The meeting was called to order at 4:01 p.m.

There were present:

**Committee Members:**
- Hon. Freida D. Foster, Chair
- Hon. Wellington Z. Chen
- Prof. Jay Weiser, faculty member
- Mr. Donavan Borington, student member

**University Staff:**
- Chancellor James B. Milliken
- Interim Vice Chancellor Judy Bergtraum
- Executive Director Robert P. Lemieux

**Trustee Observers:**
- Hon. Benno Schmidt
- Hon. Muhammad Arshad

**Trustee Staff:**
- Senior Vice Chancellor and Secretary of the Board Jay Hershenson
- General Counsel and Senior Vice Chancellor Frederick P. Schaffer
- Ms. Towanda Lewis
- Ms. Doris Wang

### Cal. No. DISPOSITION

Committee Chair Freida Foster welcomed Interim Vice Chancellor Judy Bergtraum to the Committee.

The agenda items were considered and acted upon in the following order:

**I. ACTION ITEMS:**

A. **APPROVAL OF THE MINUTES OF THE MEETING OF JUNE 2, 2014.** The minutes were unanimously approved as submitted.

**II. INFORMATION ITEMS:**

- **Critical Maintenance**

  ***PRESENTATION BY EXECUTIVE DIRECTOR OF CUNY’S DEPARTMENT OF DESIGN, CONSTRUCTION AND MANAGEMENT ROBERT LEMIEUX***

Interim Vice Chancellor Bergtraum stated that critical maintenance is not something that is seen, but it is something that is really significant and really gives CUNY students a message about how the University feels about them.

Interim Vice Chancellor Bergtraum stated that with the number of students that the University has in one building, escalator/elevator upgrades are needed because without having functional escalators/elevators CUNY could have a real problem. In the new buildings the University will design staircases so it would not be a problem.
Executive Director Robert Lemieux stated that CUNY has received about $275 million in the last seven years for facilities preservation, with the exception of one year when the University received nothing, so it has about $2 billion. The Office of Facilities Planning, Construction and Management (FPCM) works closely with the colleges to identify the projects that these allocated funds can go into, and the University has been very successful with this program. CUNY has a number of new buildings that are going through the schematic design phase but there has been no funding authorized for the construction of those buildings, so the design into construction documents will not be advanced until there is a good chance that the University is going to have enough money to construct these buildings.

Interim Vice Chancellor Bergtraum stated that the decisions that are made on what is done is based on the partnership that CUNY has with all the campuses. FPCM sits down with each of the campuses to discuss their needs and then comes up with a plan.

In response to a question from Chairperson Benno Schmidt, Executive Director Lemieux stated that each campus has its own dedicated facilities director, and many times there is an assistant vice president of facilities, who usually reports to the Vice President for Administration. That is not the case on every campus as there are some campuses where the vice president for facilities reports directly to the president.

Prof. Jay Weiser stated that this is great portfolio reporting because this really gives CUNY an overview of what it has and what is being seen. This is very helpful, and FPCM has been doing incredible work in critical maintenance.

In response to a question from Prof. Weiser, Interim Vice Chancellor Bergtraum stated that realistically there is always going to be a gap because there is never enough money to cover everything that is needed. Consequently, Director Robert Lemieux prioritizes what the University should do, and recommends and cajoles the campuses. CUNY is always pushing and always asking for more, nevertheless it is in much better shape than it was seven years ago.

In response to another question from Prof. Weiser, Interim Vice Chancellor Bergtraum stated that FPCM will look further into how the University should proceed with infrastructure, creating other ways of making these projects higher profile so donors can see how it impacts the facility, making projects somewhat more appealing because it is what tends to get neglected.

Director Lemieux stated that there is a lot of infrastructure on the campuses. Those that have pools—could need millions of dollars for renovations if something happens. Those are the infrastructure projects that elected officials might want to have their name on so CUNY identifies them and tries to push for such investments. In the meantime, there are facility infrastructure upgrades that do have potential donors looking to fund them so FPCM tries to tag some of the infrastructure needs to those projects.

In response to a question from Chairperson Schmidt, Director Lemieux stated that when a project is selected to be worked on at the University, it is chosen by highest priority. Energy conservation that generates savings is nice to do, but health and safety projects, ADA related issues and the life safety projects come first.

Committee Chair Foster stated that as mentioned by Interim Vice Chancellor Bergtraum, critical maintenance is about raising the quality of life for the students, as well as making sure that all the facilities are best kept under CUNY’s watch.
Chancellor Milliken stated that in twenty-five years at three university systems this has been a major priority at each one. He added that he has yet to see a private donor contribute to name a piece of infrastructure so it is important to keep the inventory current, periodically finding an opportunity to update them.

I. ACTION ITEMS, continued:

B. POLICY CALENDAR

1. The City University of New York – Construction Management/Build Services Requirements Contracts. Interim Vice Chancellor Bergtraum asked that the Committee approve the issuance of FPCM’s new Request for Qualifications for 8 requirements contracts to replace those currently in use that are expiring, for a three-year term. They will establish construction management/build services contracts with a $500 million contract capacity. These will be used for medium-sized construction projects, with the estimated construction cost ranging from $3 to $30 million, which means the University does not have to go out and bid each contract. Projects under these contracts will be overseen by CUNY, used for the CUNY Data Center, and the contracts will be held by the City University Construction Fund.

Prof. Weiser stated that getting these contracts preauthorized is obviously a great idea.

In response to a question from Prof. Weiser, Interim Vice Chancellor Bergtraum stated that CUNY has eight contractors, so once a project is authorized the University goes back to them with whatever the project is. She added that the contract manager is responsible for the University, and the way CUNY is structured, it has an assistant director that is responsible for one or more campuses and a project manager in its operation who is on campus 70 percent of the time and the rest in the office of FPCM, is monitoring and watching what is going on, and to come up with a capital plan.

In response to another question from Prof. Weiser, Interim Vice Chancellor Bergtraum stated that FPCM will provide the Committee with a summary portfolio report on the contractors but as far as monitoring, during the second phase in this process, these contractors are judged on whether they get another contract with CUNY based on their previous performance.

In response to a question from Chairperson Schmidt, Director Lemieux stated that the 8 requirements contracts will be mostly with companies that the University has worked with in the past; however, there might be one or two newcomers. He added that FPCM identified eight firms that CUNY would like to have CM/Build a contract with. In the last round, there were four design CM/Build groups and then there were four CM/Build. FPCM has found that it is much better for the University to manage the design process and have the Construction Manager manage the construction end, which is why CUNY is doing straight CM/Build as opposed to design CM/Build. Additionally, about five of the first eight companies are not part of the second round, because they did not bid properly or FPCM was not that satisfied with what they did. Actually, CUNY hires the CM from the list of eight so when the University wants to award a task order to do a project, three of the eight will be asked for a fee proposal and a staffing proposal, then they will do the public bidding of the job for CUNY as its agent through a competitive process.

In response to a question from Prof. Weiser, Director Lemieux stated that the firm selection was done through an RFP as the firms submitted their qualifications to FPCM, then a committee of six members was set up to evaluate those qualifications. It was pretty
interesting because there was a unanimous selection of the top eight, yet forty-five proposals were submitted. He added that the RFP was an open and competitive solicitation, which is a requirement as the selection was based upon their experience.

Following discussion, the item was approved for submission to the Board.

2. The City University of New York – Increased Funding for Certain Construction Management/Build Services Requirements Contracts and College Laboratory Facilities Construction Management/Design/Build Services Requirements Contracts. Interim Vice Chancellor Bergtraum asked that the Committee approve the existing CM/Build contracts that will increase the Total Not to Exceed Amount of $30 million to $50 million for LiRo Program and Construction Management, RC Dolner Construction, and Triton Construction because the award of either project to any one of the three will exceed the amount of $30 million. There are two major projects that are ready to advance: the Brooklyn College Ingersoll Laboratory and the CCNY Colin Powell Center. Selection of these contractors for each project will be completed soon, which will save the University about six months. The other part of the resolution is the Epic Management contract, previously increased to $36.3 million that allowed for the award of the CUNY Data Center in 2013. The University is asking for an increase of $60 million for change order work on previous issued task orders and would like to increase the estimate cost of the CUNY Data Center, to continue until the first contracts mentioned are in place. There are two projects so far that CUNY wants to use these contracts for.

In response to a question from Prof. Weiser, Interim Vice Chancellor Bergtraum stated that there is going to be a new Data Center for the University so additional meeting rooms were added.

In response to another question from Prof. Weiser, Interim Vice Chancellor Bergtraum stated that Epic Management’s performance has been excellent and that is why CUNY would like them to complete the Data Center as it is not any more of a risk than giving it to somebody else. The important part is that the University can get the projects moving now.

Following discussion, the item was approved for submission to the Board.

The meeting was adjourned at 4:32 p.m.