NASSAU COMMUNITY COLLEGE
Garden City, New York 11530

FINANCE AND CAPITAL COMMITTEE AGENDA – September 10, 2024 at 5:00 p.m.

**Finance & Capital Committee Members**
John Durso, Chair
John A. DeGrace
George Siberón
Erik Paulson, Abel Cantillo, and Antoinette Brown, College Liaisons

***Call of the roll for attendance for the purpose of establishing a quorum. No. Present: _____***

The following items and/or reports are submitted for the consideration of the Committee.

**1) Review and approval of prior meeting minutes**

Chair: Do I have a motion to approve the minutes of June 11, 2024?

Trustee: _____ I make a motion that the minutes be approved.

Chair: Is there a second? Seconded by Trustee _____

Chair: Is there any discussion? All in favor, all opposed, any abstentions?

Motion carried - For_____ Against_____ Abstention_____

**2) Summary of Proposed Procurement Agreement**

| Category of Contract /Procurement Type | Threshold for BOT Approval | Listed As | Contractor | Anticipated Annual Expenditure | Term of Agreement |
|---|---|---|---|---|---|
| Professional Service | $50,000 | A | Ingerman Smith, LLP | $300,000 | Five (5) Years |

A. The College has been represented by outside counsel in labor related litigation, grievances, arbitrations and collective bargaining negotiations. A contract with Ingerman Smith facilitates dealing with legal issues in a timely and expeditious manner. The services will also include advice/action regarding legal matters requiring expertise and resources beyond those available to the College's General Counsel. In addition, outside counsel handles certain personnel matters relating to faculty, staff and administrators.

**RESOLVED**, that the pending College Procurement Agreement with Ingerman Smith, LLP, in the annual amount of $300,000, as requested by Donna Haugen, College Counsel, is approved by the Nassau Community College Board of Trustees Finance and Capital Committee and will be recommended to the full Board of Trustees for approval. (Funding Source: Operating)

*Chair: Do I have a motion to recommend this College Procurement Agreement to the full Board?*

*Trustee _____ I make a motion.*

*Chair: Do I have a second? Seconded by Trustee _____.*

*Chair: Is there any discussion? All in favor say "aye," all opposed say, "nay." Any abstentions?*

*Motion carried – For_____ Against_____ Abstention_____*

*(Recommended to full BOT for approval: Yes _____ No_____)*

**3) Pending College Procurement Amendment for Board Approval**

| Category of Contract /Procurement Type | Threshold for BOT Approval | Listed As | Contractor | Anticipated Additional Expenditure | Term of Agreement |
|---|---|---|---|---|---|
| Professional Service | $50,000 | B | Ingerman Smith, LLP | $180,000 | Five (5) Years-Expiring 10/31/2024 |

B. The original anticipated annual expenditure approved by the Board of Trustees was $250,000 for each of the five (5) years of the contract term, for a total contract expenditure of $1,250,000. Due to a vacancy that existed in the Office of General Counsel as a result of the departure of the Associate General Counsel, the Board of Trustees approved an increase to the maximum contract amount of $250,000, bringing the contract value to $1,500,000. The contract is in the last year of its term, and additional funding in the amount of $180,000 is now necessary for continuation of services through the October 31, 2024 contract expiration date. This additional funding is needed due to a large volume of labor and contract issues arising during the subject time-period requiring legal services.

**RESOLVED**, that the pending Amended College Procurement Agreement with Ingerman Smith, LLP in the amount of $180,000, as requested by Donna Haugen, College Counsel, is approved by the Nassau Community College Board of Trustees Finance and Capital Committee and will be recommended to the full Board of Trustees for approval. (Funding Source: Operating)

*Chair: Do I have a motion to recommend this College Procurement Amendment to the full Board?*

*Trustee _____ I make a motion.*

*Chair: Do I have a second? Seconded by Trustee _____.*

*Chair: Is there any discussion? All in favor say "aye," all opposed say, "nay." Any abstentions?*

*Motion carried – For_____ Against_____ Abstention_____*

*(Recommended to full BOT for approval: Yes _____ No_____)*

**4) Pending College Procurement Amendment for Board Approval**

| Category of Contract /Procurement Type | Threshold for BOT Approval | Listed As | Contractor | Anticipated Additional Expenditure | Term of Agreement |
|---|---|---|---|---|---|
| Professional Service | $50,000 | C | Marshall & Sterling Upstate, Inc. | $60,000 3rd year<br>$100,00 4th year<br>$140,00 5th year | One (1) year with four (4) one-year renewal options. Contract is currently in its 2nd year. |

C. Marshall & Sterling seeks competitive quotes from multiple carriers to obtain the best value for the College. However, inflation has had a significant impact on the cost of claims, which has resulted in substantial increases in premium costs. These are the current market conditions and we anticipate that the cost will continue to increase over the term of this agreement.

**RESOLVED**, that the pending Amended College Procurement Agreement with Marshall & Sterling Upstate, Inc. in the amount of $300,000 as follows: $60,000 for the 3rd year, $100,000 for the 4th year, and $140,000 for the 5th year, as requested by Erik Paulson, Consulting VP for Finance and Administration, is approved by the Nassau Community College Board of Trustees Finance and Capital Committee and will be recommended to the full Board of Trustees for approval. (Funding Source: Operating)

*Chair: Do I have a motion to recommend this College Procurement Amendment to the full Board?*

*Trustee _____ I make a motion.*

*Chair: Do I have a second? Seconded by Trustee _____.*

*Chair: Is there any discussion? All in favor say "aye," all opposed say, "nay." Any abstentions?*

*Motion carried – For_____ Against_____ Abstention_____*

*(Recommended to full BOT for approval: Yes _____ No_____)*

**5) Comptroller's Report** – Antoinette Brown

**6) Updates** – Abel Cantillo