to fund the Projects/Programs ["Applicable Tax-Exempt Debt"] in accordance with Treasury Regulation Section 1.150-2 and that the maximum principal amount of the Applicable Tax-Exempt Debt expected to be issued to finance costs of the Project [s] including amounts to be used to reimburse expenditures for such costs paid before the issuance of such Applicable Tax-Exempt Debt is \$ 0.00 (Including Financing Costs).

SECTION 6. All resolutions, orders, and other actions of the Board of the Institution in conflict with the provisions of this resolution to the extent of such conflict are hereby superseded, repealed, or revoked.

SECTION 7. This Resolution shall take effect immediately; and be it further

RESOLVED: No further approvals by the Board are necessary to implement this Resolution.

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| <p>EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine A. Boakye, President</p> | <p>FINAL DISPOSITION Approved By Board of Trustees</p> |
| <p>BOARD APPROVAL DATE August 24, 2022</p> | |

BOARD OF TRUSTEES

REQUEST FOR BOARD ACTION

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|------------------|--|
| Subject: | Revised Board Policy 3-4: Investment Policy |
| Contact: | Board of Trustees: Policy and Governance Committee |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 7-3.1/9-2022 |

RESOLUTION: The Board of Trustees of Essex County College adopts a revised Board Policy 3-4 “Investment Policy” as set forth below and effective immediately for the purpose of maintaining effective operations of the College.

BP 3-4 INVESTMENT POLICY

REFERENCE: N.J.S.A. 18A:3B 6(g)

Overview

This Investment Policy establishes the policies and guidelines for the administration and investment of Essex County College funds. Its purpose is to document the policies, guidelines and procedures that are intended to provide the greatest probability that the investment funds objectives are met in a prudent manner consistent with the established guidelines. The College will consolidate cash balances from all funds, except for cash in certain restricted and special funds, to maximize investment earnings. Investment earnings from earned income and/or realized capital gains will be allocated to the various funds or re-invested in accordance with College policy. Investment of restricted funds, where applicable, will also be guided by this policy, in addition to any other specific fund restrictions that may apply.

Investment Objectives

Operating Cash Short-term Investment Objective

Operating cash of the College (cash not needed for six months) will be invested in short-term interest-bearing accounts to the extent it is not needed in the operating bank account to cover checks drawn on the account.

Intermediate-term Investment Objective

The overall objectives for the College’s intermediate-term investments (cash not needed for 1.5 years) is maximization of total return and preservation of capital without undue exposure to risk within the parameters specified in this policy statement.

Long-term Investment Objective

Funds will be invested in long-term assets, such as equities, (with modified duration/intervals of 2 to 5 years) with the objective of achieving a balance between preserving the long-term real purchasing power and long-term growth potential of the portfolio needed to offset the effects of inflation while providing a relatively predictable and growing stream of as much

real spendable income as possible; to provide sufficient liquidity and avoid taking excessive risk with the portfolio.

Guidelines and Procedures for Short-term, Intermediate-term and Long-term Investments

The portfolio(s), under the management of investment manager(s), represents the assets of Essex County College. Investment manager(s) and Essex County College recognize the fiduciary nature of the portfolio and the important responsibilities associated with its management.

The investment manager(s) is responsible for optimizing investment return and growth of the College's assets within the guidelines that have been established and are identified herein. The investment manager(s) has investment discretion over the assets in the portfolio within the policy while ensuring they act competently, carefully, skillfully, prudently and diligently with regards to investing the assets.

Competitive Selection of Investment Manager(s)

All investment activities are affected through competitive bidding. The College will accept the offer that most closely mirrors the guidelines established within this policy and as consistent with the law. The investment manager(s) selected will provide the highest rate of return, net of fees, within the required time to maturity, while preserving the principal amount and creating economic stability. Consideration will be given to historical performance and fee structure during the selection process.

Investment Oversight and Internal Control

The President has overall management responsibility for the College's finances, the Chief Financial Officer/Senior Comptroller will provide oversight of the College's investment management policy. The Office of the Chief Financial Officer/Senior Comptroller is responsible for the custody and disbursement of all investment funds, as well as the receipt and safekeeping of all investment monthly statements and other investment documents in accordance with established policies and procedures. No person may engage in an investment transaction on behalf of the College except as provided under the terms of this policy and the procedures established by the Office of The Chief Financial Officer/Senior Comptroller. The Chief Financial Officer/Senior Comptroller will ensure the establishment of a system of controls to regulate investment activities. The controls shall be designed to prevent unauthorized assignment of College funds for investment purposes and to prevent and control losses of funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets or imprudent actions by officers or employees. The Chief Financial Officer/Senior

Comptroller will chair an internal Investment Advisory Group consisting of the Bursar, the Director of Fiscal Operations, the Purchasing Director, a faculty member from the Business Department and the General Counsel as an ex-officio member to approve the selection of an outside investment manager(s) and to review the results of the investment portfolio (hereinafter "investment portfolio") against the state Cash Management Fund and other relevant market indexes. The Chief Financial Officer/Senior Comptroller is charged with the responsibility to ensure that the quality of the investment portfolio remains consistent with this policy.

The Chief Financial Officer/Senior Comptroller will provide summary performance results and status of the investment portfolio to the Chief Financial Officer/Senior Comptroller who will provide recommendations to the President. The President will present recommendations to the Board Finance Committee as requested, or at least annually.

Investment Guidelines:

1. Permissible Investments

The College's investment portfolio may consist of the following and based on short-term, intermediate-term and long-term investment objectives as outlined above:

- a. Obligations of the U.S. government and its agencies
- b. Money market instruments, repurchase agreements, commercial paper, bankers' acceptance, certificates of deposit, and approved money market funds
- c. State bonds
- d. Municipal, local and agency bonds
- e. Corporate bonds
- f. Floating rate securities without interest rate caps
- g. U.S. and International Equity Securities

The College reserves the right to select investment opportunities with companies specifically aligned with our mission.

2. Quality

Commercial paper must be rated A-1, P-1, or better by either Standard and Poor's Corporation ("S&P") or Moody's Investor Services ("Moody's") at the time of purchase. Certificates of Deposit, Bankers' Acceptance, and Repurchase Agreements will be collateralized and where applicable, principal is guaranteed through the Governmental Unit Deposit Protection Act ("GUDPA") and Federal Deposit Insurance Corporation ("FDIC") insured.

Securities of issuers with a long-term credit rating must be rated at least "AA" or "Aa" by S&P or Moody's, respectively with a maturity of no more than five years. Securities of finance companies must be senior debt securities and rated A/A. The primary benchmarks

for U.S. equity securities are Russell 3000 and S&P 500. The primary benchmark for international equity securities is the MSCI All Country World ex-U.S. index. If S&P, Moody's and/or any other high ranking Nationally Recognized Statistical Rating Organization (NRSRO) downgrades a security held in the investment portfolio below the minimum rating specified above, the investment manager will notify the Chief Financial Officer/Senior Comptroller and recommend appropriate action.

The weighted average credit quality of the investment portfolio is to be no less than AA (or its equivalent rating).

3. Asset Allocation/Diversification – Credit Risk, Investment Risk and Interest Rate Risk

It is the policy of the College to strategically allocate its investment portfolio comprising of a fixed income portion and an equity portion. The expected role of equity investments will be to maximize the long-term real growth of portfolio assets, while the role of fixed income investments will be to generate current income, provide for more stable periodic returns, and provide some protection against a prolonged decline in market value of portfolio equity investments.

Portfolio diversification is employed as a way to limit certain types of risk. *Credit Risk* will be minimized by limiting investments to the safest types of securities, prequalifying the financial institutions, brokers/dealers, and diversifying the investment portfolio so that potential losses including capital losses will be minimized or avoided. *Investment Risks* will be reduced while attaining market average rates of return by diversifying the investment portfolio with respect to the type of securities, the concentration of investments held by any financial institution, and the length of maturities of investments in the portfolio. *Interest Rate Risk* will be minimized by structuring the investment portfolio so that securities mature to meet cash flow requirements, thereby avoiding the need to sell securities before maturity. Any deviation from the guidelines established herein shall be allowed only with the expressed approval of the Board of Trustees.

The investment manager(s) will *not* invest more than 20 percent of total assets under their control (market value at time of investment) in the securities of issuers in any particular industry, other than United States government securities, or government agency securities. No more than 10 percent of the account, valued at market at the time of purchase, will be invested in securities (other than United States Government) of any one issuer. No more than

10 percent of the outstanding securities of an issuer will be purchased, except such restrictions shall not apply to United States government or government agency securities or repurchase agreements.

For purposes of this asset allocation/diversification policy, securities of a parent company and its subsidiaries will always be combined except for captive finance companies. Such captives will be included with their parent company only if their primary purpose is to finance the parent's business. Securities issued by the U.S. Treasury and U.S. government agencies are specifically exempted from these restrictions.

Security and Issuer Diversification

| | Permissible Investments | Maximum Percent of Portfolio Allowed | Maximum Percent of Portfolio Per Issuer |
|----|---------------------------------|--------------------------------------|---|
| A. | U.S. Government | 100% | 100% |
| B. | U.S. Treasury | 100% | 100% |
| C. | U.S. Agencies | 100% | 33% |
| D. | Certificates of Deposits | 25% | 10% |
| E. | Banker's Acceptances | 25% | 10% |
| F. | Commercial Paper | 25% | 10% |
| G. | Corporate Bonds | 25% | 10% |
| H. | Money Market Mutual Funds | 25% | 10% |
| I. | Repurchase Agreements | 25% | 10% |
| J. | U.S. Equity Securities | 10% | 5% |
| K. | International Equity Securities | 5% | 3% |

4. Marketability/Liquidity

Investment manager(s) will purchase securities that regularly trade in a secondary market under normal conditions. Investment manager(s) will structure the investment portfolio so that securities mature concurrent with the College's cash needs. Cash flow forecasts, based on reasonable knowledge of future fiscal events and historical fiscal trends, will be developed by the College's Fiscal Affairs Director. Investment Portfolio holdings will be sufficiently liquid to ensure that 5% of the portfolio can be sold on a day's notice with no material impact on market value.

5. Maturity/Portfolio Duration

The investment portfolio's average duration should not exceed the BofA Merrill Lynch 1-3- Year Government Bond index; however, the benchmark index is subject to change at the discretion of the Chief Financial Officer/Senior Comptroller. The final maturity of each

security within the investment portfolio will not exceed five years.

6. Performance Measurement/Yield

Due to the inevitability of short-term market fluctuations, it is intended that the following performance objectives will be achieved by the Investment manager(s) over a five-year moving period, net of investment fees. The investment portfolio shall be designed with the objective of regularly exceeding the average return on the three-month U.S. Treasury bills. Nonetheless, the College reserves the right to evaluate and make any necessary changes regarding the Investment manager(s) over a shorter term using the criteria established in this policy statement.

Rebalancing

The investment manager(s) will review the investment portfolio semiannually (June 30 and December 31) to determine the deviation from target weightings. If any asset class (equity or fixed income) within the portfolio is +/-5 percentage points from its target weighting, then the investment portfolio will be rebalanced. If any fund within the portfolio has increased or decreased by greater than 20% of its target weighting, the fund will be rebalanced. The investment manager may provide a rebalancing recommendation at any time and shall act within a reasonable period of time to evaluate deviation from these ranges.

Reporting

The investment manager(s) will meet with the Investment Advisory Group on a quarterly basis and will be available for regular telephone contact. Investment manager(s) will submit, to the Office of the Chief Financial Officer/Senior Comptroller, monthly statements of transactions along with asset allocation, historical cost and market valuation of investment portfolio assets.

Market Benchmark

Quarterly, the investment manager(s) will provide an overview of the markets and review of the investment portfolio's performance, net of fees, relative to an appropriate index and allocation benchmarks as agreed to by the Chief Financial Officer/Senior Comptroller, along with other members of the Investment Advisory Group and the performance results of the New Jersey Cash Management Fund.

Peer Group Ranking

The total return, net of fees, for each investment manager(s) shall rank in the top third of the fixed income peer group over a market cycle of 3-5 years.

7. Performance Measurement

Due to the inevitability of short-term market fluctuations, it is intended that the following performance objectives will be achieved by the Investment manager(s) over a five-year moving period, net of investment fees. Nonetheless, the College reserves the right to evaluate and make any necessary changes regarding the Investment manager(s) over a shorter term using the criteria established in this policy statement.

8. Prohibited Investments

The investment manager(s) **shall not utilize derivative securities** to increase the actual or potential risk posture of the accounts. Subject to other provisions in this Investment Policy, the **use of primary derivatives is prohibited**. These include but are not limited to structured notes, all class tranches (as defined by the Federal Financial Institutional Examination Council) of collateralized mortgage obligations (CMOs), principal only (PO) or interest only (IO) strips, inverse floating securities, futures contracts, options, short sales, margin trading, and such other specialized investment activity.

Moreover, the Investment manager(s) may not use derivatives to affect a leveraged portfolio structure.

9. Ethics and Disclosure of Conflicts of Interest

Members of the Board Finance Committee and The Board of Trustees, the President, and the Chief Financial Officer/Senior Comptroller along with other members of the Investment Advisory Group will refrain from personal business activity that could conflict with the proper execution and management of the investment program or that could impair their ability to make impartial decisions. Disclosure shall be made of any material financial interests in financial institutions that conduct business with the College, membership on any Board of such institutions or any personal financial interest or investments that could be related to the performance of the College’s portfolio that could reasonably be considered a conflict of interest.

Requirement for Periodic Review

The Board Finance Committee shall review this policy annually.

ATTACHMENTS: NO

Approved: 11/21/17
 Revised: 9/20/22

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |



**BOARD OF TRUSTEES
REQUEST FOR BOARD ACTION**

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| Subject: | Revised Board Policy 3-6: Approval of Trustee Expense Voucher |
| Contact: | Board of Trustees: Policy and Governance Committee |
| Meeting Date: | September 20, 2022 |
| Agenda Item No.: | 7-3.2/9-2022 |

RESOLUTION: The Board of Trustees of Essex County College adopts a revised Board Policy 3-6 “Approval of Trustee Expense Voucher” as set forth below and effective immediately for the purpose of clarifying processes and inserting gender-neutral language.

BP 3-6 APPROVAL OF TRUSTEE EXPENSE VOUCHERS

REFERENCE: N.J.S.A. 18A:64A-12(o) and (p)

- a. All expense vouchers presented by the President must be approved by the Finance Committee of the Board of Trustees.
- b. All pre-approved College business expenditures personally incurred by Board members shall be presented to the Board Chairperson for signature to authorize reimbursement.
- c. Each Board member will submit to the Chairperson of the Board for approval of up to two major conferences, conventions, meetings or workshop they wish to attend during the academic year, subject to budget.
- d. The only exception to the above limitation shall be when a Board member holds office in a duly recognized county, junior or community college organization and their attendance at meetings, conferences, etc., of such organization is required in the performance of their office. In this event, the Chairperson may approve attendance at two additional meetings, conferences, etc.
- e. All College-related day or overnight travel and related expenses incurred by Board members must be approved by the Finance Committee or the Board Chairperson prior to reimbursement.

ATTACHMENTS: No

- Revised: 9/83
- Revised: 9/97
- Revised:5/5/05
- Revised: 12/17/19
- Revised: 9/20/22

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| EXECUTIVE RESPONSIBLE FOR RECOMMENDATION Dr. Augustine Boakye, President | FINAL DISPOSITION Approved By Board of Trustees |
| BOARD APPROVAL DATE September 20, 2022 | |