Minutes of the Meeting of the Board of Trustees
Thursday, February 7, 2013 at 10:00 a.m.
555 West 57th Street, 11th Floor CUCF Conference Room
New York, New York 10019

Trustees Present:
Hon. Philip Berry, Acting Chairman
Hon. Noel Hankin
Hon. Marcella Maxwell
Hon. Benno Schmidt
Denard Cumming, Budget Examiner*
Marshall Vitale, Budget Examiner *

In Attendance:
Iris Weinshall, Executive Director, CUCF
Fredrika Miller, Associate General Counsel, CUNY
Robert Lemieux, Executive Director of Department of Design, Construction & Management
Howard Altschuler, Deputy Executive Director, CUCF
Judy Bergratraum, Deputy to Executive Director Weinshall
Gwen Perman, Director, Capital Budget, CUNY
Meghan Moore-Wilk, Director, Space Planning, CUNY
Vincent Green, Director of Vendor Integrity and Investigations, CUNY
Jennifer Friedman, Director, Public/Private Partnerships, CUNY
John Antonelli, Director, Financial Compliance and Internal Controls, CUNY
Jeffrey Weinstein, Director, Procurement Services
Victor Anaya, Controller
Michael Stabulas, Director of CUNY Projects, DASNY
Nancy Nichols, Special Assistant to the Fund

Alfred Levine, Faculty Senate Representative

* Designee for Robert Megna, Executive Director of NYS Division of the Budget in Albany, attending via videoconference.

At 10:03 a.m., Acting Chairman Berry called the meeting to order, noting that a quorum was present. Before presenting the action items, Chairman Berry called everyone’s attention to the fact that New York City’s skyline was changing, in large part due to the many construction projects underway at CUNY. He applauded the Board for its part in keeping construction going in all five boroughs, and thanked Executive Director Weinshall’s staff for its work of injecting optimism into the economic climate of the region.

Action Items

1. Approval of the Minutes of the September 24, 2012 Meeting of the Fund (No. 2135).

Acting Chairman Berry asked if there was any discussion or amendments to be made to the minutes. There being none, Mr. Berry entertained a motion that this item be approved. On
motion duly made by Trustee Maxwell and seconded by Trustee Schmidt, the minutes were approved.

2. Resolution of the City University Construction Fund Authorizing Additional Work for the Purchase and Installation of a New Fire Alarm System and Related Work in the B Building (500 Grand Concourse) at Hostos Community College (No. 2136).

Chairman Berry called upon Executive Director Weinshall for her remarks. Ms. Weinshall explained that this was another of the many campus projects related to fire safety, and like the others, resulted from an inspection by the Fire Department. As a result of a routine inspection, the College was served with a Letter of Defect, citing the need for additional smoke detectors and the installation of a fan shut-down connection between the basement and the rest of the B Building at 500 Grand Concourse. The shut-down equipment will prevent smoke from being drawn into the structure, in case of fire. Mr. Lemieux explained that performing the work is necessary in order for the building to be certified.

There being no further questions, Chairman Berry asked for a motion to approve the resolution. On motion duly made by Trustee Schmidt and seconded by Trustee Hankin, the resolution was approved.

3. Resolution of the City University Construction Fund Authorizing Acceptance of Funding from the Hunter College Foundation, Inc. for the Design of the 1st, 2nd and 4th Through 7th Floors of the Wexler Library at Hunter’s East 68th Street Campus (No. 2137).

Chairman Berry called upon Executive Director Weinshall to explain the item. Hunter College is using private money they have raised for this project. Wexler Library was constructed 30 years ago and doesn’t meet current needs, either the academic ones of the college or the needs of students for study spaces. One of the College’s priorities is to conduct a capital campaign for funds to upgrade the library. In order to proceed with the project, the Fund has to accept the money the College has raised. This is a phased project, Ms. Weinshall explained, in which only one floor is currently under construction, with the other floors following suit. Mr. Lemieux added that foundations generally don’t have the ability to hold a construction contract, nor do they want to oversee the project.

There being no questions, Mr. Berry asked for a motion to approve the resolution. On motion duly made by Trustee Schmidt and seconded by Trustee Maxwell, the resolution was approved.

4. Resolution of the City University Construction Fund Authorizing a Renovation Contract and Teleproduction Fit-Out Contract for the Broadcast Media Center for Hunter College Main Campus at 695 Park Avenue, New York, NY 10021 (No. 2138).

Chairperson Berry called upon Ms. Weinshall for her remarks. Ms. Weinshall pointed out that this project was set to be done with City capital monies. Like community colleges, the four-year institutions work with City Council members and Borough Presidents to receive what is known as Reso-A funding. Hunter College has been able to get a Reso-A project for approximately $1.1
million. The media center is being upgraded from an outdated analog format facility to a high definition production facility. In addition, there will be teaching space.

Chairperson Berry asked whether there were other colleges being upgraded from analog production to digital. Mr. Lemieux stated that an upgrade is in process now at Brooklyn College. Others have been done in recent years at Lehman, Queens, and City College. These are projects that satisfy elected officials’ interests – the project can be completed quickly, is inexpensive and attracts students. Ms. Weinshall remarked that the new facility at Lehman College is state of the art, and is quite remarkable. Mr. Berry recommended that the Trustees visit these college facilities to see them.

There being no further comments or questions, Mr. Berry asked for a motion to approve the resolution. On motion duly made by Trustee Hankin and seconded by Trustee Maxwell, the resolution was approved.

5. Resolution of the City University Construction Fund Authorizing the Retro-Commissioning, Design, Purchase and Installation of HVAC Control Systems at York College’s Science Building (No. 2139).

Acting Chairman Berry called upon Executive Director Weinshall to explain the item. Ms. Weinshall stated that, like the earlier fire alarm resolution, several components of the HVAC system at York College’s Science building do not function properly. Without a functioning HVAC system, it is difficult to maintain the proper learning environment. Mr. Lemieux explained that the bulk of the problem exists with the controls, which are worn out. New technology requires upgrades, a requirement of several CUNY campuses.

A question arose whether NYPA funding could be accessed, if energy saving was the result. Mr. Lemieux explained that NYPA doesn’t give money to projects. It lends money, which is then paid back out of energy savings. Capital money is being invested in the project, so that energy savings will accrue to the college.

Acting Chairman Berry asked about building inspections, and whether they were conducted on an ongoing basis. Ms. Weinshall replied that yes, inspections were going on all the time. Mr. Lemieux went on to say that there are many control projects in the works, several of which are handled through DASNY. This project’s contract is being held by the CUCF, which is why the item is being brought before the Board.

There being no further comments or questions, Mr. Berry asked for a motion to approve the resolution. On motion duly made by Trustee Schmidt and seconded by Trustee Hankin, the resolution was approved.

6. Resolution of the City University Construction Fund Authorizing the Upgrade to the Lehman College Campus Wide Security System Software and Installation of a Mass Notification System (No. 2140).
Acting Chairman Berry called upon Executive Director Weinshall for her explanation. Ms. Weinshall stated that Lehman College’s security system is at the end of its functioning life. The manufacturer can no longer support the repairs needed. A number of proposals for an upgrade have been received, using Siemens Security Systems.

Mr. Berry asked if there were any questions. There being none, he asked for a motion to approve the resolution. On motion duly made by Trustee Maxwell and seconded by Trustee Schmidt, the resolution was approved.

7. Resolution of the City University Construction Fund Authorizing Master Planning and Related Services Requirements Contracts (No. 2141).

Acting Chairman Berry requested Executive Director Weinshall to report on the item. Ms. Weinshall explained that the resolution will authorize the use of up to six master planning requirements contracts to be used on an as-needed basis for master planning services, much as the requirements contracts approved in the past for architectural design services have been. Doing that work up front reduces the amount of time and expense involved in the usual RFP process. She called upon Meghan Moore-Wilk, Director of Space Planning, to explain.

Ms. Moore-Wilk explained that having requirements contracts in place allows CUNY to respond nimbly. When colleges request a master plan, they come forward with enrollment projections, explaining where they expect to be in five to ten years. If it takes a year to procure a consultant, time is lost and data becomes out of date.

These are three year contracts. If a president changes, or a new provost is hired, it isn’t necessary to ask for extensions. As Ms. Weinshall pointed out, these contracts will allow mini-studies to be done as well, with these firms who are well known. Ms. Moore-Wilk went on to say that the selection committee included Mr. Lemieux, David Salmon, Rene Rotolo of Lehman and Steve Delgado of Hostos, and they helped choose the firms.

Acting Chairman Berry asked whether MWBE contractors were encouraged to apply.

Ms. Weinshall asked Jeffrey Weinstein, head of Procurement Services, to answer that question. Mr. Weinstein said that the process is the same as that used for the search for architects, engineers and construction managers. It is an openly advertised RFP process, including reaching out to firms on the NYS Directory of Certified MWBEs. This particular search had a robust response, and as with the architects and engineers there is a great demand for this kind of work. The Committee went through all the proposals and the top six highest-ranking ones were chosen. As with the other requirements contracts, when a specific task order is issued for a project, the firm is obligated to provide an MWBE utilization plan that meets the 20% goals that are set down in the contract.

Acting Chairman Berry asked whether there are guidelines to be sure that MWBE second-tier contract goals are achieved. Mr. Weinstein said measures are in place, and he stated he would be distributing a chart that showed the overall numbers shortly.
Mr. Berry asked if there were any questions. There being none, he asked for a motion to approve the resolution. On motion duly made by Trustee Schmidt and seconded by Trustee Hankin, the resolution was approved.

8. **Resolution of the City University Construction Fund Approving Increased Funding for the College Laboratory Facilities Construction Management/Design/Build Services Requirements Contract with Epic Management, Inc. for the Design, Build-out, and Migration of the CUNY Data Center (No. 2142).**

Acting Chairman Berry called upon Executive Director Weinshall for her remarks. Ms. Weinshall reported that the 555 West 57th Street building was occupied in the 1970s by CUNY. At that time, the IT department and data center was installed in the building. In the ensuing 40 years, with technological changes occurring rapidly, CUNY clearly needed to find a better space to build out the data center, which serves the entire CUNY system.

Two years ago, space was found at 395 Hudson Street for relocation of the CIS division. The new space, formerly the data center for Thompson Schroeder, already had a center with raised flooring, and proper HVAC to support the technological demands. This resolution is the next step toward finalizing the move to the space at 395 Hudson St. As a result, the IT department will no longer have to fear that the air conditioning will experience a blackout and damage the connectivity of the entire CUNY system.

Mr. Altschuler explained that the contractor, EPIC had a superior plan for build-out, positioning them as the best choice. Mr. Lemieux said that EPIC has done a good job at CUNY Law.

Trustee Schmidt asked whether the data center functioned as an academic research center for CUNY professors and students to use, or did it exist just to provide information systems for CUNY. Mr. Altschuler replied that he believed it served all of those functions, and that it provided internet access for all of CUNY’s administrative and college functions. This new facility is already provided with backup generators, in case of blackouts, and was able to keep running during Hurricane Sandy. The system’s emergency generators also allow for the system to be brought down incrementally, instead of suffering a crash.

There being no further questions, Mr. Berry asked for a motion to approve the resolution. On motion duly made by Trustee Schmidt and seconded by Trustee Hankin, the resolution was approved.

**REPORTS**

**Acting Chairman’s Report**

Acting Chairman Berry stated that the next meeting of the CUCF Board is scheduled for Tuesday, March 5, 2013, at 10:00 a.m. This date will be confirmed with everyone by email.
Executive Director’s Report

Executive Director Weinshall reported that her office has been very busy during the last month with the State and City Budgets. The State Budget had no surprises. Ms. Weinshall stated she had had numerous conversations with the Governor’s office and with the Division of the Budget, expressing the priority of the State Budget in terms of capital will include the larger infrastructure projects. There are a number of projects – the ASRC project at City College, where almost 500 workers are on site; at NYCity Tech the New Building is breaking ground; at Brooklyn College the Tow Performing Arts Center broke ground and pile driving is occurring at the site – there are many projects going forward. Also, the State of Good Repair projects are underway. And there is money for CUNY to continue with these.

A couple of good things that came out of the Budget: $23 Million appropriation in Sandy aid on the capital side. Ms. Weinshall reported that she and her team had been working with DASNY and the insurance companies and FEMA to arrive at the right amount of reimbursement for damages.

On the Community College side, they are working with the City Council to get them to give as much money as possible for critical maintenance, which the State has said they will match the following year. There is $8 million match for the community colleges, which will amount to $16 with the match of State funding. Lastly, CUNY was appropriated money for FPCM staffing.

A new initiative in the budget was CUNY 2020, similar to that of SUNY 2020 program of a couple of years ago. Briefly, it is a $55 million appropriation for this year, and for each of the next four years. This is a “dry” appropriation. The State wants to see how successful this initiative is. In a nutshell, it is looking at projects from the campuses that leverage jobs, partnerships with other levels of government and private industry. They are not looking at large bricks-and-mortar projects per se, but are interested in workforce development. The goal is for each of the 24 campuses to submit a proposal. Ms. Weinshall stated that she and her staff will be working with the Governor’s office and the Division of the Budget to develop criteria for this program. Ms. Weinshall said that at the recent Council of Presidents meeting her presentation on this was greeted enthusiastically by the college presidents. This is a new initiative for CUNY, one where campuses have to compete with one another for the funds.

On the City capital side, there were no cuts. The Budget has been left intact. She said her staff will work with OMB to be sure all the ResoA money was allocated.

In five weeks the CUNY headquarters office will be moving, as the building at 535 East 80th Street has been sold. Every weekend another division will move to the new location at 205 E. 42nd Street, a 176,000 square foot space formerly occupied by Pfizer. By the end of May, everyone should be cleared out of East 80th Street.

Ms. Weinshall called upon Jeffrey Weinstein, who gave a report on CUCF’s MWBE status. Mr. Weinstein reported that the Governor has established a 20% MWBE participation goal for New York State contracting. CUCF’s goal for the current year, as well as the new Fiscal Year beginning April 1 is 20% -- 12% for minority-owned enterprises, and 8% for women-owned
enterprises. Performance so far this year, through the last reporting quarter ending December 2012, has been almost 25%, comprising about $11 million in MWBE expenditures out of a total of $44 million. Of that 25%, 16% was for MBE’s, and 9% for WBE’s. CUCF is pleased to have met and exceeded the Governor’s 20% goal.

Mr. Altschuler commended Mr. Weinstein for his group’s excellent efforts. Mr. Weinstein explained that it was made possible through continued outreach to organizations, working with vendors, attending conferences, and insisting on accountability. Trustee Hankin asked whether there were mechanisms to assure that what is being reported is accurate. Mr. Weinstein said that they rely on signed documents, and the only data that is accepted by the State’s data system is that from New York State certified organizations.

Acting Chairman Berry thanked Mr. Weinstein for his efforts and his report.

**Report of the Dormitory Authority**

Mr. Stabulas reported that on the capital side they have opened up Fiterman Hall at BMCC. At Lehman College, the TCO has been received for the Science Building. Hurricane Sandy impacted CUNY, especially at Hunter Brookdale, BMCC, and KBCC, with Hunter College’s Brookdale campus the most affected by the storm. Its damage was similar to that of Bellevue Hospital – lost power and heat and significant flooding. Major electrical equipment was damaged, including the emergency generator. DASNY and CUNY began work immediately and by early December, two of the three buildings in the complex were back on electric and heat. Renovation of programming space – for physical therapy and the anatomy lab -- is pretty much up to speed.

At Kingsborough, which is on a peninsula in Sheepshead Bay, Brooklyn, most damage was to shoreline fortifications. Sand and debris was brought up onto the campus. The small T-buildings, one and two-story buildings, were flooded out. Most damage was addressed immediately. There wasn’t any major equipment damage.

At Borough of Manhattan College’s 199 Chambers Street building, one of the mechanical rooms was flooded, which took out a lot of HVAC equipment. Once lower Manhattan opened up, it was able to be opened up again. Many CUNY and DASNY employees, along with contractors, put in long hours to address the damage as quickly as possible. Mr. Lemieux commended DASNY for its terrific job. He said that KBCC opened up within one day. Ms. Weinshall said that the direction of the water meant that the damage was less than anticipated – had the angle changed there would have been far more destruction.

Mr. Lemieux reported that Kingsborough’s marina was wrecked, and there will be work needed on the jetties. DASNY has been working on the JOCs contracts and by the end of March it is expected that the spaces at Hunter will be rebuilt. Hunter’s PT space had a four-foot water line on the first floor. All of the Brookdale campus was hit hard, but by December those buildings were back up and running.

Ms. Weinshall said that the engineers acted quickly and lifted up the elevators, sparing them
from a lengthy and expensive repair process.

Trustee Hankin mentioned the Governor’s statement that rebuilding wasn’t enough. Mr. Lemieux replied that a lot of BMCC’s damage was to a mechanical room that was below grade. If that area had had a 6-8” curb, the water wouldn’t have gotten in. This will be something that can be fixed going forward.

Trustee Schmidt asked which of the campuses were most overcrowded. Executive Director Weinshall replied that BMCC was probably CUNY’s most crowded campus, with well over 22,000 students. Even with the opening of Fiterman Hall, space will be lacking, particularly at 199 Chambers Street, an old outmoded space. Hunter College is probably the second-most crowded – on Friday afternoons it is jammed. Even John Jay still needs space, although the new building has gone a long way to resolving the crush.

Trustee Maxwell asked whether the creation of the New Community College would alleviate the crowding at BMCC. Ms. Weinshall explained that the New Community College will offer a targeted academic program, and will enroll only 3,000 students.

Acting Chairman Berry thanked Mr. Stabulas for his report. He asked whether he should speak with EVC Hershenson about including Mr. Weinstein’s information in a future issue of CUNY Matters.

Trustee Hankin asked whether there were still any Fire Watch personnel involved at the campuses. Ms. Weinshall stated that there were still some on duty at campuses where the automatic systems failed, although they try to avoid needing live fire watch personnel as it is an expensive solution. Currently there are some dozen Fire Alarm projects going on at several campuses, including York, Queens and Brooklyn. NYC codes change, and systems have to be upgraded as a result.

Trustee Hankin then asked about the security systems on the campuses – whether they were in satisfactory condition. Ms. Weinshall stated that overall, the systems worked well. They are always being upgraded, of course, usually as a request from a campus. Mr. Lemieux said every campus is different, meaning that CUNY as a whole doesn’t have a single standard. Some campuses are very open, like Queens, and others need an ID to get into every building. Trustee Schmidt commended CUNY’s internal security force for the superb job they do to keep the campuses safe.

Acting Chairman Berry asked if there were further questions or items to discuss. There being none, he asked for a motion to adjourn. On motion duly made and seconded, the meeting of the Board of Trustees was adjourned at 11:30 a.m.