



PORTLAND COMMUNITY COLLEGE BOARD OF DIRECTORS

Business Meeting



July 20, 2023



The Board of Directors meetings are held in accordance with open meeting laws and accessibility requirements. If a person with a disability needs assistance in order to attend or participate in a meeting, please notify the Board of Director's Office at least 48 hours in advance by calling (971) 722-4365 or by email at boardmember@pcc.edu, please use ACCESSIBILITY in the subject line.

Board of Directors Goals 2022-2023

Belonging

Strategic Goal: Ensure that the Board of Directors and the President both advance Diversity, Equity and Inclusion in measurable and strategic ways.

- Monitor the recruitment, hiring, and retention of employees of color.
- Monitor the awarding of contracts to D/M/W/ESB/SDV companies.
- Integrate diversity, equity, and inclusion into its policymaking processes and all
- board functions.
- Support a people-centered approach to the well-being of students and staff.

Delivery

Strategic Goal: The board holds itself and the college president accountable for improving equitable student success.

- Monitor semiannual performance on access, retention, and completion rates for all students; while reducing and eliminating disparities in these rates for low-income students and students of color.
- Utilize personal and professional networks to establish new strategic partnerships that bring new resources to the goal of improving outcomes for students (e.g., resources that address student housing and food insecurity, the PCC Campaign for Opportunity, etc.).
- Support the president in Workplace Transformation.

Enterprise

Strategic Goal: Through the development of policy, a strong relationship with the college president and effective public advocacy, ensure that Portland Community College is well positioned to meet the current and future needs of the communities it serves:

- Hire and on-board PCC's 8th President and communicate the PCC governance structure.
- Support successful on-boarding of the president.
- Engage in strategic advocacy with city, county, regional, state, and federal governments.
- Support successful passage for the 2022 Bond Measure.
- Engage in Board development by participating in evaluations, professional development, and training.
- Support the strategies around the accreditation recommendations and actively contribute to a successful accreditation cycle.

Workforce

Strategic Goal: Advocate for workforce development.

- Understand strategic-level workforce data to support the alignment of pathways to close talent and opportunity gaps and move students into quality, livable wage careers, increasing economic mobility.
- Advocate for and support state and federal investments in community colleges to promote equitable workforce development.

The PCC Board of Directors Working Agreement:

- | | |
|---|---|
| • Treat each other with respect | • Create a positive working environment |
| • Plan agenda thoughtfully/Conduct effective meetings | • Call in/Call out |
| • Listen with an empathetic mind and heart | • Be aware of impact as well as intent |
| • Be prepared | • Stay true to board goals |
| • Be honest, act with integrity | • Stay engaged |
| | • Enable/empower all voices |

Portland Community College
BOARD OF DIRECTORS
PO BOX 19000, Portland, Oregon 97280

July 20, 2023

[Sylvania Campus](#)

12000 SW 49th Avenue, Portland, OR 97219, CC Building, Rooms 233 A/B

Streaming Link: <https://portlandcc.zoom.us/j/92033938276>

Or Telephone: +1 253 215 8782 or +1 669 900 6833 US

Webinar ID: 920 3393 8276

AGENDA

4:00 PM **EXECUTIVE SESSION** in accordance with ORS 192.660 (2) (d) labor negotiations, (i) employee-related performance.

Media Requests to join the Executive Session can be phoned in to 971.722.4365 or emailed to boardmember@pcc.edu by noon of the meeting date. Please use MEDIA REQUEST in the subject line.

4:30 PM **WORK SESSION** Oak/Elm Rooms

- Board Operations
 - Board Officers/Roles
 - Chair
 - Vice Chair
 - Secretary
 - OCCA Representative
 - Audit Representative
 - Foundation Representative
 - Board Meeting Planning
 - Board Strategic Calendar
 - Board Retreat Planning
 - Logistics
 - Board Goals

5:00 PM **PRESIDENT'S ARTIST RECEPTION** *(Invite Only)*

6:15 PM **BUSINESS SESSION**

Call to Order

- Land Acknowledgment
- Approval of Agenda — July 20, 2023
- Approval of Minutes — June 15, 2023

6:20 PM **ELECTION AND SWEARING IN**

- Swearing in of Student Board Trustee: Nathaniel Kung
- Swearing In of Elected Officials:

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- Tiffani Penson, Zone 2
- Kien Truong, Zone 3
- Greg McKelvey, Zone 6
- Kristi Wilson, Zone 7
- Election of 2023 – 2024 Chair and Vice Chair
- Swearing in Chair and Vice Chair

6:45 PM

CONVENE AS LOCAL CONTRACT REVIEW BOARD

- Public Hearing to Approve the Use of an Alternative Procurement Method (CM/GC) for SY CT Building in Accordance with ORS 297A.060
 - Public Comment
 - Persons wishing to make public comment on agenda items can request a time slot by using this [link](#). Details and directions can be found at the [link](#). Deadline for signups: Wednesday, July 19 at 5:00 pm.
 - 24-001 Approve the Use of an Alternative Procurement Method (CM/GC) for SY CT Building in Accordance with ORS 297A.060.....001
- Public Hearing to Approve the Use of an Alternative Procurement Method (CM/GC) for Rock Creek B2 Project in Accordance with ORS 297A.060
 - Public Comment
 - Persons wishing to make public comment on agenda items can request a time slot by using this [link](#). Details and directions can be found at the [link](#). Deadline for signups: Wednesday, July 19 at 5:00 pm.
 - 24-002 Approve the Use of an Alternative Procurement Method (CM/GC) for RC B2 Project in Accordance with ORS 297A.060.....009

6:55 PM

ADJOURN LOCAL CONTRACT REVIEW BOARD

6:55 PM

RECOGNITION

- Retirement Recognitions

7:10 PM

PRESIDENT'S UPDATES

- President's Reports
 - OSBN Report
 - Achieving the Dream
 - [Personnel Report](#)
 - Other College Updates

7:40 PM

INFORMATION SESSIONS

Enterprise: Cultivate a long-term sustainable college enterprise

- [2023 Legislative Recap](#) – Sage Learn, Chief of Staff & Executive Director of College Relations

8:00 PM

PUBLIC COMMENT ON AGENDA ITEMS

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can request a time slot by using this [link](#). Details and directions can be
found at the link. Deadline for signups: Wednesday, July 19 at 5:00 pm.

8:05 PM

CONSENT AGENDA: (All items will be approved by consent agenda unless an item is
withdrawn by request of a member of the Board. A separate motion will then be
required to act on the item in question.)

PERSONNEL

24-003	Commendation for Retiring Employee- James Earley (13 years)	018
24-004	Commendation for Retiring Employee- Robert Gabris (6 years)	019
24-005	Commendation for Retiring Employee- Nannette Gatchel (29 years)	020
24-006	Commendation for Retiring Employee- Cynthia Golledge (24 years)	021
24-007	Commendation for Retiring Employee- James Lasseter (5 years)	022
24-008	Commendation for Retiring Employee- Katherine McDonald (36 years)	023
24-009	Commendation of Retiring Employee- Ruth McKenna (16 Years)	024
24-010	Commendation for Retiring Employee- Diane Shingledecker (22 years)	025
24-011	Commendation for Retiring Employee- Gayle Wright (21 years)	026

Continuous Appointments:

24-012	Continuous Appointment: Faculty.....	027
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CONTRACTS

24-013	Contract Approval for VMware Upgrades to Dell Technologies	028
24-014	Authorization to Amend Lyon Legal Services Contract for Clear Clinic Legal Services	030
24-015	Authorization to Continue Lease of Printer and Copiers from Xerox	032
24-016	Authorization to Contract for Google Workspace Education Plus	034
24-017	Authorization to Extend Central Distribution Services Warehouse Lease to Icon Owner Pool 1 West, LLC	035
24-018	Authorization to Purchase Manikins - Simulators From Laerdal	037

BOARD

24-019	Approve Payment for Oregon Community College (OCCA) Annual Membership Dues.....	038
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Board of Director's Office at least 48 hours in advance by calling (971) 722-4365 or by email at
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- 24-020 Appointment of Delegate to Attend the Association
Community College Trustees (ACCT)
Governance Leadership Institute in
Washington, DC from August 2-4, 2023.....039
- 8:08 PM **NON-CONSENT**
24-021 College President Compensation Adjustment
for FY 2023-2024.....040
- 8:10 PM **PUBLIC COMMENT ON NON-AGENDA ITEMS**
Persons wishing to make public comment on agenda items
can request a time slot by using this [link](#). Details and directions can be
found at the link. Deadline for signups: Wednesday, July 19 at 5:00 pm.
- 8:25 PM **REPORTS**
- Student Update—Nathaniel Kung, Student Board Trustee
 - PCC Federation of Classified Employees (AFT Local 3922)—Jeff Grider,
President
 - PCC Federation of Faculty and Academic Professionals (AFT Local
2277)—Frank Goulard, President
 - Board Members
- 8:40 PM **ADJOURNMENT**

June 15, 2023

BOARD MEETING MINUTES

ATTENDANCE

Mohamed Alyajouri, Serin Bussell, Laurie Cremona Wagner, Tiffani Penson, Dan Saltzman, Michael Sonnleitner, Kristi Wilson, Suzan Nuri

EXECUTIVE SESSION

The PCC Board of Directors met in accordance with ORS 192.660 (2) to discuss (d) labor negotiations, (h) litigation, (i) employment-related performance.

WORK SESSION

The Board of Directors met in Work Session to discuss 2023-2024 Board Officer Roles. Conversations will continue at the July Board Meeting.

COLLEGE BUDGET COMMITTEE

The Board of Directors met as a College Budget Committee. A brief update was provided by Dina Farrell, Associate Vice President, Finance and Tom Andrews, Manager, Budget Office.

Chair Penson asked for a motion to approve 23-157 Resolution Adopting the Portland Community College Supplemental Budget for the 2021-2023 Biennium, Authorizing Transfers Between Appropriation Units, Categories and Funds; Use of Contingency Funds; And Changes in Total Budget Authority in Accordance with ORS 294.463-473. Cremona Wagner/Alyajouri

Alyajouri – Yes	Penson – Yes	Wilson – Yes
Bussell – Yes	Saltzman – Yes	
Cremona Wagner – Yes	Sonnleitner – Yes	

BUSINESS SESSION

Chair Penson called the Business Meeting to order at 6:45 pm and shared the Land Acknowledgement.

The June 15, 2023 agenda was approved as published. Saltzman/Wilson

Alyajouri – Yes	Penson – Yes	Wilson – Yes
Bussell – Yes	Saltzman – Yes	
Cremona Wagner – Yes	Sonnleitner – Yes	

The May 18, 2023 minutes were approved as published. Alyajouri/Cremona Wagner

Alyajouri – Yes	Penson – Yes	Wilson – Yes
Bussell – Yes	Saltzman – Yes	
Cremona Wagner – Yes	Sonnleitner – Yes	

RECOGNITION

Dr. Bennings recognized Wendy Palmer for 44 years of service at PCC and also recognized Suzan Nuri for her time as the Student Board Member. Directors Alyajouri, and Sonnleitner were also recognized and thanked for their years of service on the Board of Directors. Dr. Heather Lang was recognized for her years of service.

#1TT1

Dr. Bennings highlighted the Frisbee Government Relations Internship Program, and recognized the Legislative Internship Students, ASPCC Student Senate and the Cybersecurity Work Study Students.

PRESIDENT'S UPDATES

Dr. Bennings provided college updates including the topics of Commencement, Legislative Budget Update and the passing of former board member Norma Jean Germond.

INFORMATION SESSIONS

Delivery: Redefine time, place, and systems of educational delivery to create a more learner-centric ecosystem

- Educational Advisory Council (EAC) Annual Update -- Stacie Williams

PUBLIC COMMENT ON AGENDA ITEMS

None

CONSENT AGENDA

Chair Penson proposed approval of Resolutions 23-158 through 23-169.
Bussell/Sonnleitner

Alyajouri – Yes

Penson – Yes

Wilson – Yes

Bussell – Yes

Saltzman – Yes

Cremona Wagner – Yes

Sonnleitner – Yes

PUBLIC COMMENT ON NON-AGENDA ITEMS

None

REPORTS

Reports were provided by Student Board Member Suzan Nuri on behalf of the District Student Council; Frank Goulard, PCC Federation of Faculty and Academic Professionals (AFT Local 2277); and Board Members Alyajouri, Bussell, Cremona Wagner, Penson, Sonnleitner and Wilson made remarks.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:34 pm.

Tiffani Penson, Chair

Dr. Adrien L. Bennings,
President

Prepared by:

Jennifer Hamlin, Board Coordinator

Minutes approved on July 20, 2023

July 20, 2023

24-001

ADOPT FINDINGS - GRANT AN EXEMPTION FROM
COMPETITIVE BIDDING - AUTHORIZE USE OF THE
CONSTRUCTION MANAGER/GENERAL CONTRACTOR
(CMGC) ALTERNATIVE CONTRACTING METHOD FOR
SYLVANIA CAMPUS COMMUNICATIONS TECHNOLOGY
BUILDING RENOVATION AND SITE IMPROVEMENTS
PROJECT

PREPARED BY: John MacLean, Finance & Procurement Manager, Planning & Capital Construction

FINANCIAL
RESPONSIBILITY: Rebecca Ocken, Interim Director, Planning & Capital Construction

APPROVED BY: Eric Blumenthal, Executive Vice President, Administration and Finance
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Delivery: Redefine time, place, and systems of educational delivery to create a more learner-centric ecosystem; Enterprise: Cultivate a long-term sustainable college enterprise

REPORT: The 2022 Bond Program identified the renovation of the existing Communications Technology (CT) Building at the Sylvania Campus as a priority. The CT building was one of the original buildings opened in 1968 and in addition to classrooms and offices contains the Little Theater, the Writing Center, and the North View Gallery. The building requires a complete renovation to update all building systems and meet current programmatic needs. There will be a need for identifying and preparing swing space for programs housed in the CT Building. The project will also require upgrades to the Sylvania Campus grounds including improvements to the entryway from SW 49th Avenue. The estimated total project cost is \$65M with a construction budget of \$45M.

The College has several critical needs related to the work going forward at the Sylvania Campus:

- The service to students at Sylvania Campus must, to the maximum extent possible, continue unimpeded through the anticipated two years of construction;

- Public, student, and staff safety must be protected in a complex, construction environment;
- Disruptions, delays, and unplanned events must be kept to an absolute minimum.

The Construction Manager/General Contractor (CM/GC) form of contracting is a competitive request for a proposal process that requires the contractors to provide detailed information and examples from past projects that demonstrate how they are able to meet the criteria the college sets forth. One of the criteria is utilization of MWESB contractors and subcontractors. They have to demonstrate their commitment, prepare an outreach plan, share utilization from past projects, and their engagement has to be above and beyond the minimum of phone calls and emails. Using a CM/GC process allows for higher MWESB and apprenticeship training percentages. Without the CM/GC contracting process the college will have little to no input into the selection criteria of the subcontractors as the decision would be made solely on price. In addition to use of MWESB contractors, the CM/GC contracting method allows us to look at a contractor's history of promoting a diverse workforce and including respectful workplace programs on the jobsite.

There are also numerous other goals for inclusivity for various College and community stakeholders. Pre-apprenticeship participation and mentorship programs for small general contractors are all desired outcomes.

Because of the complexity of this project, Staff recommends that the Construction Manager/General Contractor (CM/GC) process be utilized. The CM/GC alternative contracting process is authorized for procurement of construction services under ORS 279C.337 provided that the Local Contract Review Board (the Board of Directors for PCC under ORS 297A.060) approves an exemption from competitive bidding. Under the CM/GC contracting method:

- Prospective contractors are solicited prior to completion of the design phase pursuant to a competitive request for proposals (RFP) process, where selection is based upon criteria relating to the experience and expertise of the contractor rather than low bid.
- The contractor works with the owner and engineer during the design phase to develop the final design with the goals of improved constructability and value engineering, which results in fewer change orders and the ability to expedite the

construction schedule. It also enables the contractor to be involved in development of the construction program, including implementation of the College's inclusivity goals. (Under the standard design/bid/build method, the design is completed before the project is bid, award is based upon low bid, and the contractor comes on board at that point.)

- At the end of the design phase, the owner and contractor negotiate and agree on a guaranteed maximum price ("GMP") and the construction schedule for the construction phase of the project. Execution of the GMP Amendment starts the construction phase of the project.

The CM/GC alternative contracting method is commonly used by public contracting agencies for complex projects such as the CT Building renovation project.

Findings:

ORS 279C.335(2), implementing ORS 279C.330, requires the Board to make certain findings in order to grant an exemption, as follows:

"(a) The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts."

Finding: The requested exemption will not encourage favoritism or substantially diminish competition. The College will utilize a competitive RFP process to select the CM/GC firm. The procurement will be formally advertised with public notice. Full competition will be encouraged and all qualified contractors will be invited to submit a proposal. The award will be based upon an objective review and scoring of proposals by a qualified College review committee based on identified selection criteria. Once selected, the CM/GC will select subcontractors via competitive process in accordance with PCC Contracting Rules and as required by ORS 297C.337(3). This competitive process will include outreach to and solicitation of diverse and small contractors pursuant to the College's inclusivity goals.

The CM/GC process should increase competition by maximizing the opportunity for all interested large, small, and/or diverse contractors to participate in the project.

"(b) Awarding a public improvement contract under the exemption will likely result in substantial cost savings and other

substantial benefits to the contracting agency that seeks the exemption. In approving a finding under this paragraph, the local contract review board shall consider the type, cost and amount of the contract and, to the extent applicable to the particular public improvement contract or class of public improvement contracts, the following:

(A) How many persons are available to bid;"

Finding: Based on previous PCC CM/GC contracting processes, the College expects that a substantial number of contractors will be interested in the CT Building project, and that there will be vigorous competition during the RFP process.

"(B) The construction budget and the projected operating costs for the completed public improvement;"

Finding: The estimated project budget is set forth above in the project description. The College has not conducted a detailed analysis of the operating costs, but expects that the improved design resulting from the CM/GC's early participation during the design phase will substantially reduce long-term operating cost.

"(C) Public benefits that may result from granting the exemption;"

Finding: Unlike a traditional design/bid/build procurement, an RFP process allows the District to review the qualification of the proposed GC's project team, ensuring the selected firm(s) has experience and expertise in development of education and related facilities, including the required City of Portland permitting process. This is important to ensure that the selected contractor has the experience and capacity to build and renovate complex facilities on an operating college campus.

Bringing the CM/GC on during the design phase also promotes an early team approach that leads to better communication, continuous value engineering, and improved constructability review, which results in an improved final design and, consequently, a more streamline construction process. The College's past experience with the CM/GC process has been that this reduces change orders and limits delays during the construction phase. The College also expects that the CM/GC team approach will also allow better monitoring by PCC staff to ensure that the Project stays within budget.

The CM/GC process will also enable PCC to work with the contractor to maximize opportunities for participation by minority, women-owned, and emerging small businesses for subcontracting work. This will increase competition among subcontractors. The College's experience with past CM/GC contracts demonstrates that the College achieves higher MWESB utilization and subcontractor participation than it does through traditional contracting methods.

Enhanced teamwork and early participation in the planning process by the Contractor through the CM/GC process will also allow the College to identify multiple internship opportunities for students, and create 'learning lab' opportunities as part of the design and construction process.

Overall, the public benefits of the CM/GC process include cost savings, better achievement of College community goals, and more timely delivery of the project due to fewer changes and disruptions.

"(D) Whether value engineering techniques may decrease the cost of the public improvement."

Finding: Value engineering is a routine practice in public improvement projects regardless of procurement method. The CM/GC delivery method allows for the general contractor to participate in the value engineering process during the design phase, resulting in a more effective and efficient process as compared to value engineering via change orders to a completed design. The inherent flexibility and team approach of the CM/GC process allows the College to more easily change the design and scope of work as necessary to meet the project budget before the final design is fixed. This is not something that the traditional bid process offers. Value engineering may or may not decrease the contract sum but it will improve the College's ability to be able to manage the project within the budget and will reduce extra-cost change orders and the costs associated with the attendant project delay. PCC also expects to be able to take advantage of reduced engineering and other professional consultant service fees as a result of this more streamlined CM/GC approach.

"(E) The cost and availability of specialized expertise that is necessary for the public improvement."

Finding: The CT Building renovation is a complex project and requires a contractor with the expertise and experience to

manage multiple subcontractors, to construct the project while the existing buildings are in use by staff and students, and that understands the particular needs of the College in terms of construction management and project delivery times. The RFP process allows for review of contractor expertise and the particular expertise of the contractor's proposed team not afforded by a low-bid procurement.

"(F) Any likely increases in public safety:"

Finding: The CM/GC process will enhance public safety because PCC will be able to consider the safety record of the contractors selected and because the CM/GC will be integral to planning the construction schedule and safety measures during the design phase. Because the adjacent PCC buildings will be occupied and open to the public throughout the Project, this public safety benefit is particularly important.

"(G) Whether granting the exemption may reduce risks to the contracting agency . . . or the public that are related to the public improvement;"

Finding: The scope and magnitude of the work requires long-term planning and scheduling around the college's academic calendar. The public interest will be best served by establishing a construction methodology that encompasses that capability over the long duration of the Program. Directly involving the contractor in development of these key plans during the design phase will result in a more realistic, achievable, and expeditious schedule.

In addition, the CM/GC process allows the contractor to discover and help address complicated technical issues during the document design process, which facilitates advanced problem-solving. The risks are better understood and are addressed early in the process, reducing financial and schedule risks as a result.

"(H) Whether granting the exemption will affect the sources of funding for the public improvement:"

Finding: This project will be funded by the 2022 Bond Program. There will be no impact on this funding source due to the CM/GC process.

"(I) Whether granting the exemption will better enable the contracting agency to control the impact that market conditions

may have on the cost of and time necessary to complete the public improvement:"

Finding: Because the CM/GC process results in the selection of the general contractor early in the design phase, the College is better able to take advantage of market prices by facilitating early purchase of certain project elements. The essential added value of the CM/GC process is the real time market job costing from projects around the Portland market and the West Coast. This knowledge allows the contractor and architect time to consider less costly complementary or alternative items.

"(J) Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement;"

Finding: These projects are complex and will require careful planning and coordination to reduce the impact on users of the current buildings and parking lots. One of the biggest advantages of the CM/GC method is the ability to coordinate all technical work before the start of construction and more accurately establish a construction schedule. Being able to apply best practices as a team will make for a better product within the budget constraints.

"(K) Whether the public improvement involves new construction or renovates or remodels an existing structure;"

Finding: As noted above, this project involves not just the renovation of the CT Building but also includes swing space and campus landscaping. Remodeling structures is typically much more complex than greenfield development because there are always surprises, sometimes unpleasant, once the project is underway. Conducting such work on an operating campus significantly increases that complexity. Use of the CM/GC process will ensure that the selected contractor has the experience and expertise to do the job.

"(L) Whether the public improvement will be occupied or unoccupied during construction;"

Finding: While CT building will be vacant during construction the swing space construction will be in occupied buildings.

"(M) Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions;"

Finding: P&CC staff will finalize the construction schedule with the selected contractor.

"(N) Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract."

Finding: The College's Office of Planning & Capital Construction has extensive experience in implementing successful CM/GC contracting processes, including the successful projects from the 2008 Bond Program and the current projects funded by the 2017 Bond Program. The District's outside legal counsel, Miller Nash LLP, has extensive experience with the CM/GC alternative contracting methods and has represented the College on multiple CM/GC projects arising from past bond programs.

Ultimate Finding: For these reasons, use of the CM/GC Alternative Contracting Method for the Sylvania Campus Communications Technology Building Renovation Project is likely to result in substantial cost savings and deliver other significant public benefits as compared to use of the standard/bid/build process within the meaning of ORS 279C.335(2)(b).

RECOMMENDATION: That the Board of Directors, acting as the Local Contract Review Board for the College, adopt the findings presented and grant an exemption from competitive bidding for the Sylvania Campus Communications Technology Building renovation project to authorize the use of a CM/GC alternative contracting method for the project. Funding for this project will be from the 2022 Bond Program.

July 20, 2023

24-002

ADOPT FINDINGS - GRANT AN EXEMPTION FROM
COMPETITIVE BIDDING - AUTHORIZE USE OF THE
CONSTRUCTION MANAGER/GENERAL CONTRACTOR
(CMGC) ALTERNATIVE CONTRACTING METHOD FOR THE
ROCK CREEK CAMPUS BUILDING 2 REPLACEMENT
PROJECT

PREPARED BY: John MacLean, Finance & Procurement Manager, Planning & Capital Construction

FINANCIAL
RESPONSIBILITY: Rebecca Ocken, Interim Director, Planning & Capital Construction

APPROVED BY: Eric Blumenthal, Executive Vice President, Administration and Finance
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Delivery: Redefine time, place, and systems of educational delivery to create a more learner-centric ecosystem; Enterprise: Cultivate a long-term sustainable college enterprise

REPORT: The 2022 Bond Program identified the replacement of Building 2 at the Rock Creek Campus as a priority. Building 2 was one of the original buildings opened in 1976. The building no longer meets college needs and has significant maintenance needs. The Facilities Planning carried out during the 2017 bond identified the optimum solution to be to replace the existing 180,000 sq. ft. building with new program specific buildings for the Building Construction Technology Program and the Automotive Service Technology Program. The design phase of the project will determine if these programs can share a new building or will require separate buildings. Once these buildings are complete the existing Building 2 will be demolished and replaced with a new smaller building to provide general instruction spaces and staff/faculty offices. There will be a need for swing spaces on campus for the programs that will remain in the new Building 2. The estimated total project cost is \$84M with a construction budget of \$58M.

The College has several critical needs related to the work going forward at the Rock Creek Campus:

- The service to students at the Rock Creek Campus must, to the maximum extent possible, continue unimpeded through the anticipated three-plus years of construction;
- Public, student, and staff safety must be protected in a complex, construction environment;
- Disruptions, delays, and unplanned events must be kept to an absolute minimum;

The Construction Manager/General Contractor (CM/GC) form of contracting is a competitive request for a proposal process that requires the contractors to provide detailed information and examples from past projects that demonstrate how they are able to meet the criteria the college sets forth. One of the criteria is utilization of MWESB contractors and subcontractors. They have to demonstrate their commitment, prepare an outreach plan, share utilization from past projects, and their engagement has to be above and beyond the minimum of phone calls and emails. Using a CM/GC process allows for higher MWESB and apprenticeship training percentages. Without the CM/GC contracting process the college will have little to no input into the selection criteria of the subcontractors as the decision would be made solely on price. In addition to use of MWESB contractors, the CM/GC contracting method allows us to look at a contractor's history of promoting a diverse workforce and including respectful workplace programs on the jobsite.

There are also numerous other goals for inclusivity for various College and community stakeholders. Pre-apprenticeship participation and mentorship programs for small general contractors are all desired outcomes.

Because of the complexity of this project, Staff recommends that the Construction Manager/General Contractor (CM/GC) process be utilized. The CM/GC alternative contracting process is authorized for procurement of construction services under ORS 279C.337 provided that the Local Contract Review Board (the Board of Directors for PCC under ORS 297A.060) approves an exemption from competitive bidding. Under the CM/GC contracting method:

- Prospective contractors are solicited prior to completion of the design phase pursuant to a competitive request for proposals (RFP) process, where selection is based upon criteria relating to the experience and expertise of the contractor rather than low bid.

- The contractor works with the owner and engineer during the design phase to develop the final design with the goals of improved constructability and value engineering, which results in fewer change orders and the ability to expedite the construction schedule. It also enables the contractor to be involved in development of the construction program, including implementation of the College's inclusivity goals. (Under the standard design/bid/build method, the design is completed before the project is bid, award is based upon low bid, and the contractor comes on board at that point.)
- At the end of the design phase, the owner and contractor negotiate and agree on a guaranteed maximum price ("GMP") and the construction schedule for the construction phase of the project. Execution of the GMP Amendment starts the construction phase of the project.

The CM/GC alternative contracting method is commonly used by public contracting agencies for complex projects such as the Rock Creek Building 2 project.

During the design phase of the project the College will determine if the optimum construction solution is to use a single CM/GC contractor for the entire project or if each building should have its own contractor. The rationale for using the CM/GC contracting method remains the same regardless of whether one contractor or multiple contractors are used.

Findings:

ORS 279C.335(2), implementing ORS 279C.330, requires the Board to make certain findings in order to grant an exemption, as follows:

" (a) The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts."

Finding: The requested exemption will not encourage favoritism or substantially diminish competition. The College will utilize a competitive RFP process to select the CM/GC firm. The procurement will be formally advertised with public notice. Full competition will be encouraged and all qualified contractors will be invited to submit a proposal. The award will be based upon an objective review and scoring of proposals by a qualified College review committee based on identified selection criteria. Once selected, the CM/GC will select

subcontractors via competitive process in accordance with PCC Contracting Rules and as required by ORS 297C.337(3). This competitive process will include outreach to and solicitation of diverse and small contractors pursuant to the College's inclusivity goals.

The CM/GC process should increase competition by maximizing the opportunity for all interested large, small, and/or diverse contractors to participate in the project.

"(b) Awarding a public improvement contract under the exemption will likely result in substantial cost savings and other substantial benefits to the contracting agency that seeks the exemption. In approving a finding under this paragraph, the local contract review board shall consider the type, cost and amount of the contract and, to the extent applicable to the particular public improvement contract or class of public improvement contracts, the following:

(A) How many persons are available to bid;"

Finding: Based on previous PCC CM/GC contracting processes, the College expects that a substantial number of contractors will be interested in the Rock Creek Building 2 project, and that there will be vigorous competition during the RFP process.

"(B) The construction budget and the projected operating costs for the completed public improvement;"

Finding: The estimated project budget is set forth above in the project description. The College has not conducted a detailed analysis of the operating costs, but expects that the improved design resulting from the CM/GC's early participation during the design phase will substantially reduce long-term operating cost.

"(C) Public benefits that may result from granting the exemption;"

Finding: Unlike a traditional design/bid/build procurement, an RFP process allows the District to review the qualification of the proposed GC's project team, ensuring the selected firm(s) has experience and expertise in development of education and related facilities, including the required City of Portland permitting process. This is important to ensure that the selected contractor has the experience and capacity to build

and renovate complex facilities on an operating college campus.

Bringing the CM/GC on during the design phase also promotes an early team approach that leads to better communication, continuous value engineering, and improved constructability review, which results in an improved final design and, consequently, a more streamline construction process. The College's past experience with the CM/GC process has been that this reduces change orders and limits delays during the construction phase. The College also expects that the CM/GC team approach will also allow better monitoring by PCC staff to ensure that the Project stays within budget.

The CM/GC process will also enable PCC to work with the contractor to maximize opportunities for participation by minority, women-owned, and emerging small businesses for subcontracting work. This will increase competition among subcontractors. The College's experience with past CM/GC contracts demonstrates that the College achieves higher MWESB utilization and subcontractor participation than it does through traditional contracting methods.

Enhanced teamwork and early participation in the planning process by the Contractor through the CM/GC process will also allow the College to identify multiple internship opportunities for students, and create 'learning lab' opportunities as part of the design and construction process.

Overall, the public benefits of the CM/GC process include cost savings, better achievement of College community goals, and more timely delivery of the project due to fewer changes and disruptions.

"(D) Whether value engineering techniques may decrease the cost of the public improvement:"

Finding: Value engineering is a routine practice in public improvement projects regardless of procurement method. The CM/GC delivery method allows for the general contractor to participate in the value engineering process during the design phase, resulting in a more effective and efficient process as compared to value engineering via change orders to a completed design. The inherent flexibility and team approach of the CM/GC process allows the College to more easily change the design and scope of work as necessary to meet the project budget before the final design is fixed. This is not something

that the traditional bid process offers. Value engineering may or may not decrease the contract sum but it will improve the College's ability to be able to manage the project within the budget and will reduce extra-cost change orders and the costs associated with the attendant project delay. PCC also expects to be able to take advantage of reduced engineering and other professional consultant service fees as a result of this more streamlined CM/GC approach.

"(E) The cost and availability of specialized expertise that is necessary for the public improvement:"

Finding: The Rock Creek Building 2 replacement is a complex project and requires a contractor with the expertise and experience to manage multiple subcontractors, to construct the project while the existing buildings are in use by staff and students, and that understands the particular needs of the College in terms of construction management and project delivery times. The RFP process allows for review of contractor expertise and the particular expertise of the contractor's proposed team not afforded by a low-bid procurement.

"(F) Any likely increases in public safety:"

Finding: The CM/GC process will enhance public safety because PCC will be able to consider the safety record of the contractors selected and because the CM/GC will be integral to planning the construction schedule and safety measures during the design phase. Because the adjacent PCC buildings will be occupied and open to the public throughout the Project, this public safety benefit is particularly important.

"(G) Whether granting the exemption may reduce risks to the contracting agency . . . or the public that are related to the public improvement;"

Finding: The scope and magnitude of the work requires long-term planning and scheduling around the college's academic calendar. The public interest will be best served by establishing a construction methodology that encompasses that capability over the long duration of the Program. Directly involving the contractor in development of these key plans during the design phase will result in a more realistic, achievable, and expeditious schedule.

In addition, the CM/GC process allows the contractor to discover and help address complicated technical issues during

the document design process, which facilitates advanced problem-solving. The risks are better understood and are addressed early in the process, reducing financial and schedule risks as a result.

"(H) Whether granting the exemption will affect the sources of funding for the public improvement:"

Finding: This project will be funded by the 2022 Bond Program. There will be no impact on this funding source due to the CM/GC process.

"(I) Whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement:"

Finding: Because the CM/GC process results in the selection of the general contractor early in the design phase, the College is better able to take advantage of market prices by facilitating early purchase of certain project elements. The essential added value of the CM/GC process is the real time market job costing from projects around the Portland market and the West Coast. This knowledge allows the contractor and architect time to consider less costly complementary or alternative items.

"(J) Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement;"

Finding: These projects are complex and will require careful planning and coordination to reduce the impact on users of the current buildings and parking lots. One of the biggest advantages of the CM/GC method is the ability to coordinate all technical work before the start of construction and more accurately establish a construction schedule. Being able to apply best practices as a team will make for a better product within the budget constraints.

"(K) Whether the public improvement involves new construction or renovates or remodels an existing structure;"

Finding: As noted above, this project involves not just the replacement of Building but also includes swing space and campus landscaping. Remodeling structures is typically much more complex than greenfield development because there are always surprises, sometimes unpleasant, once the project is underway. Conducting such work on an operating campus

significantly increases that complexity. Use of the CM/GC process will ensure that the selected contractor has the experience and expertise to do the job.

"(L) Whether the public improvement will be occupied or unoccupied during construction;"

Finding: The swing space construction will be in occupied buildings.

"(M) Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions;"

Finding: There will be multiple phases as the various new buildings go through construction and swing space is being built out.

"(N) Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract."

Finding: The College's Office of Planning & Capital Construction has extensive experience in implementing successful CM/GC contracting processes, including the successful projects from the 2008 Bond Program and the current projects funded by the 2017 Bond Program. The District's outside legal counsel, Miller Nash LLP, has extensive experience with the CM/GC alternative contracting methods and has represented the College on multiple CM/GC projects arising from past bond programs.

Ultimate Finding: For these reasons, use of the CM/GC Alternative Contracting Method for the Rock Creek Building 2 Replacement Project is likely to result in substantial cost savings and deliver other significant public benefits as compared to use of the standard/bid/build process within the meaning of ORS 279C.335(2)(b).

RECOMMENDATION: That the Board of Directors, acting as the Local Contract Review Board for the College, adopt the findings presented and grant an exemption from competitive

bidding for the Rock Creek Building 2 Replacement Project to authorize the use of a CM/GC alternative contracting method for the project. Funding for this project will be from the 2022 Bond Program.

July 20, 2023

24-003

COMMENDATION OF RETIRING EMPLOYEE - JAMES
EARLEY (13 YEARS)

PREPARED BY: Michelle M. Lee, People Data & Systems Specialist, People
Strategy Equity & Culture

APPROVED BY: Julie Kinney, People Data & Systems Manager, People
Strategy Equity & Culture
Dr. Steven Nakana, Vice President, People Strategy Equity &
Culture
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a
sense of belonging and well-being for every student

REPORT: James Earley has performed faithfully in his duties as a
Counselor for Portland Community College since June 1,
2010. He retires effective June 20, 2023.

RECOMMENDATION: That the Board commend him for his service to Portland
Community College and wish him well in his retirement years.

July 20, 2023

24-004

COMMENDATION OF RETIRING EMPLOYEE - ROBERT
GABRIS (6 YEARS)

PREPARED BY: Michelle M. Lee, People Data & Systems Specialist, People
Strategy Equity & Culture

APPROVED BY: Julie Kinney, People Data & Systems Manager, People
Strategy Equity & Culture
Dr. Steven Nakana, Vice President, People Strategy Equity &
Culture
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a
sense of belonging and well-being for every student

REPORT: Robert Gabris has performed faithfully in his duties as a
Manager, Risk for Portland Community College since February
22, 2017. He retires effective July 1, 2023.

RECOMMENDATION: That the Board commend him for his service to Portland
Community College and wish him well in his retirement years.

July 20, 2023

24-005

COMMENDATION OF RETIRING EMPLOYEE - NANNETTE
GATCHEL (29 YEARS)

PREPARED BY: Samantha Post Uiterweer, People Data & Systems Specialist,
People Strategy Equity & Culture

APPROVED BY: Julie Kinney, People Data & Systems Manager, People
Strategy Equity & Culture
Dr. Steven Nakana, Vice President, People Strategy
Equity & Culture
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a
sense of belonging and well-being for every student

REPORT: Nannette Gatchel has performed faithfully in her duties in
Outreach and Orientation and Academic Advising for Portland
Community College since June 20th, 1994. She retires
effective June 16, 2023.

RECOMMENDATION: That the Board commend her for her service to Portland
Community College and wish her well in her retirement years.

July 20, 2023

24-006

COMMENDATION OF RETIRING EMPLOYEE - CYNTHIA
GOLLEDGE (24 YEARS)

PREPARED BY: Michelle M. Lee, People Data & Systems Specialist, People
Strategy Equity & Culture

APPROVED BY: Julie Kinney, People Data & Systems Manager, People
Strategy Equity & Culture
Dr. Steven Nakana, Vice President, People Strategy Equity &
Culture
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a
sense of belonging and well-being for every student

REPORT: Cynthia Golledge has performed faithfully in her duties as an
Instructor, Psychology for Portland Community College since
August 21, 1999. She retires effective July 1, 2023.

RECOMMENDATION: That the Board commend her for her service to Portland
Community College and wish her well in her retirement years

July 20, 2023

24-007

COMMENDATION FOR RETIRING EMPLOYEE- JAMES LASSETER (5 YEARS)

PREPARED BY: Melissa Morton, Total Rewards Specialist, People, Strategy, Equity & Culture

APPROVED BY: Julie Kinney, People Data & Systems Manager, People Strategy Equity & Culture
Dr. Steven Nakana, Vice President, People Strategy Equity & Culture
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a sense of belonging and well-being for every student

REPORT: James Lasseter has performed faithfully in his duties as Buyer, Contract Specialist for Portland Community College since September 24, 2018. He retires effective June 30, 2023.

RECOMMENDATION: That the Board commend him for his service to Portland Community College and wish him well in his retirement years.

July 20, 2023

24-008

COMMENDATION OF RETIRING EMPLOYEE - KATHERINE
MCDONALD (36 YEARS)

PREPARED BY: Michelle M. Lee, People Data & Systems Specialist, People
Strategy Equity & Culture

APPROVED BY: Julie Kinney, People Data & Systems Manager, People
Strategy Equity & Culture
Dr. Steven Nakana, Vice President, People Strategy Equity &
Culture
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a
sense of belonging and well-being for every student

REPORT: Katherine McDonald has performed faithfully in her duties as
an Institutional Research Clerk, Media Center Assistant,
Publications Assistant, Marketing Manager and Publications
Specialist for Portland Community College since September
21, 1987. She retires effective July 28, 2023.

RECOMMENDATION: That the Board commend her for her service to Portland
Community College and wish her well in her retirement years

July 20, 2023

24-009

COMMENDATION OF RETIRING EMPLOYEE - RUTH
MCKENNA (16 YEARS)

PREPARED BY: Samantha Post Uiterweer, People Data & Systems Specialist,
People Strategy Equity & Culture

APPROVED BY: Julie Kinney, People Data & Systems Manager, People
Strategy Equity & Culture
Dr. Steven Nakana, Vice President, People Strategy
Equity & Culture
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a
sense of belonging and well-being for every student

REPORT: Ruth McKenna has performed faithfully in her duties as a
Counselor for Portland Community College since August 21st,
2007. She retires effective June 30th, 2023.

RECOMMENDATION: That the Board commend her for her service to Portland
Community College and wish her well in her retirement years.

July 20, 2023

24-010

COMMENDATION OF RETIRING EMPLOYEE - DIANE
SHINGLEDECKER (22 YEARS)

PREPARED BY: Michelle M. Lee, People Data & Systems Specialist, People
Strategy Equity & Culture

APPROVED BY: Julie Kinney, People Data & Systems Manager, People
Strategy Equity & Culture
Dr. Steven Nakana, Vice President, People Strategy Equity &
Culture
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a
sense of belonging and well-being for every student

REPORT: Diane Shingledecker has performed faithfully in her duties as a
Instructor, Comp Appl/Office Syst, Associate Dean, Division
Dean and Program Dean/Comp & Engineering for Portland
Community College since September 24, 2001. She retires
effective June 20, 2023.

RECOMMENDATION: That the Board commend her for her service to Portland
Community College and wish her well in her retirement years.

July 20, 2023

24-011

COMMENDATION FOR RETIRING EMPLOYEE-
GAYLE WRIGHT (21 YEARS)

PREPARED BY: Samantha Post Uiterweer, People, Data, & Systems Specialist,
People, Strategy, Equity, & Culture

APPROVED BY: Julie Kinney, People Data & Systems Manager, People
Strategy Equity & Culture
Dr. Steven Nakana, Vice President, People Strategy Equity &
Culture
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a
sense of belonging and well-being for every student

REPORT: Gayle Wright has faithfully performed her duties as an
Instructor, Radiography for Portland Community College since
August 21, 2002. She retires effective June 30, 2023.

RECOMMENDATION: That the Board commend her for her service to Portland
Community College and wish her well in her retirement years.

July 20, 2023

24-012

CONTINUOUS APPOINTMENT: FACULTY

PREPARED BY: Snehal Patil, Employee Relations Specialist, People Strategy Equity & Culture

APPROVED BY: Dr. Steven Nakana, Vice President, People Strategy Equity & Culture
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a sense of belonging and well-being for every student

REPORT: The President RECOMMENDS that the following Academic Professionals, having fulfilled the required probationary period, be granted continuous appointment, effective September 1, 2023:

RECOMMENDATION:	<u>Continuous Appointments</u>	<u>Job Title</u>
	Aaron Reyes	Instructor / Welding
	Todd Barnett	Instructor / Welding
	David Williams	Instructor / Welding

July 20, 2023

24-013

CONTRACT APPROVAL FOR VMWARE UPGRADES TO
DELL TECHNOLOGIES

PREPARED BY: John MacLean, Finance & Procurement Manager, Planning & Capital Construction

FINANCIAL
RESPONSIBILITY: Rebecca Ocken, Interim Director, Planning & Capital Construction

APPROVED BY: Eric Blumenthal, Executive Vice President, Administration and Finance
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Enterprise: Cultivate a long-term sustainable college enterprise

REPORT: The 2022 Bond includes funding for IT and Public Safety upgrades across the district.

P&CC and IT staff have identified a need to upgrade the VXRail network infrastructure across the district. This supports critical college software including the college's ERP Banner and Public Safety Cameras

The VXRail portion was approved by the board at the May 2023 meeting through BA 23-114. The College now needs to purchase the associated VMWare for both the IT network and the Public Safety Camera system.

The licenses will be provided by Dell Technologies who are on a cooperative contract issued by the National Cooperative Purchasing Alliance, reference number 01-42. The Community College Rules of Procurement Section CCR-205 exempts the college from a competitive process when using an approved cooperative contract.

Dell Technologies have provided a quote for \$2,310,719 for the required software licenses. PCC staff have reviewed the quote and recommend acceptance.

In this instance, a COBID certified firm does not hold a contract for the goods and related services being procured.

RECOMMENDATION: That the Board of Directors authorize PCC to execute a contract with Dell Technologies for \$2,310,719 for VMware licenses. Funding will be from the 2022 Bond Program.

July 20, 2023

24-014

AUTHORIZATION TO AMEND LYON LEGAL SERVICES
CONTRACT FOR CLEAR CLINIC LEGAL SERVICES

PREPARED BY: Michael Mathews, Director, Procurement & Contracting

FINANCIAL
RESPONSIBILITY: Kendi Esary, Senior Director of Student Life and Leadership,
Student Support and Operations

APPROVED BY: Josh Peters McBride, Executive Dean, College Operations
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a
sense of belonging and well-being for every student;
Workforce: Respond to community and workforce needs by
developing a culture of agility

REPORT: The Portland Community College CLEAR Clinic is a free,
limited-scope legal services clinic that has been operating out
of PCC Cascade since the summer of 2020. The Clinic is
staffed by attorneys, paralegal interns, and law student externs,
and provides students with the opportunity to gain the practical
skills needed to succeed in the legal field while working to
increase access to justice for their community. The Clinic's
main areas of legal focus are immigration, landlord-tenant law,
and expungements. The CLEAR Clinic was awarded a grant
by the City of Portland Housing Bureau to assist in realizing the
Right to Counsel in Eviction Proceedings for the Portland metro
area. An Informal Proposal Request process was conducted in
early 2022 and posted on OregonBuys. One proposal was
received and a contract was awarded to Lyon Legal Services
LLC in February 2022.

The City of Portland Grant was extended to December 31,
2023, necessitating extending and increasing funding to Lyon
Legal Services.

Lyon Legal Services LLC is not registered/certified by COBID
or any other entity that provides diverse vendor certification.

RECOMMENDATION: That the Board approve an increase of \$35,750.00 to the
contract with Lyon Legal Services LLC for a new maximum
allowable payment of \$184,406.00. Expenditures for this

contract will come from the City of Portland Housing Bureau Grant.

July 20, 2023

24-015

AUTHORIZATION TO CONTINUE LEASE OF PRINTER AND
COPIERS FROM XEROX

PREPARED BY: Michael Mathews, Director, Procurement & Contracting

FINANCIAL
RESPONSIBILITY: Amber Mendel, Director, Auxiliary Services

APPROVED BY: Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a sense of belonging and well-being for every student; Delivery: Redefine time, place, and systems of educational delivery to create a more learner-centric ecosystem; Workforce: Respond to community and workforce needs by developing a culture of agility; Enterprise: Cultivate a long-term sustainable college enterprise

REPORT: The College Print Center produces print and digital materials for students, faculty, staff, or community member. Services include printing, paper, copiers, posters, design services, book binding, and more.

To maintain Business continuity and current leases on Xerox equipment including maintenance and upkeep for larger networked print services across the district. To include all College Print Center equipment, service, maintenance, and supplies. The College is requesting to extend the previously authorized leases through 2027 for equipment currently in place.

Xerox Leases are entered into utilizing the Omnia Partners cooperative contract number R171406. ORS 279A.200-225 and the Community College Rules of Procurement CCR.205 permit the College to utilize this cooperative contract.

The lease amount is \$325,000.00 per year for a total of \$1,300,000.00

Xerox is not registered/certified by COBID or other entity that provides diverse vendor certification.

RECOMMENDATION: The Board authorizes the College to continue the Lease agreements with Xerox for a term of 4 years at a total cost of

\$1,300,000.00 Expenditures for these leases will come from General fund.

July 20, 2023

24-016

AUTHORIZATION TO CONTRACT FOR GOOGLE
WORKSPACE EDUCATION PLUS

PREPARED BY: Michael Mathews, Director, Procurement & Contracting

FINANCIAL
RESPONSIBILITY: Michael Northover, Chief Information Officer, Information
Technology

APPROVED BY: Dr. Adrien L. Bennings, President

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a sense of belonging and well-being for every student; Delivery: Redefine time, place, and systems of educational delivery to create a more learner-centric ecosystem; Workforce: Respond to community and workforce needs by developing a culture of agility; Enterprise: Cultivate a long-term sustainable college enterprise

REPORT: The college has a need to continue services with Google Workspace Education Plus for the Domain pcc.edu. These services are critical to support success for students and college operations. Google Workspace provides a comprehensive platform with custom email addresses for the college and collaboration tools like Gmail, Calendar, Meet, Chat, Drive, Docs, Sheets, Slides, Forms, Sites, and more.

This request to contract encompasses a three-year subscription for 13,925 licenses at a rate of \$4.25 per unit for an annual cost of \$59,181.25.

Google is not registered/certified by COBID or any other entity that provides diverse vendor certification.

RECOMMENDATION: The Board authorizes the College to contract for Google Workspace Education Plus. The cost over the three-year term will be \$177,543.75. Expenditures will come from the General fund.

July 20, 2023

24-017

AUTHORIZATION TO EXTEND CENTRAL DISTRIBUTION
SERVICES WAREHOUSE LEASE TO ICON OWNER POOL 1
WEST, LLC

PREPARED BY: Michael Mathews, Director, Procurement & Contracting

FINANCIAL
RESPONSIBILITY: Brad Ortman, Director, Facilities Management Services

APPROVED BY: Eric Blumenthal, Executive Vice President, Administration and
Finance
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Delivery: Redefine time, place, and systems of educational
delivery to create a more learner-centric ecosystem; Workforce:
Respond to community and workforce needs by developing a
culture of agility; Enterprise: Cultivate a long-term sustainable
college enterprise

REPORT: Central Distribution Services (CDS) supports the College
mission and strategic plan through support services that
include mail delivery, library book transfers, shipping and
receiving, warehousing, public surplus sales, property/asset
management, equipment surplus/transfer, and fleet
management.

The College has a need to extend the current lease agreement
at the Central Distribution Services location. At this time, the
College would like to extend the lease for an additional (5) five-
year term. The College's Central Distribution Services (CDS)
function is currently housed in leased property at The Nelson
Business center, located at 6713 SW Bonita Rd, Tigard, OR
97224. In 2013, lease negotiations (BA 13-085) resulted in a
63-month lease agreement (PCC #235-13) which was
extended on August 31, 2018 (BA 18-148) for an additional five
years.

The costs include recurring charges of base rent and the
College's share of operating expenses and real property taxes
(estimated based on current charges) plus an additional one-
time security deposit. A 4% annual increase has been applied
to the recurring charges.

Icon Owner Pool 1West LLC is not registered/certified by COBID or any other entity that provides diverse vendor certification.

RECOMMENDATION: That the Board approve extension of the lease for the CDS Warehouse with Icon Owner Pool 1 West, LLC. Cost over the (5) five-year term will be approximately \$1,281,020.73 including a 10% contingency. Expenditures for this lease will come from the General fund.

July 20, 2023

24-018

AUTHORIZATION TO PURCHASE MANIKINS/SIMULATORS
FROM LAERDAL

PREPARED BY: Michael Mathews, Director, Procurement and Contracting

FINANCIAL
RESPONSIBILITY: Dr. Karen Paez, Associate Vice President of Academic &
Career Pathways

APPROVED BY: Dr. Katy W. Ho, Vice President, Academic Affairs
Dr. Adrien L. Bennings, President

STRATEGIC THEME: Delivery: Redefine time, place, and systems of educational
delivery to create a more learner-centric ecosystem;
Workforce: Respond to community and workforce needs by
developing a culture of agility;
Enterprise: Cultivate a long-term sustainable college enterprise

REPORT: The Healthcare & Emergency Professions (HEP) Pathway has
identified the need to procure equipment for the Certified
Nursing Assistant (CNA) Program.

A Higher Education Coordinating Commission (HECC) Grant
has made it possible for the HEP Pathway to procure supplies
and equipment for labs including 10 Laerdal "Manikins" /
Simulators and associated supplies utilizing the BuyBoard
cooperative contract number 610-20. ORS 279A.200-225 and
the Community College Rules of Procurement CCR.205 permit
the College to utilize this cooperative contract.
The total cost of the order is \$165,586.70.

There are no firms registered with the Oregon Certification
Office for Business Inclusion and Diversity that are able provide
this equipment.

RECOMMENDATION: That the Board ratify the purchase of the Laerdal
"Manikins"/Simulators in the amount of \$165,586.70.
Expenditures for this contract will come from State of Oregon
HECC Grant funds.

July 20, 2023

24-019

AUTHORIZATION PAYMENT FOR OREGON
COMMUNITY COLLEGE ANNUAL MEMBERSHIP DUES

PREPARED BY: Jennifer Hamlin, Board Coordinator, Office of the President

FINANCIAL
RESPONSIBILITY: Dr. Adrien L. Bennings, President

APPROVED BY: Dr. Adrien L. Bennings, President

STRATEGIC THEME: Enterprise: Cultivate a long-term sustainable college
enterprise

REPORT: Oregon Community College Association (OCCA) is an advocacy and convening organization for all 17 community colleges across the state. Portland Community College has maintained membership with OCCA for many years. The services offered by OCCA include membership in the Oregon President's Council and Legislative Support. Increase in these fees requires board approval in accordance with Board Policy B505 Purchasing and Contracting. The membership fees are based on FTE of the student population. All colleges pay a flat fee and a portion is also based on FTE of the previous year (2022-2023). The membership is from July 1, 2023-June 30, 2024. Membership with OCCA addresses the strategic theme to cultivate a long-term sustainable college enterprise. Sustainability is the capacity to continue mission-aligned services while promoting economic prosperity, social equity and environmental stewardship. This "triple bottom line" approach informs the college's mission, vision, and values, and promotes PCC as a positive economic, social, and environmental steward.

RECOMMENDATION: That Portland Community College continues to be a member of OCCA by approving the membership fee and renewal of the board policy service of \$192,306.99 for the 2023-2024 FY. This expense will be paid from the President's Budget.

July 20, 2023

24-020

APPOINTMENT OF DELEGATE TO ATTEND THE
ASSOCIATION COMMUNITY COLLEGE TRUSTEES
(ACCT) GOVERNANCE LEADERSHIP INSTITUTE IN
WASHINGTON, DC FROM AUGUST 2-4, 2023

PREPARED BY: Jennifer Hamlin, Board Coordinator, Office of the President

FINANCIAL
RESPONSIBILITY: Dr. Adrien L. Bennings, President

APPROVED BY: Dr. Adrien L. Bennings, President
Tiffani Penson, Chair, PCC Board of Directors

STRATEGIC THEME: Belonging: Transform our learning culture toward creating a sense of belonging and well-being for every student; Delivery: Redefine time, place, and systems of educational delivery to create a more learner-centric ecosystem; Workforce: Respond to community and workforce needs by developing a culture of agility; Enterprise: Cultivate a long-term sustainable college enterprise

REPORT: In accordance with Board Policy B 210, the Board of Directors recognizes the benefits derived by the College through membership in various educational organizations and from attendance of directors at state and national meetings which deal with community college issues. The Chair and Vice Chair have considered a slate of delegates to attend the 2023 (ACCT) Governance Leadership Institute in Washington DC from August 1 - 4, 2023.

RECOMMENDATION: That the Board of Directors approves Kien Truong to attend the ACCT Governance Leadership Institute.

July 20, 2023

24-021

COLLEGE PRESIDENT COMPENSATION ADJUSTMENT
FOR FY 2023-2024

PREPARED BY: Michaelyn Seals, Total Rewards Director, People Equity Strategy and Culture

APPROVED BY: Dr. Steven Nakana, Vice President, People Equity Strategy and Culture
Eric Blumenthal, Executive Vice President, Administration & Finance
Tiffani Penson, Chair, PCC Board of Directors

STRATEGIC THEME: Enterprise: Cultivate a long-term sustainable college enterprise

REPORT: This resolution is to adjust the compensation of the PCC President for FY 2023-2024 in accordance with the base salary provisions of the President's employment contract.

Per Section 4 of the employment contract, the Board may adjust the President's base salary annually as part of the performance review process detailed in the evaluation section of the contract. Any adjustment to salary or benefits pursuant to the performance review process shall be approved by the vote of the Board in public session.

In accordance with the contract, if the performance review process occurs after July 1, any adjustment to the base salary approved as a result of the performance review process shall be retroactive to July 1.

Given the exemplary performance of the President as determined by the Board through the annual evaluation process, and in consultation with the People, Equity, Strategy, and Culture division as to an appropriate base salary adjustment, the following base salary adjustment is recommended consistent with the analysis of local, regional, and national annual percentage increases for community college presidents.

RECOMMENDATION: That the Board of Directors approve the following adjustment to the base salary of the College President:

That the President's base salary for FY 2023-2024 shall be increased by 5% to \$308,574 retroactive to July 1, 2023.

It is against the College's policy for any manager, supervisor, faculty member, staff member, or student to engage in prohibited harassment or discrimination of any member of the College community. PCC adheres to all federal, state, and local civil rights laws and regulations prohibiting discrimination in public institutions of higher education, including applicable provisions of the Civil Rights Act of 1964 (as amended); related Executive Orders 11246 and 11375; Title IX of the Education Amendments Act of 1972; Section 504 of the Rehabilitation Act of 1973; Titles I and II of the Americans with Disabilities Act of 1990 (as amended); the Age Discrimination in Employment Act, the Uniformed Service Employment and Reemployment Rights Act, and all applicable federal, state, and local civil rights laws. PCC does not discriminate against any employee, applicant for employment, student, or applicant for admission on the race, color, religion, national origin, sex, marital status, disability, veteran status, age, sexual orientation, or any other status protected by federal, state, or local law including protections for those opposing discrimination or participating in any resolution process on campus, with the Equal Employment Opportunity Commission or other human rights agencies. This policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the PCC community who acts to deny, deprive, or limit the educational or employment and/or social access, benefits, and/or opportunities of any member of the PCC community, guest, or visitor on the basis of their actual or perceived membership in the protected classes listed above is in violation of PCC's policy on nondiscrimination.