Minutes of the Meeting of the Board of Trustees
June 23, 2016 at 9:30 a.m.
205 East 42nd Street, Room 770
New York, New York 10017

Trustees Present:
Hon. Philip Berry, Acting Chairman
Hon. Guillermo Linares
Hon. Marcella Maxwell
Hon. Brian Obergfell
Hon. Michael Walsh

Jeffrey Beal, Team Leader, Division of Budget Higher Education Unit*
Edward Moore, Acting Section Head, Division of the Budget Higher Education Unit*

In Attendance:
Judith Bergtraum, Executive Director, CUCF
Frederick Schaffer, General Counsel, CUNY
John Antonelli, Deputy Executive Director, CUCF
Robert Lemieux, Executive Director, Department of Design, Construction & Management, CUNY
Gustavo Ordonez, Chief of Staff, FPCM
Gwen Perlman, Director, Capital Budget, CUNY
Meghan Moore-Wilk, Director, Space Planning, CUNY
Jeffrey Weinstein, Director of Procurement Services, CUNY
James Haggard, Deputy Chief Information Officer, Computing and Information Services, CUNY
Daniel Rothbaum, Controller, City University Construction Fund
Michael Stabulas, Managing Director, Managing Director, Downstate Operations, DASNY
Nancy Nichols, Special Assistant to the Fund

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

At 9:30 a.m., Acting Chairman Berry called the meeting to order, noting there was a quorum.

Action Items

1. Approval of the Minutes of the April 8, 2016 Meeting of the Fund (No. 2221).

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 and seconded, the minutes were approved.
2. Resolution of the City University Construction Fund for Installation of Phase 1 of the Security System Upgrade for Medgar Evers College (No. 2222).

Acting Chairman Berry called upon Executive Director Judith Bergtraum to explain the item. Ms. Bergtraum stated that the College has been requesting an upgrade, of wiring, a few cameras, and replacement security lights in parking lots for a while. This $1.7 million project will provide a big impact in improving campus security, using critical maintenance funds. Robert Lemieux stated that the improved system is necessary, as the campus is “going digital.”

(At 9:33 a.m. General Counsel Frederick Schaffer joined the meeting)

Acting Chairman Berry asked if there were questions about the resolution. There being none, Mr. Berry entertained a motion that this item be approved. On motion duly made and seconded, the resolution was approved.

3. Amended Resolution of the City University Construction Fund Authorizing Additional Construction-Related Services to the Commissioning Agent Contract for the New Academic Building at New York City College of Technology (No. 2223).

Acting Chairman Berry called upon Executive Director Judith Bergtraum for her remarks. Ms. Bergtraum stated that most of these resolutions, while concerning a small amount of money, provide funds to complete a very expensive project, one that is very important to CUNY. The New Academic Building is expected to open in about 10 months, after a process of 6 years. Ms. Bergtraum asked Mr. Lemieux to explain the function of the commissioning agent.

Mr. Lemieux stated that commissioning buildings began about 15 years ago. The agent makes sure that what is contracted for has been provided – equipment meets certain specifications and operates as specified. The commissioning agent tests the equipment as it goes into the building – elevators, escalators, mechanical systems, plumbing – everything has to be filed with the buildings department and signed off with a licensed engineer. They do cores for the concrete, steel inspections, inspections of electrical systems during the construction process.

The amount cited in the resolution approved in January 2010 was an estimate. This is a $400 million building, and a science building with lots of air handling equipment that has to be up to date. The commissioning agent, Genesys, is specific to this project; Sciame is the Construction Manager. Sciame holds the construction contracts; CUCF holds the commissioning contract, to allow for a separation of whom they report to; and direct Genesys who gives us feedback. This resolution will provide a very good investment for the future of the building, to allow it to open and operate as it should.

Acting Chairman Berry asked how the commissioning agent was chosen – whether it was a bid process. Mr. Lemieux explained that hiring a commissioning agent, as a professional service, wasn’t really a bid, since by state law you can’t bid for professional services; instead, it is a negotiated amount for work performed. The increase in prices results from an increase in what’s needed on the job.
Counsel Frederick Schaffer stated that commissioning agents came in as a result of the interest in qualifying for LEED certification; in order to receive a certain number of points, you must have a commissioning agent. Also, under the energy codes in New York State, the commissioning agent is required. It’s to insure that you get efficiency requirements.

Acting Chairman Berry asked if there were questions about the resolution. There being none, Mr. Berry entertained a motion that this item be approved. On motion duly made and seconded, the resolution was approved.

**4. Resolution of the City University Construction Fund Approving the Amended Guidelines for Procurement Contracts (No. 2224).**

Acting Chairman Berry called upon Executive Director Bergtraum for her remarks. Ms. Bergtraum in turn requested that CUNY’s Director of Procurement, Jeffrey Weinstein, report on the item.

Mr. Weinstein stated the resolution will amend the guidelines for procurement contracts to authorize CUNY to use the State’s discretionary purchasing process. That will allow us to limit competition in certain types of procurement to groups like NY State Certified MWBE’s, and NY State Certified Service Disabled Veteran organizations, in those cases where procurements do not exceed $200,000. This will allow CUNY to provide additional opportunities for MWBE utilization, and utilization by SDVOB’s. Our ability to limit competition is balanced by the fact we cannot exceed $200,000 for any particular procurement. This will impact small architectural design projects, and many special inspection and environmental engineering projects. It will most likely not impact our construction because of the relatively low cost threshold.

Counsel Frederick Schaffer stated, for the benefit of the new Trustees, that as a public benefit corporation, the Construction Fund is not strictly bound by State finance law; this gives the CUCF the opportunity to have procurement guidelines with a little more flexibility. These guidelines are a model in that they can tweak the State finance law that result in cost savings and better quality. When State law changes in ways that the CUCF would like to take advantage of, amendments are made to procurement guidelines accordingly.

Acting Chairman Berry asked if there were questions about the resolution. There being none, Mr. Berry entertained a motion that this item be approved. On motion duly made and seconded, the resolution was approved.

**5. Resolution of the City University Construction Fund Authorizing a Contract to Provide Construction Services for the Replacement of Air Handling Units and Control System at the Hunter College North Building, 695 Park Avenue, New York, NY 10021 (No 2225).**

Acting Chairman Berry called upon Executive Director Bergtraum for her remarks. Ms. Bergtraum stated that the previous resolution concerned the design elements of the project. This resolution concerns the construction project for the 11th floor of the very large Hunter building,
for replacement of two of the 30 air handlers in the building. At the same time, the roof of the building is being replaced.

Mr. Berry asked why the work is being done particularly on the 11th floor. Mr. Lemieux replied that it is the location where the college has indicated it has the most immediate need.

Executive Director Bergtraum said that Michael Stabulas will be reporting on Hunter College projects, and will show how this particular resolution fits into the picture.

Acting Chairman Berry asked if there were questions about the resolution. There being none, Mr. Berry entertained a motion that this item be approved. On motion duly made and seconded, the resolution was approved.

6. Resolution of the City University Construction Fund Approving Increased Funding for Consultant Services to Administer the Integration of Admission System Processes into CUNYFirst (No. 2226).

Acting Chairman Berry called upon James Haggard, Deputy Chief Information Officer, Computing and Information Services at CUNY to report on the resolution.

Mr. Haggard explained that CUNYFirst is a new Enterprise Resource Project system that is replacing CUNY’s old Legacy student information, financials and human resources systems. CUNY is moving from the old mainframe based system to a new PeopleSoft-based enterprise system for student information, financials and HR. The work involved will replace the old Legacy admissions imaging system, in place for over 21 years, that was based on IBM’s content manager product that is no longer supported.

This particular resolution asks for authorization of additional funding for three things: 1) Additional work was needed for data security, to insure both personal information and FERPA protection in particular; 2) adding in graduate admissions imaging, which was not part of the original scope, but bringing an online system to the graduate admissions program is going to be very helpful; 3) migrating the original Legacy images that are needed to retain documents supporting admissions records like transcripts, grades, letters of recommendation. All of those documents need to be migrated to the new system so they can be maintained.

Acting Chairman Berry asked whether the additional $275,000 will cover those costs. He also wanted to know why the graduate admissions weren’t included in the original scope.

Mr. Haggard replied that the initial scope of the work concerned undergrad admissions because that was the system being replaced. It wasn’t clear whether the new system would support graduate admissions as well. The business process owners found that it could.

Mr. Berry asked whether there are other pieces that should be included in this. Mr. Haggard replied that there are additional things that could be added in the future, but they are not in the current plan, based on available resources and time. The system purchased was done as part of an Enterprise Content Management system, which was why the product was selected. The
product, FileNet, is a flexible system and can support imaging utilization in a variety of things. It is hoped in the future to expand it to support procurement and the Office of General Counsel.

Mr. Schaffer added a word of praise, for the benefit of the Trustees. CUNYFirst began eight years ago, and is not just a software system. It replaced an out of date system that nobody knew how to maintain anymore; its adoption involved redoing the way in which the entire University does business and it was done in a very thoughtful and careful manner, and within budget.

Acting Chairman Berry thanked Mr. Schaffer for the additional explanation.

Acting Chairman Berry asked if there was any discussion regarding the item. There being none, Mr. Berry entertained a motion that this item be approved. On motion duly made and seconded, the resolution was approved.

**REPORTS**

**Acting Chairman’s Report**

Mr. Berry brought to everyone’s attention the changes taking place on the CUNY Board of Trustees. There will be a new member, William Thompson, who will become the Chairman of the CUNY Board, and as such will become an ex-officio Trustee on the Board of the CUCF. Mr. Berry said he will continue as the Acting Chairperson for the Board of the CUCF.

A meeting schedule for the CUCF Board of Trustees will be circulated shortly that will incorporate input from the CUNY Board of Trustees.

**Executive Director’s Report**

Acting Chairman Berry called on Executive Director Bergtraum for her report.

Ms. Bergtraum gave a presentation that summarized the projects completed during the year, including the Advanced Science Research Center, and the CCNY Center for Discovery and Innovation; the Feirstein Graduate School of Cinema. First Lady Michelle Obama was the keynote speaker at CCNY’s graduation recently and was very impressed with the new buildings.

Brooklyn College is integrating its new film school with its school of business.

(At 10:05 a.m., Trustee Obergfell joined the meeting)

The two largest projects in construction include the Performing Arts Center at Brooklyn to open in January 2017; the City Tech Building has its curtain wall going up – the skin of the building should be up by October, with work going on inside.

Another project in construction is the Baruch College Field Building – 284,000 square feet requiring complete renovation, a key building for Baruch. The challenge will be to perform the renovation in phases while classes are going on and offices are occupied.
Critical Maintenance projects include over $1 billion in projects that are in process. Ingersol Hall is getting a $42 million upgrade to its HVAC system. Queens College’s New Science Building $27 million HVAC upgrade is close to completion.

At City College, the Marshak Building, 620,000 square feet, built in 1972, has been completely refaced between May 2007 and March 2012. The interior is begun, because renovation of every floor is needed.

At Lehman College, the Central Plant that serves the entire campus, is getting upgrades costing $35 million. College of Staten Island’s 6S Science Building includes retrofitting chemical fume hoods, replacing exhaust fans, replacing steam boilers. Energy savings estimates is $900,000.

The Community Colleges are financed half by the City and half by the State. At Bronx CC, the magnificent new library opened 3 years ago; now the quad has been restored. Phase 4 brings in electrical power and HVAC to all the buildings. At Kingsborough Community College’s building, completed in 1976, a new boiler upgrade is completed. Most of Kingsborough’s current projects now are Sandy-related. The Borough of Manhattan Community College has an HVAC upgrade totaling $18 million; inside the building bathroom upgrades are underway – a big challenge for a building currently in use for all hours of the day.

Acting Chairman Berry expressed an interest in seeing a report from a legal and construction standpoint on the upgrades of the bathrooms and how they can be brought in compliance with gender identity needs.

Counsel Frederick Schaffer said his office has just sent around a memo with a city ordinance on this subject and he believes that we are in compliance.

At Queensborough there is a multi-year electrical infrastructure upgrade to the campus, to be coordinated with Con Edison; just completed is a roof over the quad for student use.

Many campuses need roof replacements, escalators and elevators need repair, bathrooms need upgrades; facades are being worked on.

Trustee Obergfell asked whether the campuses were in compliance with ADA requirements. Ms. Bergtraum stated that in every instance where projects are begun, the ADA requirements are addressed. Mr. Lemieux explained that ADA projects are done on an ongoing basis.

Acting Chairman Berry thanked Executive Director Bergtraum for her explanation. He requested a report for the Trustees of what has been done on ADA projects, what is in progress, and some thoughts about what needs attention.

Acting Chairman Berry called upon Michael Stabulas, Managing Director for Downstate Operations at DASNY, to give his report.
Report of the Dormitory Authority

Mr. Stabulas elaborated on 11 current Infrastructure Projects at Hunter College with about $37.3 million including HVAC upgrades in the East and West towers. The money will go into new equipment and help with energy conservation. In Hunter’s North building a new chemical storage facility is in progress, as are escalator replacements in the East and West buildings. At Medgar Evers, 12 projects with over $40 million funding are underway. Money is going into a central boiler plant upgrade project; a new project will tie the central boiler plant in the Academic Building into a building across the street, allowing the boiler to serve both buildings. They will also upgrade the HVAC within the Bedford Building, which hasn’t had any major mechanical system upgrades since it was built in the 1970s.

Façade restorations are underway at Medgar’s Carroll Street building as well.

(At 10:29 a.m. Counsel Frederick Schaffer left the meeting)

Mr. Berry thanked Mr. Stabulas for his report and wished everyone a relaxing summer season. He then requested a motion to adjourn. On motion duly made and seconded, the meeting of the Board of Trustees was adjourned at 10:31 a.m.