Minutes of the Meeting of the Board of Trustees
Wednesday, June 10, 2014 at 10:00 a.m.
205 East 42nd Street, 7th Floor, Conference Room 0725
New York, New York 10017

Trustees Present:
Hon. Philip Berry, Acting Chairman
Hon. Wellington Chen
Hon. Marcella Maxwell

Edward Moore, Acting Section Head for Division of Budget Higher Education Unit*
Jeffrey Beal, Examiner, Division of Budget Higher Education Unit*

In Attendance:
Iris Weinshall, Executive Director, CUCF
Frederick Schaffer, General Counsel, CUNY
Howard Altschuler, Deputy Executive Director, CUCF
Robert Lemieux, Executive Director, Department of Design, Construction & Management, CUNY
Gwen Perlman, Director, Capital Budget, CUNY
Meghan Moore-Wilk, Director, Space Planning, CUNY
Jennifer Friedman, Director, Public/Private Partnerships, CUNY
John Antonelli, Director, Financial Compliance and Internal Controls, CUNY
Jeffrey Weinstein, Director, Procurement Services, CUNY
Vincent Green, Director, Vendor Integrity and Investigations, CUNY
Daniel Rothbaum, Controller, City University Construction Fund
Michael Stabulas, Managing Director, Downstate Operations, DASNY
Nancy Nichols, Special Assistant to the Fund

James Haggard, Deputy Chief Information Officer, Strategic Initiatives, CUNY

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

At 10:02 a.m., Acting Chairman Berry called the meeting to order, noting that a quorum was present.

Action Items

1. Approval of the Minutes of the March 5, 2014 Meeting of the Fund (No. 2167).

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 Trustee Chen, the minutes were approved.
2. Resolution of the City University Construction Fund Authorizing a Construction Contract for the ADA Bathroom Upgrade at Queens College (No. 2168).

Acting Chairman Berry called upon Executive Director Weinshall for her comments. Ms. Weinshall explained that this resolution was another of the vital critical maintenance projects being addressed on various campuses in the CUNY system. Upgrading the bathrooms on campus to comply with ADA standards was an important and needed remediation.

Acting Chairman Berry asked if there were further questions or comments. There being none, he asked for a motion to approve the resolution. On motion duly made and seconded, the resolution was approved.

3. Resolution of the City University Construction Fund Authorizing a Construction Contract for the Reconstruction of Steam Line System at Queens College (No. 2169).

Acting Chairman Berry called upon Ms. Weinshall for her remarks. This resolution will authorize the execution of a construction contract to reconstruct the steam line for Queens College. The project will involve corrective replacement of defective steam lines and joints that provide heat and hot water from the campus central boiler to several buildings on campus, for an amount not to exceed $3.5 million. Acting Chairman Berry asked if there were questions or comments. There being none, on motion duly made and seconded, the resolution was approved.

4. Resolution of the City University Construction Fund Authorizing a Construction Contract for the Queens College Remsen Roof Replacement (No. 2170).

Acting Chairman Berry called upon Ms. Weinshall, who explained that the resolution will replace a roof over the south wing of Remsen Hall, for an amount not to exceed $1.857 million. A number of years ago, a new wing was added to Remsen Hall, and this project will perform needed repairs to the roof, as continued leaks could jeopardize the interior renovations in Remsen Hall and the new extension. Acting Chairman Berry asked if there were questions or comments. There being none, on motion duly made and seconded, 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 Performing Arts Center, Health and Physical Education Complex, and a portion of the Academic Core Building (No. 2171).

This resolution authorized the Executive Director to execute a purchase order with Siemens Industry, Inc. to purchase services to retro-commission, design, purchase and install HVAC and control systems at several buildings at York College, for an amount not to exceed $1 million. Components of the existing HVAC systems are no longer functioning. Acting Chairman Berry asked if there were questions or comments. There being none, on motion duly made and seconded, the resolution was approved.
6. Resolution of the City University Construction Fund Authorizing the Award of a Contract for the Design of the Lehman College Nursing Education, Research and Practice Center (No. 2172).

Acting Chairman Berry called upon Executive Director Weinshall for her comments. Ms. Weinshall stated that this project is a part of Phase II of the new Science Building, which opened about two years ago. In order to begin Phase II, certain functions will need to be moved out of the way, and the Nursing Program is one of the ones that need to be relocated. The last 5-year plan got a $20 million allocation by the Governor’s office for Lehman College; in this year’s budget, additional funds have been awarded, meaning that the new Nursing Center can be built. This resolution will approve the consultant contract for the Architect for the new building, a state of the art facility for Lehman’s Nursing program, one of the largest of its kind in the CUNY system. Having the new expanded facility will support the growth of the nursing program, and encourage enrollment of more Latino students. Acting Chairman Berry asked if there were further questions or comments. There being none, on motion duly made and seconded, the resolution was approved.

7. Resolution of the City University Construction Fund Authorizing the Award of a Contract for a Construction Manager for Pre-Construction Services for the Lehman College Nursing Education, Research and Practice Center (No. 2173).

Acting Chairman Berry called upon Ms. Weinshall for her explanation. Ms. Weinshall stated that, like the previous resolution, this item will support the new Nursing Center at Lehman College, in that it will authorize the award of a contract for a Construction Manager for pre-construction services. The project will be overseen by DASNY for an amount not to exceed $350,000. Acting Chairman Berry asked if there were further questions or comments. There being none, on motion duly made and seconded, the resolution was approved.

8. Resolution of the City University Construction Fund Authorizing the Award of a Contract for Consultant Services to Administer the Integration of Admission System Processes into CUNYfirst (No. 2174).

Acting Chairman Berry called upon Deputy Chief Information Officer James Haggard for his report on the item.

Mr. Haggard is the Deputy CIO for Strategic Information Services with CIS for the University. He explained that the CUNYfirst system will integrate CUNY’s admission system for processing student records, including the handling of large numbers of application document images. The current application must be revised and modified in order to work with the new CUNYfirst system; the scope of work involves developing a fully integrated installation. The consultant contract is being awarded to Syscom Inc, as they are the current vendor for the system in place, which means they have specialized knowledge of how the systems work and what CUNY requires. They were also chosen to continue because their familiarity will allow them to reach the crucial yearly project deadline of March 2015.
Acting Chairman Berry asked if there were further questions or comments. There being none, on motion duly made and seconded, the resolution was approved. Mr. Berry thanked Mr. Haggard for his report.

9. Resolution of the City University Construction Fund Appointing John Antonelli as Interim Deputy Executive Director – General Manager of the Fund (No. 2175).

Acting Chairman Berry called upon Executive Director Weinshall for her report. Ms. Weinshall explained that after several years, Howard Altschuler has requested a part-time schedule in preparation for retirement. Ms. Weinshall said she has suggested that Mr. Altschuler stay on in a part-time capacity, and that John Antonelli, currently the Director, Financial Compliance and Internal Controls at CUNY, assume Mr. Altschuler’s duties as Interim Deputy Executive Director of CUCF and Interim Executive Director for Financial Management for FPCM. Mr. Antonelli has a long history with City government, and has been a real asset to CUNY. This appointment will allow Mr. Antonelli to manage the business of the Fund, represent the Executive Director in her absence, and facilitate the daily activities of the Fund. She expressed her heartfelt thanks to Mr. Altschuler for his dedication and service to both the Fund and FPCM, and said that Mr. Altschuler will be available to her staff as a consultant during this transition.

Acting Chairman Berry asked if there were further questions or comments. There being none, on motion duly made and seconded, the resolution was approved. Mr. Berry welcomed Mr. Antonelli and thanked Mr. Altschuler for his guidance.


Acting Chairman Berry called upon Mr. Altschuler for his explanation. Mr. Altschuler explained that this resolution concerns a new series of requirements contracts with construction management firms of three-year CM Build contracts – we have had two types: design/CM Build for laboratories, and CM Build contracts. Once a project is designed, this resolution will allow CUNY to turn a project over to a contractor who will bid out the general construction contracts and be responsible for the entire agreement. For instance, it has been used for several labs, the data center at Hudson Street, for the Law School, and for the T-1 and T-2 buildings at Kingsborough. Mr. Lemieux stated that this arrangement has been a very successful one. Mr. Altschuler went on to say that the last round of contracts had a $30 million cap, and as jobs progress that maximum needs to be increased to give the projects more flexibility.

Acting Chairman Berry asked if there were questions or comments. There being none, on motion duly made and seconded, the resolution was approved.

11. Resolution of the City University Construction Fund Approving Increased Funding for Certain Construction Management/Build Services Requirements Contracts and College Laboratory Facilities Construction Management/Design/Build Services Requirements Contracts (No. 2177).
Acting Chairman Berry called upon Executive Director Weinshall for her explanation. This resolution will amend three CM/Build Services requirements contracts from $30 million to $50 million for LiRo Program and Construction Management, RC Dolner Construction, and Triton Construction.

Acting Chairman Berry asked if there were questions or comments. There being none, on motion duly made and seconded, the resolution was approved.


Acting Chairman Berry asked Ms. Weinshall for her remarks, and she in turn requested Jeffrey Weinstein to report on the item. This resolution will authorize the Executive Director to execute contracts and/or purchase orders to provide event planning and other related services for the annual CUCF/CUNY MWBE Conference, which CUNY plans to schedule for August 14. The event will promote procurement and partnership opportunities.

Mr. Weinstein handed out a report showing that CUNY has exceeded the Governor’s stated goal of 20% MWBE utilization for this quarter. CUNY’s figures are 40% utilization (this quarter), 35% this Fiscal Year, and 30% for the Three-Year total, making CUNY one of the highest in the state. The conference helps CUNY to sustain these figures. The MWBE event is planned to be held at John Jay, and Board members would be very welcome to attend. Each college will have an outreach booth, and Empire State Development Corp, several agencies at the state level will attend, as well as contractors and construction managers, architects, engineers will also be present.

Acting Chairman Berry suggested that these excellent statistics be brought to the attention of Executive Vice Chancellor Hershenson to publicize the University’s commitment. Mr. Berry asked if there were questions or comments. There being none, on motion duly made and seconded, the resolution was approved.

13. Resolution of the City University Construction Fund Authorizing Real Estate Planning and Consulting Services Requirements Contracts (No. 2179).

Acting Chairman Berry asked Ms. Weinshall for her remarks, who requested Jennifer Friedman, Director of Public Private Partnerships, to explain the resolution. Ms. Friedman stated that this is a renewal of the contract put into place in 2009, in which four firms were brought on board – HR&A, Grub & Ellis, Newmark and Washington Square Partners, to provide a variety of services to the CUNY colleges. Over the past five years each of these firms has been used at least once in projects that are typically initiated and paid for by the colleges. As an example, Ms. Friedman cited Brooklyn College hiring Washington Square Partners to provide three years’ worth of services, including zoning analysis and program development for several parking lots on their campus. The firm produced an analysis that led to the College going through a public approval process so that the site would be ready for development when the College has the
funding. This resolution will approve a contract that is essentially the same as the prior one, except that three firms have been added to the roster – Brailsford & Dunleavy, an MBE firm; Jones Lang LaSalle; and Real Estate Solutions.

Ms. Weinshall stated that typically the colleges pay for these services out of their auxiliary corporation funds.

Trustee Maxwell expressed concern over the availability of parking, especially near the new Performing Arts Center. Ms. Weinshall replied that when the municipal lot opposite Brooklyn College was sold to become a shopping center, as an agreement of the sale, the developer was required to put in over 600 parking spots into the new mall, not only for use by shoppers, but also by people attending events at either Whitman or the old Gershwin Hall. The parking rate is very reasonable.

Acting Chairman Berry asked if there were questions or comments. There being none, on motion duly made and seconded, the resolution was approved.


Acting Chairman Berry requested that the Resolved portion of the item be entered into the minutes as the motion, and called for discussion.

Ms. Weinshall called upon Jeffrey Weinstein for his explanation. Mr. Weinstein stated that the resolution does three things: it sets forth the three annual reports for 2014, 2013 and 2012, in terms of the activity of the fund. The 2012 and 2013 reports are final; the 2014 report covers the year through mid-May is preliminary, and will be brought back to the Board for full approval in the fall, after the close of the Fiscal Year. These reports lay out everything that CUNY has paid over these three years, the projects, vendor selection methods, etc. The totals reflect the growth of our capital construction program over these three years -- in 2012 $76 million was spent; in 2013 the amount was $85 million; and to date in 2014 the amount has reached $94 million.

The second part of the resolution approves the CUCF guidelines, as well as an amendment to those guidelines to add a new section on prompt payment, to bring the organization into compliance with the requirements of the New York Public Authorities Law. This new requirement specifies adherence to the goal of paying on a timely basis, and it specifies a rate of interest if the goal is not met.

Acting Chairman Berry asked if there were questions or comments. There being none, the resolution was unanimously approved.
Acting Chairman Berry is another resolution authorizing a college to use their auxiliary enterprise funds for costs.

Ms. Weinshall explained that approving auxiliary funding is necessary because CUNY is prohibited from using city capital funding for projects such as master plans. When a community college needs a master plan done, the presidents at community colleges must work with their sources of auxiliary funding to cover the costs. Ms. Weinshall called on Meghan Moore-Wilk, Director of Space Planning, for her explanation.

Ms. Moore-Wilk stated that master plans are always done through the office of Facilities Planning, taking the vision and the stated needs of the individual college and coordinated so that master planning is equitable from campus to campus, using the main University guidelines. Each master plan includes administration, faculty and students, staff and the community. These master planning contracts are requirements contracts, like those for the CM and real estate contracts. An approved list of five firms that specialize in master planning have been vetted; task orders are written against those contracts that look at all the departmental needs on a campus. This is important for BMCC, particularly in the light of the opening of Fiterman Hall and how that building functions and what can be done now at 199 Chambers Street to better utilize that facility. The master plan will look comprehensively at the whole campus, both what their needs are currently and where it is felt they will be with enrollments in ten years. All five approved firms will be given an opportunity to bid on the work, and then between the college and FPCM, the right firm for the job will be picked. The process usually takes 12-18 months to digest all the information and give them the opportunity to discover the best solution.

Acting Chairman Berry asked what other auxiliary services resolutions had recently been approved. Ms. Moore-Wilk replied that an auxiliary service resolution for John Jay was approved recently, and the college has spent their funding. A space study kickoff, financed with auxiliary monies, is scheduled for July 2nd. This will not be a full master plan, but will look at all their space needs and their leased spaces and how they can best utilize what they have.

Mr. Lemieux reported that there have been three of these auxiliary funding arrangements approved recently; one was for Brooklyn PAC; Hostos’ master plan was completed using soft money.

Acting Chairman Berry asked whether other colleges have expressed interest in having work done but do not have funds available. Ms. Moore-Wilk replied that Queensborough Community College has inquired about using auxiliary funding, but their campus is currently in transition with administrative changes and they have not yet identified the funds.
Ms. Weinshall stated that foundations supply money to the colleges for other things as well. City College has supplied money for the Colin Powell Center; Hunter raised private funds for their library; Brooklyn contributed to the Performing Arts Center project; Queens College gave money for Kupferberg. Because there is no state or city money being used, our requirement is that the colleges must deposit all the money with FPCM before the contracts can be bid out, in order to register the contracts.

Acting Chairman Berry asked if there were questions or comments. There being none, the resolution was unanimously approved.

16. Resolution of the City University Construction Fund in Appreciation of Daniel Sheppard, Division of the Budget, the State of New York (No. 2182).

Acting Chairman Berry called upon Ms. Weinshall for her remarks. Ms. Weinshall commended Mr. Sheppard as a great friend of CUNY who has worked closely with her staff on a number of important projects listed in the resolution, including some innovative and creative public/private real estate ventures. A great sounding board, Ms. Weinshall expressed her thanks for his interest and support throughout the years, and wished him well in his new position as Deputy Commissioner of the New York State Department of Health.

Acting Chairman Berry asked if there were questions or comments. There being none, the resolution was unanimously approved.

REPORTS

Acting Chairman’s Report

Acting Chairman Berry stated that the next meeting of the CUCF Board will be scheduled at a mutually convenient date and time, to be determined shortly.

Executive Director’s Report

Mr. Berry called upon Executive Director Weinshall for her report.

Ms. Weinshall stated that the ASRC complex is being finished, with DASNY’s assistance, and reported that DASNY is holding its June board meeting there. The Performing Arts Center at Brooklyn College is coming above ground, and Ms. Weinshall expressed her confidence that it will be opening this time next June. Further into Brooklyn, the large site at New York City College of Technology where Klitgord has been demolished, and steel going up should be visible by the fall. One of our largest critical maintenance projects will begin shortly, LaGuardia Community College’s Center 3 façade – $120 million replacement of the crumbling façade of CUNY’s largest building, at almost a million square feet. CUNY is working very closely with DASNY on this effort. Mr. Lemieux stated that to give a sense of the building’s size, each floorplate is 80,000 square feet. Once the façade is completed it will no longer say “IDCNY” but will be identified as LaGuardia CC.
At Medgar Evers, the $27 million renovation of the library is being finished, providing open space for the students internally and projecting an open view of Bedford Avenue.

Acting Chairman Berry asked about the state of maintenance management at Medgar Evers. Mr. Lemieux stated that thanks to repairs of the HVAC system, directed by the chief engineers. Ms. Weinshall added that a lot of work has been done recently on the Carroll Street building, the pool project created space for student assembly, the building was made ADA accessible. A lot of work is being done on the Carroll Street building and the trailers.

On the real estate side, Ms. Weinshall reported that FPCM continues to work with Brooklyn College and Steiner Studios to come to a resolution on a lease for the new Brooklyn College graduate film program, a complex transaction that it is hoped will render a lease agreement for approval in Albany shortly so that construction can begin.

Acting Chairman Berry commended Ms. Weinshall and her staff for their untiring care and hard work and thanked Ms. Weinshall for her report.

**Report of the Dormitory Authority**

Acting Chairman Berry called upon Michael Stabulas for the report from the Dormitory Authority.

Mr. Stabulas reported that the ASRC is beginning to look like a finished building, with the exception of some specialized areas. HVAC and fire alarms, IT installation, and the clean room on the shared ground floor are still being worked on.

At Queens College, Mr. Stabulas stated there are currently 15 active projects, five of which are in construction and ten are in design. Two construction projects are upgrades to HVAC systems in the new science facility, a substantial project that involves upgrades to laboratory equipment while the labs are occupied, requiring a lot of coordination with the college. Substantial work on energy conservation and HVAC upgrades are Kiely Hall, a 14 story building of 1968 vintage. Glass in the tower is being replaced and perimeter HVAC system are being upgraded. The Kiely Hall upgrades will be finished this year, and the ones to the science building will be completed in 2016, largely because of the phasing. Other energy projects include boiler upgrades in the Student Union.

Acting Chairman Berry thanked Mr. Stabulas for his report. He expressed his thanks to the attendees from Albany, who remarked their appreciation for the recognition the Board of Trustees has given Daniel Sheppard.

Mr. Berry then asked if there were further questions or items to discuss. There being none, he requested a motion to adjourn. On motion duly made and seconded, the meeting of the Board of Trustees was adjourned at 11:10 a.m.