

ROWAN UNIVERSITY
BOARD OF TRUSTEES MEETING

APRIL 25, 2007

AGENDA

SCHEDULE

3 p.m.

CLOSED AND PUBLIC SESSIONS

Eynon Ballroom

CALL TO ORDER

OPEN PUBLIC MEETINGS ACT STATEMENT

MOTION TO GO INTO CLOSED SESSION (IF NECESSARY)

Room 221
Student Center

Personnel and Litigation Matters

RETURN TO PUBLIC SESSION

Eynon Ballroom

PUBLIC HEARING

Hearing on Tuition for FY08

APPROVAL OF MINUTES FOR JANUARY 12, 2007 AND FEBRUARY 28, 2007

REPORTS:

Board Chair

President

Committee Reports: Academic Affairs
Audit
Budget and Finance
Facilities
Student Affairs
University Advancement

PUBLIC COMMENTS

Please Note: Individuals may speak only in reference to those resolutions under consideration for Board Action. All other comments will be heard prior to New Business if the President's Office was properly notified.

ACTION ITEMS

- | | | |
|----|---|------------------|
| A. | BOARD COMMENDATION | RESOLUTION #1 |
| B. | PERSONNEL ACTIONS | RESOLUTION #2 |
| C. | CONFERRAL OF PROFESSOR EMERITUS STATUS | RESOLUTION #3a-n |
| | a. Donald Bagin | |
| | b. Edward Behm | |
| | c. William Bradley | |
| | d. Marie Cammarota | |
| | e. Herbert Douglas | |
| | f. Linda Jeffrey | |
| | g. George Leder | |
| | h. Richard Meagher | |
| | i. Kumiko Murashima | |
| | j. Randall Robinson | |
| | k. Barbara Sjostrom | |
| | l. William Travis | |
| | m. Stanley Urban | |
| | n. Chester Zimolzak | |
| D. | RETIREMENT COMMENDATIONS | RESOLUTION #4a,b |
| | a. Mary Marino | |
| | b. Joyce Rigdon | |
| E. | APPROVAL OF SABBATICAL LEAVES | RESOLUTION #5 |
| F. | APPROVAL TO REQUEST A WAIVER TO CHANGE AMERICAN STUDIES FROM A SPECIALIZATION UNDER LIBERAL STUDIES TO A BACHELOR OF ARTS IN AMERICAN STUDIES | RESOLUTION #6 |
| G. | APPROVAL OF MASTER OF ENGINEERING MANAGEMENT | RESOLUTION #7 |
| H. | APPROVAL FOR FLEXIBLE WORKING SCHEDULES AND A FOUR-DAY SUMMER WORKWEEK | RESOLUTION #8 |
| I. | APPROVAL OF POLICY FOR AWARDING TIME AND MATERIALS CONTRACTS | RESOLUTION #9 |
| J. | APPROVAL OF SALE OF REAL PROPERTY | RESOLUTION #10 |
| K. | APPROVAL OF DISPOSITION OF SURPLUS PERSONAL PROPERTY OWNED BY THE UNIVERSITY | RESOLUTION #11 |

- L. AWARD OF CONTRACTS WITHOUT COMPETITIVE BIDDING
- a. General Electric
 - b. TouchNet
 - c. 69 KV Substation Project

RESOLUTION #12a-c

PUBLIC COMMENTS

Individual remarks must be consistent with the topic previously listed with the President's Office.

NEW BUSINESS

COMMENTS BY TRUSTEES

ADJOURNMENT

RESOLUTION #1

BOARD COMMENDATION

WHEREAS, Matthew Browne holds the distinction of serving as a student member of the Rowan University Board of Trustees, and

WHEREAS, he has represented the student body of this University in an exemplary manner during his term of office, and

WHEREAS, during his tenure as the student voting member he has fulfilled his obligations as a dedicated, enlightened and enthusiastic young man who has gained the respect of the University community, as well as the admiration of his colleagues on the Board

THEREFORE BE IT RESOLVED and spread upon these minutes, that we acknowledge with deep appreciation his dedicated efforts on behalf of Rowan University and congratulate him while at the same time we wish him continued success and personal fulfillment in all future endeavors.

RESOLUTION #2

PERSONNEL ACTIONS

BE IT RESOLVED that the Board of Trustees accepts and approves the following recommendations concerning personnel actions.

<u>Name</u>	<u>Highest Degree</u>	<u>Rank</u>	<u>Department</u>	<u>Effective Dates</u>
<u>NEW APPOINTMENTS</u>				
Abi-El-Mona, Issam	M.A.	Assistant Professor	Teacher Education	9/1/07-6/30/08
Bryant, Thomas	Ph.D.	Professor	Management/MIS	9/1/07-6/30/10
*Campbell, Robert	Ed.D.	Assistant Professor	Educational Leadership	9/1/07-6/30/08
Cone, Theresa	Ph.D.	Assistant Professor	Health and Exercise Science	9/1/07-6/30/08
‡Davidson, Christina	M.A.	PSS 4	Alumni Relations	4/4/07-6/30/08
‡DeValerio, Amanda	M.A.	Coordinator	CPCE	3/19/07-6/30/08
Drury, Thomas	B.A.	Acting Exec. Dir. & Chief Exec. Officer	South Jersey Technology Park	2/19/07-6/30/08
Farney, Steven	M.B.A.	Interim Asst. to the Dean	College of Education	7/1/07-6/30/08
‡Hogan, Kathryn	B.F.A.	PSS 4	University Web Services	4/16/07-6/30/08
+Jamieson, Peter	M.A.	Interim Assoc. Director	Ctr. for Innovation & Entrepreneurship	3/1/07-2/29/08
Moore, Edward	M.A.	Associate Professor	Public Relations/Advertising	9/1/07-6/30/08
‡Regan-Butts, Elizabeth	M.B.A.	Assistant Director	University Marketing	3/21/07-6/30/08
Saum, Christine	Ph.D.	Assistant Professor	Law and Justice Studies	9/1/07-6/30/08
Simone, Maria	Ph.D.	Assistant Professor	Communication Studies	9/1/07-6/30/08
‡Snyder, Rebecca	M.A.	PSS2	CPCE	3/26/07-6/30/08
<u>ADJUNCTS</u>				
Carlson, Jeanne	Ed.D.		Teacher Education	
Purcell, Anne	Ed.D.		Teacher Education	
<u>PART-TIME COACH</u>				
Godfrey, Robert	-	Asst. Track Coach	Athletics	1/20/07-6/30/07
<u>GRADUATE ASSISTANTS</u>				
Fisher, Ian	B.A.		Women Studies	1/31/07-6/30/07
Leidolf, Elizabeth	M.A.		Rohrer College of Business	1/31/07-6/30/07
<u>RETIREMENTS</u>				
Behm, Edward			Geography/Anthropology	6/30/07
Cammarota, Marie			Special Ed. Services/Instruction	6/30/07
Douglas, Herbert			Law/Justice Studies	6/30/07
Jeffrey, Linda			Psychology	6/30/07
Leder, George			Chemistry and Biochemistry	6/30/07
Meagher, Richard			Biological Sciences	6/30/07
Rigdon, Joyce			Institutional Research and Planning	4/30/07
Robinson, Randall			Teacher Education	6/30/07
Travis, William			Art Department	6/30/07
Urban, Stanley			Special Ed. Services/Instruction	6/30/07
Zimolzak, Chester			Geography/Anthropology	6/30/07

(continued)

RESOLUTION #2 (continued)

RESIGNATIONS

Clarke, William	College of Education-Student Serv.Ctr.	8/31/07
Farbman, Jacob	Public Relations/Advertising	6/30/07
Ganske, Kathy	Reading	6/30/07
Jackson, Wayne	EOF/MAP	1/18/07
Jellig, Julie	Mathematics	7/1/07
Spencer, John	Foundations of Education	6/30/07

**temporary/‡new position/+grant funded*

RESOLUTION #3a

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, Donald Bagin has served Rowan University diligently and well for 41 years, and

WHEREAS, Donald Bagin retired from the service of the State of New Jersey and faculty of Rowan University on June 30, 2006

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of Donald Bagin, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates Donald Bagin as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for his years of devoted service to our University community and the citizens of this state.

RESOLUTION #3b

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, Edward Behm has served Rowan University diligently and well for 36 years, and

WHEREAS, Edward Behm has determined that he will retire from the service of the State of New Jersey and faculty of Rowan University on June 30, 2007

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of Edward Behm, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates Edward Behm as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for his years of devoted service to our University community and the citizens of this state.

RESOLUTION #3c

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, William Bradley has served Rowan University diligently and well for 38 years, and

WHEREAS, William Bradley retired from the service of the State of New Jersey and faculty of Rowan University on December 31, 2006

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of William Bradley, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates William Bradley as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for his years of devoted service to our University community and the citizens of this state.

RESOLUTION #3d

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, Marie Cammarota has served Rowan University diligently and well for 19 years,
and

WHEREAS, Marie Cammarota has determined that she will retire from the service of the State of
New Jersey and faculty of Rowan University on June 30, 2007

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of Marie
Cammarota, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates Marie Cammarota as
Professor Emeritus, with all the rights, privileges and responsibilities appertaining
thereto, in recognition and deep appreciation for her years of devoted service to our
University community and the citizens of this state.

RESOLUTION #3e

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, Herbert Douglas has served Rowan University diligently and well for 27 years, and

WHEREAS, Herbert Douglas has determined that he will retire from the service of the State of New Jersey and faculty of Rowan University on June 30, 2007

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of Herbert Douglas, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates Herbert Douglas as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for her years of devoted service to our University community and the citizens of this state.

RESOLUTION #3f

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, Linda Jeffrey has served Rowan University diligently and well for 34 years, and

WHEREAS, Linda Jeffrey has determined that she will retire from the service of the State of New Jersey and faculty of Rowan University on June 30, 2007

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of Linda Jeffrey, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates Linda Jeffrey as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for her years of devoted service to our University community and the citizens of this state.

4/25/07

RESOLUTION #3g

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, George Leder has served Rowan University diligently and well for 35 years, and

WHEREAS, George Leder has determined that he will retire from the service of the State of New Jersey and faculty of Rowan University on June 30, 2007

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of George Leder, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates George Leder as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for her years of devoted service to our University community and the citizens of this state.

RESOLUTION #3h

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, Richard Meagher has served Rowan University diligently and well for 38 years, and

WHEREAS, Richard Meagher has determined that he will retire from the service of the State of New Jersey and faculty of Rowan University on June 30, 2007

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of Richard Meagher, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates Richard Meagher as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for her years of devoted service to our University community and the citizens of this state.

RESOLUTION #3i

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, Kumiko Murashima has served Rowan University diligently and well for 36 years, and

WHEREAS, Kumiko Murashima has determined that she will retire from the service of the State of New Jersey and faculty of Rowan University on June 30, 2007

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of Kumiko Murashima, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates Kumiko Murashima as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for her years of devoted service to our University community and the citizens of this state.

RESOLUTION #3j

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, Randall Robinson has served Rowan University diligently and well for 42 years, and

WHEREAS, Randall Robinson has determined that he will retire from the service of the State of New Jersey and faculty of Rowan University on June 30, 2007

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of Randall Robinson, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates Randall Robinson as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for his years of devoted service to our University community and the citizens of this state.

RESOLUTION #3k

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, Barbara Sjostrom has served Rowan University diligently and well for 15 years, and

WHEREAS, Barbara Sjostrom retired from the service of the State of New Jersey and faculty of Rowan University on December 31, 2006

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of Barbara Sjostrom, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates Barbara Sjostrom as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for her years of devoted service to our University community and the citizens of this state.

RESOLUTION #31

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, William Travis has served Rowan University diligently and well for 36 years, and

WHEREAS, William Travis has determined that he will retire from the service of the State of New Jersey and faculty of Rowan University on June 30, 2007

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of William Travis, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates William Travis as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for his years of devoted service to our University community and the citizens of this state.

RESOLUTION #3m

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, Stanley Urban has served Rowan University diligently and well for 35 years, and

WHEREAS, Stanley Urban has determined that he will retire from the service of the State of New Jersey and faculty of Rowan University on June 30, 2007

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of Stanley Urban, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates Stanley Urban as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for his years of devoted service to our University community and the citizens of this state.

RESOLUTION #3n

CONFERRAL OF PROFESSOR EMERITUS STATUS

WHEREAS, Chester Zimolzak has served Rowan University diligently and well for 33 years, and

WHEREAS, Chester Zimolzak has determined that he will retire from the service of the State of New Jersey and faculty of Rowan University on June 30, 2007

THEREFORE BE IT RESOLVED that the Board of Trustees accepts the retirement of Chester Zimolzak, and

NOW BE IT FURTHER RESOLVED that the Board of Trustees designates Chester Zimolzak as Professor Emeritus, with all the rights, privileges and responsibilities appertaining thereto, in recognition and deep appreciation for his years of devoted service to our University community and the citizens of this state.

RESOLUTION #4a

RETIREMENT COMMENDATION

WHEREAS, Mary Marino served Rowan University with distinction for 20 years, and

WHEREAS, Mary Marino will retire from the service of the State of New Jersey and Rowan University on June 30, 2007, and

WHEREAS, this Board recognizes her outstanding contributions and dedication to the University community as a whole

THEREFORE BE IT RESOLVED and spread upon the minutes of this Board that we acknowledge and accept her retirement, while at the same time we wish her a happy and rewarding life in all future endeavors.

RESOLUTION #4b

RETIREMENT COMMENDATION

WHEREAS, Joyce Rigdon served Rowan University with distinction for 19 years, and

WHEREAS, Joyce Rigdon will retire from the service of the State of New Jersey and Rowan University on April 30, 2007, and

WHEREAS, this Board recognizes her outstanding contributions and dedication to the University community as a whole

THEREFORE BE IT RESOLVED and spread upon the minutes of this Board that we acknowledge and accept her retirement, while at the same time we wish her a happy and rewarding life in all future endeavors.

RESOLUTION #5

APPROVAL OF SABBATICAL LEAVES

WHEREAS, the Sabbatical Leave Committee has made recommendations to the President of those members of the faculty who should be accorded sabbatical leaves for 2007-2008, and

WHEREAS, it is the judgment of the President that the best interest of the University is served through implementation of a sabbatical leave program and application of this program to the individuals recommended, and

WHEREAS, the need for effective planning for both the University and faculty requires notification at this time of those faculty to be offered sabbatical leaves

THEREFORE BE IT RESOLVED that the following faculty members are granted sabbatical leave for the 2007-2008 academic year or 2008 calendar year as indicated appropriately for each faculty member.

Fall Semester 2007

Gallinelli, John	Art
Jam, Habib	Economics
Lancioni, Judith	Radio/TV/Film
Monahan, Thomas	Educational Leadership

Spring Semester 2008

Corison, Cynthia	Communication Studies
Han, Aiguo	Writing Arts
Isik, Ihsan	Accounting and Finance
Savelski, Mariano	Chemical Engineering

Academic Year, Fall 2007-Spring 2008

Caswell, Bruce	Political Science
Chaskes, Jay	Sociology
Iftode, Christina	Biological Sciences
Klapper, Melissa	History
Ling, Hong	Physics and Astronomy
Wang, Youru	Philosophy and Religion
Zhang, Hong	Mechanical Engineering

Calendar Year, Spring 2008-Fall 2008

Polikar, Robi	Electrical and Computer Engineering
---------------	-------------------------------------

RESOLUTION #6

APPROVAL TO REQUEST A WAIVER TO CHANGE AMERICAN STUDIES FROM A SPECIALIZATION UNDER LIBERAL STUDIES TO A BACHELOR OF ARTS IN AMERICAN STUDIES

WHEREAS, Rowan University desires to change American Studies from a specialization in Liberal Studies to a Bachelor of Arts in American Studies, and

WHEREAS, there will be no programmatic changes to American Studies, except for the name change from Liberal Studies, American Studies to American Studies, and

WHEREAS, this request to submit a waiver to the Academic Issues Committee of the Presidents' Council has been reviewed by the University Senate Curriculum Committee, the Dean of the College of Liberal Arts & Sciences, and the Provost, and

WHEREAS, this request has been further reviewed by the Academic Affairs Committee of the Board of Trustees

THEREFORE BE IT RESOLVED that the request to submit a waiver be approved by the Rowan University Board of Trustees and forwarded to the Academic Issues Committee of the New Jersey Presidents' Council for review and approval.

SUMMARY STATEMENT

This resolution approves the submission of waiver to change American Studies from a specialization within Liberal Studies, to a Bachelor of Arts in American Studies. It will now be forwarded to the Academic Issues Committee of the Presidents' Council for review and approval.

RESOLUTION #7

APPROVAL OF MASTER OF ENGINEERING MANAGEMENT

WHEREAS, the academic graduate program, Master of Engineering Management, has been developed and approved by the Department of Civil and Environmental Engineering, and

WHEREAS, this program will be taught through the College of Professional and Continuing Education (CPCE) and is a modification of the existing Specialization in Engineering Management, which is part of the Master of Science in Engineering Program, and

WHEREAS, there is demonstrated need and interest for this field of study as evidenced by the extended research, and

WHEREAS, this program has been approved by the University Senate Curriculum Committee, the Dean of the College of Engineering, and the Provost, and

WHEREAS, this program has been reviewed and approved by the Academic Affairs Committee of the Board of Trustees

THEREFORE BE IT RESOLVED that the academic program Master of Engineering Management be approved for implementation beginning in January 2008.

SUMMARY STATEMENT

This resolution approves the offering of the academic graduate program, Master of Engineering Management in the College of Professional and Continuing Education (CPCE). It will now be forwarded to the Academic Issues Committee of the Presidents' Council for review.

RESOLUTION #8

**APPROVAL FOR FLEXIBLE WORKING SCHEDULES
AND A FOUR-DAY SUMMER WORKWEEK**

WHEREAS, since 1979 the University has operated under a plan for flexible work hours and a four-day summer workweek, and

WHEREAS, the flexible hours are clearly perceived as improving employee morale and indications are strong that productivity has also improved, and

WHEREAS, the four-day summer schedule conserves energy and also improves morale

THEREFORE BE IT RESOLVED that the Board of Trustees of Rowan University approve continuation of the flextime program and four-day summer workweek for the Academic Year 2007-2008.

SUMMARY STATEMENT

This resolution continues university policies regarding flextime and summer working hours for one more academic year. The four-day workweek shall be implemented effective Monday, May 14, 2007 and commence Friday, August 17, 2007.

RESOLUTION #9

APPROVAL OF POLICY FOR AWARDING TIME AND MATERIALS CONTRACTS

WHEREAS, pursuant to the State College Contracts Law, N.J.S.A. 18A:64-52 et seq., contracting guidelines were established by the Board of Trustees and additional contracting policies and procedures were approved by Board Resolution on May 24, 1995, and

WHEREAS, in accordance with said policies and procedures the University historically has utilized time and materials contracts to acquire supplies and services from “on call” vendors or contractors on the basis of direct labor costs and costs of materials, and

WHEREAS, existing policies and procedures for awarding time and materials contracts have been reviewed by the University administration and it has been determined that more specificity is necessary to allow for a better definition of what constitutes a time and materials contract, under what circumstances a time and materials contract may be awarded, what is the total dollar amount that may be awarded to a time and materials vendor or contractor and what oversight of the services provided by a time and materials is necessary to protect the University, and

WHEREAS, the attached Time and Materials Contract policy has been developed by the University administration and is designed to correct the perceived inadequacies of the existing policies and procedures

THEREFORE BE IT RESOLVED that the Board of Trustees approves the attached Time and Materials Contract policy and directs that the policies and procedures described therein be implemented immediately.

SUMMARY STATEMENT

This Resolution provides for a new policy designed to improve the existing procedure for awarding and administering time and materials contracts. It is designed to allow for the establishment of “not to exceed” amount for each vendor who is awarded a contract for “on call” services. In addition, it limits the use of such contracts to services that are not performed by the “in house” staff, emergency services that cannot be provided by the “in house” staff, or services that would require an excessive amount of time by the in house staff and thus would detract from the staff’s ability to perform its regular and ongoing functions. The policy also establishes better control and oversight of time and materials vendors or contractors.

4/25/07

TIME AND MATERIALS CONTRACTS

Definition of Time & Materials Contracts

A time and materials contract provides for the acquiring of supplies and/or services on the basis of (a) direct labor hours at specified fixed hourly rates that include wages, overhead, general and administrative expenses and profit; and (b) materials at vendor's cost, including if previously approved by Rowan University as a part of the contract, material handling costs as part of material costs. An alternate term to describe Time & Materials Contracts is "Standing Orders," and time and materials vendors or contractors are sometimes referred to as "on call" vendors or contractors.

Utilization of Time & Materials Contracts

A time and materials contract may be used for the following purposes: (a) emergency services when Rowan employees are not qualified to perform the services or cannot reasonably be assigned to perform the services because of other assignments or general unavailability; (b) non-emergency services of the kind that are not generally performed by Rowan employees or would consume an excessive amount of work-time of Rowan employees and thus diminish the ability to provide other necessary services. It should be noted that construction work typically is not performed by Rowan maintenance employees, and often is the subject of a time & materials contract.

Application of New Jersey State College Purchasing Laws

New Jersey State Colleges Purchasing Law (N.J.S.A. 18A:64-54 *et seq.*) applies to the entering into a time and materials contract by Rowan University, much as the Law applies to all contracts entered into by Rowan. The Office of Purchasing within the Division of Administration & Finance is responsible for administering the Law as it pertains to such contracts.

Generally, as required by Law, all contracts in excess of the threshold established from time-to-time by the Governor (currently \$26,200.00) shall be subject to public advertising and bidding, with specific statutory exceptions as to the bidding requirement set forth in N.J.S.A. 18A:64-56 (dealing with specific kinds of transactions) and N.J.S.A. 18A:64-57 (dealing with emergencies), and by resolution of the Board of Trustees.

Therefore, under the normal circumstances, a contract in excess of the threshold shall be bid by a prospective vendor or contractor in response to a Request for Proposal (RFP) prepared

by the Rowan Office of Purchasing in conjunction with the appropriate operating office and then published by the Office of Purchasing.

Application of Other Statutory Requirements

For any contract that is entered into by Rowan University as a result of the bid process (see paragraph immediately above), the RFP shall require the successful bidder vendor or contractor shall to comply with the requirements of affirmative action employment practices (NJAC 17:27), the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25), the New Jersey State Contractor Political Contributions Act (N.J.S.A. 19:44-20), as well as the New Jersey State Colleges Purchasing Law (N.J.S.A. 18A:64-54). Questions regarding the application of these and other laws, rules and regulations should be addressed to the Office of Purchasing.

In addition, each successful bidder vendor or contractor shall complete a non-collusion affidavit, affirmative action documents, an ownership affidavit and business registration certificate. Normally, Rowan will reserve the right to reject any and all bids or to award in whole or in part if deemed to be in its best interest.

Justification for Use of Time and Materials Contracts

While generally speaking, time and materials contracts are not considered beneficial because they provide the vendor or contractor with no incentive to control materials cost or to efficiently manage the labor force, by subjecting the awarding of time & materials contracts to the bidding process, Rowan has established certain procedures and processes (described herein) that mitigate the negative aspects.

A manager seeking to utilize a time and materials contract for a particular project must justify in writing to his or her supervisor that no other contract type is more beneficial from a time or economic point of view, and that the utilization is within the overall ceiling (“not to exceed”) price for the vendor selected. Further, the Office of Purchasing must be in receipt of a Purchase Order in proper form before work on the project begins.

Justifications for use of a time and materials contract for a particular situation or project include an emergency situation in which Rowan employees are unable by training or experience to perform the job or are engaged in other projects and cannot be released to deal with the emergency. Justifications also include non-emergency situations where it is determined by management that Rowan employees are not properly trained to perform a function or use of a Time and Materials contract vendor would benefit the University with respect to scheduling or economics. Justification for utilization in a particular project shall be detailed and in writing, and shall be approved at the management level, as follows:

Contracts for Projects
Below \$50,000.00

Project Manager selects the vendor
deemed to be best qualified.
Approved by Immediate Supervisor.

Contracts Between \$50,000.00

Project Manager obtains three

And \$100,000.00

quotes, if possible, from approved Time & Materials vendors and selects best vendor for the project, normally the lowest bidder. Approved by Vice President, on recommendation of Manager's supervisor.

Contracts in excess of \$100,000.00

Project Manager obtains three quotes, if possible, from approved Time & Materials vendors and selects best vendor for the project. Approved by President, on recommendation of Vice President.

Time and Materials Vendors or Contractors "On Call"

Appropriate offices at the Rowan (such as Facilities Operations, Facilities Planning & Construction, Information Resources and Student Housing) shall inform the Office of Purchasing as to the need for specific types of services to be performed by time and materials vendors or contractors. If the Office of Purchasing disputes whether there is a need for services to be provided on a time and materials basis, the dispute will be resolved by the Vice President for Administration & Finance. After the decision has been made that there is a need for specific types of services to be performed on a time and materials basis, the Office of Purchasing will determine whether the service requires bidding under the State College Contract Law. The primary determinant as to whether bidding is required is whether in any year the anticipated dollar value of services in the aggregate shall exceed the threshold (currently \$26,200.00). If the anticipated annual aggregate cost exceeds the threshold, the Office of Purchasing shall undertake the bid process, establishing an aggregate dollar ceiling above which each selected time and materials contractor or vendor providing the service shall not exceed. All bids shall incorporate Rowan University General Conditions.

All bids for time and materials contracts will be evaluated by the Office of Purchasing, and up to three of the lowest bids will be presented to the Board of Trustees for adoption by Resolution, provided such bid or bids is or are above the threshold. The Resolution approving each time and materials contract shall contain a ceiling ("not to exceed") amount of expenditures that will be paid to a particular vendor considering all projects for which the vendor will be utilized. No expenditures in excess of the aggregate ceiling ("not to exceed") may be made to a vendor unless the Board of Trustees, by Resolution, increases the ceiling.

If the Office of Purchasing determines that the anticipated aggregate amount of services does not exceed the threshold (currently \$26,200.00), then the contract for such services shall be prepared by the Office of Purchasing, and the Vice President for Administration & Finance shall execute same. There will be an accounting of the cost of each project for which a time and materials vendor is engaged, and no payments will be made in excess of the threshold in any

single fiscal year. Time and materials contracts below the threshold will be reported as information to the Board of Trustees.

The Office of Purchasing may select more than one “on call” vendor or contractor for any type of service, provided the above fiscal accountability is maintained.

Time and Materials Vendors or Contractors in Emergency Situations

If there is a legitimate emergency that will not permit a bid situation, N.J.S.A. 18A:64-57 determines process as to how the matter should be resolved. The Office of Purchasing shall work with the affected operations office to contact as many potential vendors or contractors as is feasible under the situation, and select the vendor or contractor that can best do the job required within the time frame required, keeping in mind that normally the lowest bidder will be selected.

If a time and materials vendor or contractor “on call” is selected to perform the emergency work (assuming the process required by N.J.S.A. 18A:64-57 has been undertaken in full), the work will be performed under a contract separate from the time and materials “on call” contract, and will not be a charge against the ceiling for “on call” vendors and contractors established above.

Time and Materials Vendors or Contractors Shall Perform Services Only Within the Specifications of the Contract

Notwithstanding that a time and materials vendor or contractor shall have experience and qualifications to provide a variety of services, that vendor or contractor shall not perform services outside the specific parameters of the time & materials contract. However, a time and materials vendor or contractor shall not be prohibited from bidding on other projects or from being considered for selection in an emergency situation.

If a vendor or contractor has been selected to provide one type of service, but rejected to provide another type of service, that vendor or contractor shall be prohibited from providing services on projects on a time and materials basis for which it has been rejected until another bidding process has been completed.

Time and Materials Vendors or Contractors May, in the Case of an Emergency, Be Used to Complete a Construction Project

Normally, a time and materials vendor or contractor shall not be utilized to finish a project that was bid and awarded to a construction contractor. However, there may be times when a construction manager believes that a time and materials vendor or contractor should be engaged to complete a project for reasons of economy of time and money. In such situations, a manager shall obtain the approval of his or her supervisor who shall obtain the written approval of the Vice President for Administration & Finance.

Time and Materials Vendors or Contractors Shall Be Paid Promptly Upon Receipt of an Invoice

At times set forth in the contract between Rowan and the vendor or contractor, the vendor or contractor shall present an invoice to the person assigned by Rowan to manage the project (“manager”) for which the work was performed. Normally, the person assigned by Rowan would be a Project Manager, Director of Facilities Operations or Director of Information Technology. The invoice shall identify the project for which the services were provided and using forms prepared by Rowan, attach completed time sheets and compensation paid or to be paid to the employees of the vendor or contractor. In addition, the invoice shall set forth the costs to the vendor or contractor of any materials or supplies provided in the project for which Rowan is to be charged. The manager will review and if acceptable, approve the invoice. If the manager does not approve the invoice including the backup material (time sheets and costs of materials and supplies), he or she will return the invoice for correction. The invoice will be processed for payment only after the manager has approved the invoice in writing.

Invoices submitted for payment without appropriate and completed time sheets shall be deemed incomplete and returned to the vendor or contractor for completion and re-submittal.

Time and Materials Vendors or Contractors Shall Certify that Its Employees Have Actually Performed the Work Invoiced and Have Been Paid Prevailing Wage

Each vendor or contractor shall certify as follows:

I, _____, hereby certify that the listed employees actually worked on the project above described for the periods of time indicated, and that each such employee was paid the hourly rate set forth next to their names, and that such hourly rate is consistent with prevailing wage requirements. I understand that if any of the above statements made by me are willfully false, I am subject to punishment.

Name

Date: _____

Rowan Manager Responsible for Monitoring Services Provided By Time and Materials Vendors and Contractors

As set forth above, the Rowan manager in charge of the project for which the time and materials vendor or contractor is engaged shall approve in writing the accuracy and reasonableness of each invoice submitted for payment by the vendor or contractor. In addition, the manager shall be responsible for documenting the number of contract employees on site each day, the materials used on the project by the vendor or contractor and the movement of personnel and materials to and from the job site.

Time and Materials Vendors or Contractors Shall Not Utilize Subcontractors Without Having First Obtained the Approval of Rowan

Time and materials vendors or contractors shall not utilize subcontractors or other entities or persons who are not employees or owners of the vendor or contractor unless the subcontractor or other entity or persons are identified and their costs set forth in the bid or contract or have been approved in advance by Rowan. All such entities or persons shall be considered materials for the purpose of invoicing, and the vendor or contractor shall be reimbursed the actual cost (including handling costs if approved by Rowan in advance) of the service provided by the subcontractor, entity or persons.

The time and materials vendor or contractor shall provide proof satisfactory to Rowan that Rowan has not paid more than the actual cost of the services provided by the subcontractor, entity or persons, such actual costs to include handling costs if approved by Rowan in advance. Normally such evidence will be a copy of the invoice sent to the contractor by the subcontractor.

Right to Audit Books of Time and Materials Vendors and Contractors

Time and Materials contracts shall contain a right-to-audit clause so that Rowan or its designee may audit the accounts of the time and materials vendors or contractors to determine labor rates, benefits, insurance, taxes, overhead, cost of materials and subcontractors, etc. The vendor's or contractor's profits will not be subject to audit.

RESOLUTION #10

APPROVAL OF SALE OF REAL PROPERTY

WHEREAS, the State College Contracts Law, N.J.S.A.18a:64-6(q) allows the University to sell real property, and

WHEREAS, the following property located in the Borough of Glassboro, County of Gloucester and State of New Jersey known as 315 North Main Street (Block 2, Lot 21) is available for sale, and

WHEREAS, it is in the best interest of the University to sell this property and representatives of the University have negotiated the terms of the Sale with the Buyer of the said property, which terms have been memorialized in a certain "Contract for Purchase and Sale of Property," which contract is dated March 14, 2007 and is subject to and conditional upon approval by the Board of Trustees

NOW THEREFORE BE IT RESOLVED that the Board of Trustees approves the selling of the property located at 315 North Main Street, known as Block 2 Lot 21 in the Borough of Glassboro, County of Gloucester, State of New Jersey in accordance with the terms and conditions set forth in the said "Contract for Purchase and Sale of Property," including the selling price of \$210,000, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Vice President for Administration and Finance to execute the said Contract for the Sale of Property, and to consummate the closing of the said sale in accordance with the terms of the Contract.

SUMMARY STATEMENT

This resolution approves the sale of property located at 315 North Main Street, Glassboro, New Jersey.

RESOLUTION #11

APPROVAL OF DISPOSITION OF SURPLUS PERSONAL PROPERTY OWNED BY THE UNIVERSITY

WHEREAS, N.J.S.A. I 8A:64-78 provides that the University may by resolution of its Board of Trustees authorize the sale of its personal property not needed for University purposes, and

WHEREAS, N.J.S.A. 18A:64-78 specifies the manner according to which the sale of personal property not needed for University purposes shall be undertaken, and

WHEREAS, the University has determined that the personal property listed on the attached sheet is not needed for University purposes and recommends to the Board of Trustees that the said property be sold in accordance with the provisions of N.J.S.A. 18A:64-78

THEREFORE BE IT RESOLVED, that the Board of Trustees authorizes the sale of the personal property listed on the attached sheet as being not needed for University purposes, which sale shall be conducted in the manner specifically set forth in N.J.S.A. 18A:64-78.

SUMMARY STATEMENT

This Resolution is presented in compliance with N.J.S.A. 18A:64-78 'Manner of Sale of Personal Property Not Needed for College Purposes.' The statute provides a specific mechanism for different categories of personal property not needed for University purposes. For example, personal property (other than perishable goods or property sold to a public entity) with an aggregate value in excess of \$26,200 shall be sold to the highest bidder only after publication of notice including the time and place of the sale and a description of the property to be sold. If no bids are received, the property may be sold at private sale without further publication. Property declared as surplus with an aggregate value of less than \$26,200 may be sold or perishable goods may be sold at private sale without advertising for bids. Personal property described on the attached list does/does not exceed \$26,200 estimated value, and therefore the sale will/will not be sold at public sale with notice.

(continued)

RESOLUTION #11 (continued)

Declared Surplus Property

718 Mullica Hill Road, Richwood, NJ 08074
Block 2.02, Lot 2.00

311 Mullica Hill Road, Glassboro, NJ 08028

315 Mullica Hill Road, Glassboro, NJ 08028

744 Mullica Hill Road, Harrison Township
Block 2.02, Lot 8

Disposal of old Co-gen equipment

Miscellaneous computer equipment

Miscellaneous furnishings

RESOLUTION #12a

**AWARD OF CONTRACT WITHOUT COMPETITIVE BIDDING
FOR SPECIALIZED SOFTWARE SERVICES**

WHEREAS, the State College Contracts Law, N.J.S.A. 18A:64-52 et seq., requires that contracts be made and awarded only by the state college/university after public advertising for bids and bidding therefor for contracts in excess of \$26,200, and

WHEREAS, the State College Contracts Law, N.J.S.A. 18A:64-56, permits in certain specified instances that contracts may be made, negotiated, or awarded by the state college/university by resolution of its Board of Trustees without public advertising for bids or bidding therefor, and

WHEREAS, the University has determined that it requires certain Software, and

WHEREAS, the services rendered are exempt from public bidding pursuant to the Specialized Software Services exemption of N.J.S.A. 18A:64-56(a)(19), and

WHEREAS, the Vice President for Administration and Finance has certified that there are sufficient budgeted funds available to pay the expense authorized herein

THEREFORE BE IT RESOLVED by the Board of Trustees that the Vice President for Administration and Finance be authorized to enter into a contract for FY07 with **General Electric** of Neptune, New Jersey in an amount not to exceed \$158,000.

SUMMARY STATEMENT

This resolution provides for the Software for the SCADA System. This software allows the SCADA System to control all central energy systems for the University including central boilers, central chillers and cogeneration equipment.

RESOLUTION #12b

**AWARD OF CONTRACT WITHOUT COMPETITIVE BIDDING
FOR SOFTWARE MAINTENANCE AGREEMENT**

WHEREAS, the State College Contracts Law, N.J.S.A. 18A:64-52 et seq., requires that contracts be made and awarded only by the state college/university after public advertising for bids and bidding therefor for contracts in excess of \$26,200, and

WHEREAS, the State College Contracts Law, N.J.S.A. 18A:64-56, permits in certain specified instances that contracts may be made, negotiated, or awarded by the state college/university by resolution of its Board of Trustees without public advertising for bids or bidding therefor, and

WHEREAS, the University has determined that it requires certain Software Maintenance Agreement, and

WHEREAS, the services rendered are exempt from public bidding pursuant to the Specialized Software Services exemption of N.J.S.A. 18A:64-56(a)(19), and

WHEREAS, the Vice President for Administration and Finance has certified that there are sufficient budgeted funds available to pay the expense authorized herein

THEREFORE BE IT RESOLVED by the Board of Trustees that the Vice President for Administration and Finance be authorized to enter into a contract for FY07 with **TouchNet** of Lenexa, Kansas in an amount not to exceed \$160,000.

SUMMARY STATEMENT

This resolution provides for the TouchNet Bill and Payment Suite upgrade. This software allows students to make payments for tuition, etc., and for these costs to be posted directly into the Banner system. This will also allow the University to reduce processing fees by outsourcing all credit card payments to a third-party web-based credit card processor who will pass on merchant processing fees back to the customer in the form of a "convenience fee" in the amount of 2.75% of the sale.

RESOLUTION #12c

**AMEND TOTAL PROJECT BUDGET
FOR 69 KV SUBSTATION PROJECT**

WHEREAS, the University has determined the need for a construction project, and

WHEREAS, the University has identified the project as the 69 KV Substation project, and

WHEREAS, on June 14, 2006, the Board of Trustees approved a total project budget of \$4,850,000, and

WHEREAS, the University has determined that additional scope is necessary beyond the approved total project budget, and

WHEREAS, it is necessary to increase the total project budget amount by \$1,000,000 for additional project needs, and

WHEREAS, the Vice President for Administration and Finance has certified that there are sufficient budgeted funds available to pay the expense authorized herein

THEREFORE BE IT RESOLVED by the Board of Trustees that the 69 KV Substation is approved with a total project budget not to exceed \$5,850,000.

SUMMARY STATEMENT

This resolution amends the total project budget for the 69 KV Substation project to provide for the additional costs related to requirements of the utility company, Atlantic City Electric.