

**The College of New Jersey  
Board of Trustees  
February 23, 2021  
2:30 pm**

**Minutes of the Public Meeting**

Present: Susanne Svizeny, Chair; Robert Altman; Eleanor Horne; Maria Falca-Dodson; Carl Gibbs; Rosie Hymerling; Brian Markison; Rebecca Ostrov; Allen Silk; Tammy Tibbetts; Treby Williams; Chris Driscoll, Student Trustee; Nicollette Simon, Alternate Student Trustee; Lynette Harris, Staff Representative to the Board; Crystel Maldonado, Staff Representative to the Board; GERALYN Altmiller, Faculty Representative to the Board; David Prenskey, Faculty Representative to the Board; Kathryn Foster, President; Heather Fehn, Chief of Staff and Secretary to the Board

Not Present: N/A

I. Announcement of Compliance

A. *It is hereby announced and recorded that the requirements of the Open Public Meetings Act as to proper notification as to time and place of meeting have been satisfied.*

II. Motion to go into Closed Session

It is moved by Mr. Silk, seconded by Ms. Ostrov, that the Board go into closed session to discuss Faculty Promotions; Staff New Appointments – AFT, Change of Status; pending litigation including: Ratarsha Willis v. TCNJ; TCNJ v. PSE&G; Jane Doe v. TCNJ; Thomas Venditti v. TCNJ; Justin Simms v. TCNJ; anticipated litigation, and presidential contract extension, items exempt under the Open Public Meetings Act.

III. Closed Session

IV. Resumption of Public Session

The public meeting resumed at 3:30 p.m.

V. Approval of the Minutes of the October 27, 2020 Public Meeting

It was moved by Mr. Silk, seconded by Mr. Markison, that the minutes be approved. The motion carried unanimously.

VI. Approval of the Minutes of the December 8, 2020 Public Meeting

It was moved by Dr. Altman, seconded by Maj. Gen. Falca-Dodson, that the minutes be approved. The motion carried unanimously.

VII. Approval of the Minutes of the January 13, 2021 Public Meeting

It was moved by Ms. Hymerling, seconded by Ms. Ostrov, that the minutes be approved. The motion carried unanimously.

VIII. Report of Board Officers

A. Appointment of the Board Officers Nominating Committee

Chair Susanne Svizeny appointed the following trustees to serve on the Board Officers Nominating Committee. The committee will report on their nominations at the June 2021 public meeting.

Trustee Maria Falca-Dodson, Chair  
Trustee Eleanor Horne  
Trustee Susanne Svizeny

IX. Report of the President

President Foster gave her report.

X. Report of the Trustee Member of the TSC Corporation

Mr. Silk gave his report.

XI. Report of the Trustee Liaison to the New Jersey Association of State Colleges and Universities

Dr. Altman gave his report.

XII. Report of the Trustee Member of the TCNJ Foundation

Mr. Gibbs gave his report.

XIII. Report of the Trustee Member of the TCNJ Alumni Association

Ms. Tibbetts gave her report.

XIV. New Business

Chair Svizeny presented the following items for consideration by the board.

A. Report of the Executive Committee

Chair Svizeny reported that the following resolution is being presented for board action as a result of deliberations from today's closed session meeting.

1. Resolution Approving a Contract Extension for President Kathryn A. Foster – Attachment 1

It was moved by Mr. Markison, seconded by Mr. Gibbs, that the resolution be approved. The motion carried unanimously.

2. Faculty - Promotions, Sabbaticals, New Appointment – Attachment A

It was moved by Ms. Hymerling, seconded by Ms. Ostrov, that the resolution be approved. The motion carried unanimously.

3. Staff - New Appointment – AFT, Change of Status – Attachment B

It was moved by Ms. Horne, seconded by Ms. Tibbetts, that the resolution be approved. The motion carried unanimously.

4. Resolution Approving Revisions to the Trenton State College Corporation Bylaws – Attachment C

It was moved by Maj. Gen. Falca-Dodson, seconded by Mr. Markison, that the nominations be approved. The motion carried unanimously.

5. Resolution Appointing Members to the Board of Directors of the Trenton State College Corporation – Attachment D

It was moved by Ms. Hymerling, seconded by Ms. Williams, that the nominations be approved. Trustee Silk abstained from this vote. The motion carried.

#### B. Report of the Mission Fulfillment Committee

Trustee Ostrov reported for the committee.

1. Resolution Approving a Revised Final Assessment/Reading Day Policy – Attachment E

It was moved by Mr. Gibbs, seconded by Mr. Markison, that the resolution be approved. The motion carried unanimously.

#### C. Report of the Governance Committee

Trustee Horne reported for the committee.

D. Report of the Business and Infrastructure Committee

Dr. Altman reported for the committee.

1. Resolution Approving Waivers of Advertising (College Business Purposes) – Attachment F

It was moved by Mr. Markison, seconded by Maj. Gen. Falca-Dodson, that the resolution be approved. The motion carried unanimously.

2. Resolution Approving Waivers of Advertising (Facilities and Construction) – Attachment G

It was moved by Ms. Ostrov, seconded by Dr. Altman, that the resolution be approved. The motion carried unanimously.

E. Report of the Audit, Risk Management and Compliance Committee

Trustee Williams reported for the committee.

1. Resolution Approving Waivers of Advertising for College Business Purposes – Attachment H

It was moved by Mr. Silk, seconded by Ms. Horne, that the resolution be approved. The motion carried unanimously.

XV. Adjournment

It was moved by Mr. Gibbs, seconded by Ms. Hymerling, that the following resolution be approved. The motion carried unanimously.

Be It

Resolved: That the next public meeting of The College of New Jersey Board of Trustees, the annual tuition hearing, will be held on Tuesday, April 27, 2021 at a time and location to be announced.

Be It

Further

Resolved: That this meeting be adjourned.

Respectfully Submitted,  
Heather M. Fehn  
Chief of Staff and  
Secretary to the Board of Trustees



**The College of New Jersey  
Board of Trustees  
Resolution Approving a Contract Extension for  
President Kathryn A. Foster**

- Whereas: The Board of Trustees appointed President Foster and issued an employment contract effective July 1, 2018, with an expiration date of June 30, 2021, and;
- Whereas: President Foster has been an extraordinary leader during a challenging period for higher education and the College, and;
- Whereas: As is institutional and best practice, the board conducts an externally lead evaluation of the president prior to any multi-year contract renewal, and
- Whereas: Due to the coronavirus pandemic and the disruption to college operations that the response thereto has required, the Board and President Foster have mutually agreed to extend the expiration date of the employment contract for one year until June 30, 2022 and delay the evaluation for consideration of a possible multi-year renewal until the Fall of 2021.
- Therefore,  
Be It  
Resolved: That the Board of Trustees of The College of New Jersey hereby approves the extension of the term of President Foster's current contract through June 30, 2022, and authorizes the Chair of the Board of Trustees to execute a contract addendum consistent with the terms outlined herein.

**Promotions - Faculty - Effective September 1, 2021**

Librarian I

David Murray                      Library

Associate Professor

Michelle Bunagan                Chemistry

Professor

Louise Ammentorp                Elementary and Early Childhood Education

Jessica Barnack-Tavlaris        Psychology

James Beyers                      Elementary and Early Childhood Education

Anthony Deese                    Electrical and Computer Engineering

Brian Girard                       Educational Administration and Secondary  
Education

Danielle Guarracino              Chemistry

Lorna Johnson-Frizell            Communications Studies

Solange Lopes-Murphy            Special Education, Language, and Literacy

Lauren Madden                   Elementary and Early Childhood Education

Emily Meixner                    English

Abby O'Connor                   Chemistry

Nadya Pancsofar                  Special Education, Language, and Literacy

Nicholas Toloudis                Political Science

**Sabbaticals – Faculty**

Heba Abourahma	Chemistry Effective: FY 2022
Andrew Bechtel	Civil Engineering Effective: Spring 2022
Daniel Bowen	Political Science Effective: FY 2022
Celia Chazelle	History Effective: FY 2022
He Len Chung	Psychology Effective: FY 2022
Anthony Deese	Electrical and Computer Engineering Effective: Spring 2022
Tao Dumas	Political Science Effective: FY 2022
Ellen Friedman	English Effective: FY 2022
Holly Haynes	Philosophy, Religion, and Classical Studies Effective: FY 2022
Donald Hirsh	Chemistry Effective: FY 2022
Danielle Guarracino	Chemistry Effective: FY 2022
Anthony Lau	Biomedical Engineering Effective: FY 2022
Rebecca Li	Sociology and Anthropology Effective: FY 2022

**Sabbaticals – Faculty, Continued**

Miriam Lowi	Political Science Effective: FY 2022
Nathan Magee	Physics Effective: Fall 2021
Steffen Marcus	Mathematics and Statistics Effective: FY 2022
David Mazeika	Criminology Effective: FY 2022
Teresa Nakra	Interactive Multimedia Effective: Spring 2022
Cynthia Paces	History Effective: FY 2022
Qin Shao	History Effective: FY 2022
Aimee Stahl	Psychology Effective: FY 2022

**New Appointment – Faculty – Tenure Track**

Mariah MacDonald	Assistant Professor Physics Effective: July 31, 2021 – June 30, 2024
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**New Appointments - AFT Staff**

Roy Johnson

Professional Services Specialist 4  
Admissions  
Effective: January 4, 2021

**Change Of Status - AFT Staff**

Lisa Simeus

Payroll  
From: Assistant Director 2  
To: Assistant Director 1  
Effective: November 23, 2020

**Resolution Approving Revisions to the Bylaws  
of the Trenton State College Corporation**

- Whereas:** The bylaws of the Trenton State College Corporation (TSCC) were approved at the August 26, 1988 meeting of the Board of Directors; and
- Whereas:** The Board of Trustees of The College of New Jersey approved amended bylaws of the TSCC at its February 17, 1994, June 9, 1994 and December 7, 2000 public meetings; and
- Whereas:** Article XIV of the Trenton State College Corporation bylaws states that The College of New Jersey Board of Trustees may be requested to approve amendments to the Corporation's bylaws; and
- Whereas:** The Board of Directors of the Trenton State College Corporation approved the attached amended bylaws at its meeting on February, 10, 2021.
- Therefore,  
Be It  
Resolved:** That The College of New Jersey Board of Trustees approves the amended bylaws of the Trenton State College Corporation.

February 23, 2021

[Proposed Revisions to the]  
BY LAWS  
OF THE  
TRENTON STATE COLLEGE CORPORATION

**ARTICLE I – ORGANIZATION**

The name of this organization shall be the Trenton State College Corporation (“the Corporation” or “TSCC”). The Corporation is a body corporate and politic organized and subsisting pursuant to the New Jersey Public College Auxiliary Organization Act, Chapter 16, N.J.S.A. 18A:64-27 to 18A:64-44.

**ARTICLE II – MEETINGS**

1. **Annual Meetings.** The annual meeting of the Corporation will be held at The College of New Jersey (the “College” or “TCNJ”) during the last regularly scheduled meeting of the fiscal year.
2. **Regular Meetings.** The Corporation Board of Directors shall hold a minimum of three regular meetings (including the annual meeting) within the fiscal year.
3. **Special Meetings.** Special meetings may be called at any time by the Corporation chairperson or upon the written request of four members of the Corporation Board of Directors.
4. **Notices.** Notice for all meetings shall be in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 to 10:4-21. Directors shall be given notice of each meeting and the purpose or purposes of each meeting. The agenda and supporting materials will be sent to the Directors in whatever manner is necessary to ensure their receipt of those documents 72 hours before the actual meeting.
5. **Quorum.** Five of the nine voting members of the Corporation Board of Directors shall constitute a quorum for the transaction of business at any regular or special meetings. If no quorum is present at any meeting so called, a lesser number may meet and adjourn from time to time until a quorum is present. No formal vote may be taken without a quorum present.
6. **Voting.** At each meeting, each Director shall be entitled to one vote. There shall be no proxy voting.

**ARTICLE III – BOARD OF DIRECTORS**

1. **Membership.** The Corporation Board of Directors shall consist of up to ten (10) persons including the following:
  - a. A member of The College of New Jersey Board of Trustees (“Trustee”);

- b. The president of the College ("College President") or his/her designee;
- c. The president of the Corporation ("TSCC President" or "President");
- d. Not less than five (5) nor more than seven (7) citizen members, which shall include:
  - (i) Two (2) currently enrolled full-time matriculated Students of the College;
  - (ii) One (1) current faculty member of the College ("Faculty");
  - (iii) One (1) current staff member of the College ("Staff") and;
- e. Not less than one (1) nor more than three (3) other Citizen members.
- f. Tenants residing in a Corporation owned property may not serve as a citizen member on the Board of Directors.

2. **Selection of Director Membership.**

- a. The Trustee member shall be appointed by the chairperson of the College Board of Trustees.
- b. The College President or his/her designee shall serve ex-officio with vote.
- c. The two Student members, the Faculty member, the Staff member and the other Citizen members shall be appointed and may be removed by the College Board of Trustees upon the recommendation of the President of the College.
- d. The TSCC President shall serve ex-officio with vote.

3. **Term of Office.**

- a. The Trustee member shall be appointed to a one-year term by the chairperson of the College Board of Trustees. However, service on the Corporation board shall cease when the Trustee member leaves the College Board of Trustees. If the appointed term has not been completed, the Chair of the College Board of Trustees shall appoint another College Trustee to serve as Trustee member to fill the unexpired term on the Corporation Board of Directors.
- b. The TSCC President shall be an employee of the Corporation or the College who is appointed and may be removed by the College Board of Trustees upon the recommendation of the President of the College, provided that the term of an individual serving as the TSCC President shall not extend beyond the time that that individual ceases to be an employee of the Corporation or the College in good standing.
- c. The faculty member shall be a faculty member employee of the College who is appointed to a term of three years and may be removed by the College Board of Trustees upon the recommendation of the President of the College, provided that the term of an individual faculty member shall not extend beyond the time that that individual ceases to be a faculty member in good standing employed by the College.
- d. The staff member shall be a staff member employee of the College who is appointed to a term of three years and may be removed by the College Board of Trustees upon the recommendation of the President of the College, provided that the term of an individual staff member shall not extend beyond the time that that individual ceases to be a staff member in good standing employed by the College.
- e. Each student member shall be appointed to a term of three years, provided that the term of an individual student member shall not extend beyond the time that that individual ceases to be enrolled as a full-time matriculated Student in good standing and provided further that the appointment of student members be staggered.

- f. The other citizen members shall be appointed to three-year terms, provided that the appointments shall be staggered.
  - g. There shall be no limitations on the number of terms an individual may serve. Vacancies related to Article III.3.b.-f. shall be filled by appointment to the unexpired terms by the Trustees on nomination of the President of the College. Each member shall serve until a successor is appointed and qualified, except in cases of removal of a Director or termination or cessation of another office, position or qualification upon which the Corporation Board of Directors membership is based.
4. **Duties and Powers.** The Corporation Board of Directors shall have the control and management of the affairs of the Corporation, and shall exercise all such powers and do all such lawful acts and things necessary or expedient in the control and management of the Corporation as it may deem proper and appropriate, subject to and consistent with the laws of the State of New Jersey.
5. **Conflict of Interest.** No officer or member of the Corporation Board of Directors shall have a financial interest in any contract or other transaction entered into by the Corporation. Any contract or transaction entered into in violation of this section is void. Any Director or officer who is unable to consider impartially any matter to come before the Corporation Board of Directors or a committee of the Corporation Board of Directors, shall immediately disqualify himself or herself from taking part in the consideration or disposition of such matters, and shall promptly notify the other members of the Corporation Board of Directors or of such committee, as the case may be, of such disqualification.
6. **Compensation and Expenses.** Members of the Corporation Board of Directors shall receive no compensation for their services as Corporation Board of Directors members, but shall be paid their necessary expenses in performing their duties.

#### **ARTICLE IV – OFFICERS**

1. **Officers.** The officers of the Corporation shall be the Chairperson, Vice Chairperson, President (i.e., TSCC President), Treasurer, Secretary and Assistant Secretary. The College President shall not serve as an officer of the Corporation.
2. **Election or Appointment of Officers.** The Chairperson, Vice Chairperson and Secretary shall be members of the Corporation Board of Directors who are elected by the Corporation Board of Directors at the annual meeting, and shall serve for a term of one year or until their successors are elected and qualified. Should an office be vacated prior to the end of the fiscal year, the office shall be filled by majority vote of the Directors on an acting basis for the remainder of the fiscal year. No Director may hold more than one such office. The Chairperson and Vice Chairperson, and the Secretary, shall be elected from the membership of the sitting Corporation Board of Directors. The Treasurer and Assistant Secretary shall each be an employee of the Corporation or College in good standing, appointed by the College Board of Trustees, who shall serve a term of one year or until a successor is appointed and qualified. In any event, an individual's term of office shall end upon removal of that individual by the College Board of Trustees or cessation of another office, position, or qualification upon which that individual's TSCC office is based.
3. **Duties of the Chairperson.** The Chairperson shall, when present, preside at all meetings of the Corporation Board of Directors and shall have general supervision of the affairs of the Corporation Board of Directors, subject to the approval of the Corporation Board of Directors.

4. **Duties of the Vice Chairperson.** The Vice Chairperson shall preside over meetings in the absence of the Chairperson and shall carry out such additional duties as may from time to time be assigned by the Chairperson or the Corporation Board of Directors.
5. **Duties of the President.** The President shall be the chief executive officer of the Corporation. He or she shall exercise such duties as customarily pertain to the office of president, and shall be responsible for the general management of the property and affairs of the Corporation, subject to the supervision and control of the Corporation Board of Directors. Furthermore, the President shall perform such other duties as may be prescribed by the Corporation Board of Directors, the Executive Committee, or by the Auxiliary Corporation Regulations and the By Laws. At each meeting of the members and the Corporation Board of Directors, he or she shall present a report of the condition and finances of the Corporation. The President shall present the annual budget of the Corporation to the Corporation Board of Directors for its approval at the annual meeting. Subject to the approval of the Corporation Board of Directors he or she shall be responsible for appointing, and removing, employing and discharging, and fixing the compensation of all agents, legal counsel, and employees of the Corporation. The President shall ensure that the books, reports, statements and certificate required under New Jersey law are properly made, kept, and filed. He or she shall enforce these By Laws and perform all duties incident to the position and office that are required by law.
6. **Duties of the Treasurer.** The Treasurer shall have responsibility for the maintenance of all financial records, shall prepare and submit financial reports as requested by the Corporation Board of Directors, and shall have general responsibility for all other related financial affairs. All of the Corporation's books and records shall be open to inspection by any Director at any time on reasonable notice to the Treasurer.
7. **Duties of the Secretary.** The Secretary shall assure that the minutes of meetings are recorded, shall assure maintenance of all records, files and historical data of the Corporation, shall serve as signatory for the Corporation on appropriate legal documents; and shall perform related duties.
8. **Duties of the Assistant Secretary.** The Assistant Secretary shall perform the duties of the Secretary upon the request of or in the absence of the Secretary.

## **ARTICLE V – COMMITTEES**

1. **Executive Committee.** The Chairperson, Vice Chairperson, and President will constitute the Executive Committee. The Executive Committee, a standing committee, shall execute the policies of the board and transact the business of the Corporation between meetings of the Corporation Board of Directors, as authorized by the Corporation Board of Directors. Any action of the Executive Committee shall be ratified at each subsequent meeting of the Corporation Board of Directors. If an emergency situation requires the Executive Committee to take an action not previously authorized by the Corporation Board of Directors, the Corporation Board of Directors will be polled within five working days to determine whether it wishes to consider the action taken by the Executive Committee at a Special Meeting or whether it wishes to officially ratify the action at the next regularly scheduled meeting.
2. **Nominating Committee.** The Chairperson of the Corporation Board of Directors shall appoint a Nominating Committee from among the member of the Corporation Board of Directors of Directors, which

shall propose officers for recommendation for election at each year's annual meeting or from time to time as needed. It shall be a standing committee.

3. **Other Committees.** The Chairperson of the Corporation Board of Directors may, from time to time, appoint such other ad hoc committees as may be necessary for the transaction of any business of the Corporation.

#### **ARTICLE VI – EMPLOYEES OF THE CORPORATION**

The Corporation may engage from time to time such employees as are necessary to conduct its affairs in conformity with the New Jersey Public College Auxiliary Organization Act. The Corporation may contract with the College for the performance of services to TSCC by designated employees of the College who are assigned those duties by the College in coordination with the TSCC President, provided that such College employees remain College employees and do not become and shall not be deemed to be TSCC employees.

#### **ARTICLE VII – APPLICATION OF REVENUES**

The entire revenues of the Corporation, including any endowments and income therefrom, shall be applied for its support, for the increase of any endowments, for the increase of its efficiency and facilities, for the repair, maintenance, and acquisition of any properties, for the operation of any enterprises it maintains, and for the general purposes of the Corporation as set forth in the Certificate of Incorporation.

Revenues of the Corporation are also used to reimburse the College for the services provided by College employees on behalf of the Corporation. The Corporation Board of Directors may declare certain revenues as being in excess of the needs of the Corporation and, thereby, transfer such funds to the College, for use by the College.

Upon dissolution of the Corporation, all assets shall be distributed, as directed by the College Board of Trustees.

#### **ARTICLE VIII – AUDIT**

A Certified Public Accounting firm shall annually audit the Corporation's funds, and shall submit an audit report to the Corporation Board of Directors, which in turn shall submit it to the College Board of Trustees and others as may be required by law. The audit firm shall be the same firm approved by the College Board of Trustees to perform the audit of The College of New Jersey and its entities.

#### **ARTICLE IX – POWERS OF INVESTMENT**

The Corporation Board of Directors shall be entitled to hold and maintain the assets of the Corporation in such amounts and in such form as it may from time to time deem appropriate, consistent with the New Jersey Public College Auxiliary Organization Act.

Nothing herein contained shall be construed to authorize the investment in, or maintenance of, any property, real or personal other than in the exercise of the sound and prudent discretion of the Corporation Board of Directors.

Unless otherwise directed by resolution of the Corporation Board of Directors, the TSCC President shall have full authority on behalf of the Corporation to attend, to act, and to vote at any meeting of the stockholders, the

bondholders or other security holders of any corporation, trust, or association in which the Corporation may hold securities, either in person or by proxy.

## **ARTICLE X – PROCEDURES**

All meetings of the Corporation Board of Directors shall be conducted according to Robert's Rules of Order, revised edition. Any Director may waive any notice requirement or other formality, insofar as it affects him or her, in a signed writing or in persona at the meeting.

The Corporation Board of Directors shall, from time to time, adopt rules and regulations, consistent with the New Jersey Public College Auxiliary Organization Act to govern:

1. The establishment, custody and operation of required reserves, or special designated funds;
2. The execution of documents, including checks, drafts, notes, or other evidence of indebtedness, contracts, pledges, mortgages, transfers and other written instruments for the transfer or encumbrance of property, real or personal;
3. The adoption of an official seal; and
4. Such other policies as the Corporation Board of Directors deems necessary or desirable for the orderly carrying out of the purposes of the Corporation.

## **ARTICLE XI – ENTERPRISES**

The Corporation Board of Directors may establish, own, and operate, or license or delegate the operation of, self-supporting business enterprises as authorized by N.J.S.A. 18A:64-29. Any net revenues generated by any such enterprises shall be used to support the Corporation.

## **ARTICLE XII – LIABILITY OF BOARD MEMBERS AND COMMITTEE MEMBERS**

Corporation Board of Directors members and members of any committee designated by the Corporation Board of Directors shall discharge their duties in good faith and with that degree of diligence, care and skill, which ordinarily prudent persons would exercise under similar circumstances in like positions.

In discharging their duties, TSCC officers and Directors and members of any committee designated by the Corporation Board of Directors shall not be liable if, acting in good faith, they rely on the opinion of counsel for the Corporation or upon written reports setting forth financial data concerning the Corporation and prepared by an independent public accountant or certified public accountant or firm of accountants or upon financial statements, books of account or reports of the Corporation represented to them to be correct by the TSCC President, the officer having charge of the books of accounts, or the person presiding at a meeting of the Corporation Board of Directors.



### **ARTICLE XIII – INDEMNIFICATION**

Any officer or Director, his or her heirs, executors, or administrators, shall be indemnified and held harmless by the Corporation to the fullest extent permitted by law from and against all costs and expenses which may be imposed upon or reasonably incurred by him or her in connection with or resulting from any claim, action, suit or proceeding in which he may be involved by reason of holding or having held such office. The term “costs and expenses” includes but is not limited to attorney’s fees, court costs and amounts of judgments against or settlements made by any such Director or officer which shall have been approved by the Corporation Board of Directors.

However, no officer or Director shall be held harmless or indemnified under this Article with respect to any matter in which it is finally adjudged that he or she was guilty of willful misconduct or criminal activity in the performance of his or her duty, or with regard to any matter wherein he or she acted outside of his or her authority as a Director or officer. The Corporation shall procure insurance to cover this indemnification.

### **ARTICLE XIV – AMENDMENTS**

Amendments to the Corporation Bylaws and to the Certificate of Incorporation may only be initiated by the Corporation Board of Directors. Such amendments are effective upon the two-thirds affirmative vote of the Corporation Board of Directors and subsequent approval by the College Board of Trustees.

**Resolution Appointing Members to the  
Board of Directors of the  
Trenton State College Corporation**

**Whereas:** The College of New Jersey Board of Trustees approves and appoints the members of the Board of Directors of the Trenton State College Corporation, which shall be composed of one member of The College of New Jersey Board of Trustees, the President of The College of New Jersey, the President of the Trenton State College Corporation, not less than five nor more than seven citizen members, which shall include, two currently enrolled full-time matriculated students of the College, one current faculty member of the College, one current staff member of the College, and not less than one nor more than three other Citizen members;

**Therefore,  
Be It  
Resolved:** That the following individuals be appointed by The College of New Jersey Board of Trustees to the Board of Directors of the Trenton State College Corporation:

Mr. John P. Donohue, President of the Corporation;

Ms. Anne LaBate, citizen, to a director term for the Corporation effective 7/01/20 through 6/30/23;

Dr. Brenda Leake, faculty member, to a director term for the Corporation effective 7/01/20 through 6/30/23;

Honorable Rodney Thompson, citizen, to a director term for the Corporation effective 7/1/19 through 6/30/22.

**The College of New Jersey Board of Trustees  
Resolution Approving a Revised Final Assessment/Reading Day Policy**

**Whereas:** The Final Exam/Evaluation/Reading Days Policy was last reviewed in 2013; and

**Whereas:** The College of New Jersey's *Policy Framework* calls for the regular review of College policies; and

**Whereas:** The Committee on Academic Programs has reviewed the Final Exam/Evaluation/ Reading Days Policy; and

**Whereas:** The Committee on Academic Programs has recommended renaming the policy "Final Assessment/Reading Day," defining the term "assessment," and replacing the term "exam" with the term "assessment" throughout the policy; and

**Whereas:** The Committee on Academic Programs has recommended further revisions to better align final assessments with inclusive practices, increase consistency in their administration, and adjust the extent to which they contribute to a course grade; and

**Therefore  
Be It**

**Resolved:** That this revised policy be approved and replace all previous documents.



Section:	II.1.13	
Title:	Final Assessment, Reading Day Policy	
Effective Date:	Draft	
Approved By:	Board of Trustees	
Responsible Unit:	Academic Affairs (609) 771-3080; academic@tcnj.edu	
Related Documents:	N/A	
History:		
Version	Date	Notes
4.0	Final	Revised
3.0	November, 2013	Revised
2.0	July, 2008	Revised
1.0	July 10, 2007	New policy; Initial Release

## I. INTRODUCTION

This policy outlines the final assessment and reading day policy for all courses at TCNJ.

## II. RATIONALE

The rationale for requiring all courses to have an assessment that takes place during the final assessment period is that the comprehensive concluding experience requires a period of in-depth study and thoughtful reflection. Placing all final assessments during the final assessment period will provide the time needed to successfully synthesize and integrate course materials.

## III. DEFINITION

A final Assessment is a graded culminating course assignment for individual students (may be exam, paper, project, presentation, etc.). The grade is assigned to individuals, although the assignment may be completed by groups of students. A final assessment is an essential component of the high-quality and rigorous education experience at The College of New Jersey.

#### IV. POLICY FOR UNDERGRADUATE COURSES

All full-semester or second-quarter classes (ranging from 0.25-1 unit) undergraduate courses, including online and blended courses, have a final assessment that takes place during the final assessment period. The time designated as the “final assessment period” includes reading and final assessment periods. Courses, such as capstones, practicums and independent study, for example, must request a final assessment slot for culminating work that is due during the final assessment period, but not on a reading day. Components tied to a lecture course, such as a lab, need not have a separate culminating experience. It is expected that the reading periods will give students sufficient time to prepare for the final assessment. The reading periods are intended for students to reflect on what they have learned and integrate course material in a way that is intellectually meaningful. During the reading periods, there cannot be mandatory scheduled activities for a course, including in-class examinations, make-up exams, presentations, or required meetings with instructors. During the reading periods, faculty should remain accessible to students. Faculty must follow the student accommodations provided by the Accessibility Resource Center guidelines.

A. For each course, regardless of delivery mode, there shall be a final assessment. Such final assessments may take the form of an in-class exam, a take-home exam, a paper, a performance, or a project and other formats are acceptable. In each case, the assessment should be comprehensive and integrative in nature, but not necessarily cumulative. It should require students to identify the major semester-long themes covered in the course and synthesize concepts in an organically articulated manner.

B. The final assessment value must count at least 15% and not exceed 35% of the final grade, as that would compromise the student’s entire course work.

C. Final assessments that are in-class (e. g. exam, project, presentation, performance, activity, etc.) must be held during the scheduled exam period (day and time) scheduled by Records and Registration for the course. Except in the unusual cases outlined in point F, faculty members may not schedule a final in-class assessment outside of the scheduled period for the course.

D. Final assessments that are conducted out of class (e. g. take-home exams, papers, projects or student-scheduled exams including clinicals) need to coincide with the day, and not necessarily the assigned time window, of the scheduled exam period for that class, as assigned by Records and Registration.

E. Due dates for papers, projects, exams, and other course assignments that do not constitute the final assessment shall be due on or before the last day of classes. To preserve the integrity of the final assessment period, no in-class or out-of-class take-home exams/quizzes that have the character of a “final assessment,” as described here-in, should be assigned during the last week of classes.

1. This provision ensures that the reading day period preceding the final assessment period and the final assessment period itself will be available for students to prepare for their final assessments.

F. Students must not have three out-of-class or in-class final assessments due in a 24-hour period.

A student has a conflict when:

- More than two final assessments are scheduled in a 24-hour period
- More than two final assessments are scheduled in consecutive periods (this can cross days, for example 2 pm, 5 pm, and 8 am next day)
- Two assessments are scheduled for the same time period
- In the instance that out of class final assessments are part of the conflict, the in-class final assessments take precedence (should not be moved).

In even numbered years, the final assessments falling third should be rescheduled and in odd numbered years the first final assessment should be rescheduled. Varying the rule for rescheduling in cases of conflict avoids the burden of alternative scheduling repeatedly falling on the same classes and instructors.

If a conflict cannot be resolved, students may appeal to the chair of the department that hosts the final assessment in question. In instances of conflicts, students are responsible to initiate moving a final assessment. Students must notify faculty by two business weeks before the last day of classes in a given semester. Faculty should include this information in their course syllabus.

G. While no regular season games involving TCNJ student-athletes are scheduled during the final assessment period, post-season playoff games, which are set by the local conference, NJAC, or NCAA, may occur during this period. When a post-season game conflicts with a scheduled final assessment, the student-athlete should arrange with the instructor to reschedule. Instructors are expected to accommodate such requests.

H. Students are expected to take their final assessments in the time blocks assigned by Records and Registration. Except in the unusual cases outlined in point F and G, this is the rule.

1. Faculty, staff, and students must be available to administer or take their final assessment(s) during the final assessment period.

I. Any exceptions to this policy must be approved in writing in advance by the chair (or program director) and dean.

## V. POLICY FOR COURSES OFFERED OUTSIDE THE REGULAR SEMESTER

Maymester, Wintermester, Summer Study Abroad, and Summer Sessions shall have a final assessment. Such a final assessment may take the form of an in-class exam, a take-home exam, a paper, a final performance, or a project and other formats may be acceptable, at the discretion of the faculty member. In each case, the assessment should be comprehensive and integrative in

nature, but not necessarily cumulative. It should require students to identify the major themes covered during the course and to synthesize these concepts in an organically articulated manner. The date for the final assessment must be defined by each faculty member and appear on the course syllabus.

## VI. POLICY FOR GRADUATE COURSES

For graduate courses, final assessments will be due on the final day of classes or up to three academic days after, at the instructor's discretion (unless this conflicts with the deadline for final grade submission). Courses, such as capstones, practicums and independent study, for example, must request a final assessment slot for culminating work that is due during the final assessment period, but not on a reading day. Components tied to a lecture course, such as a lab, need not have a separate culminating experience. The due date for the final assessment should be noted in the syllabus distributed at the beginning of the semester. For undergraduate courses that are cross-listed with a graduate course (where undergraduates and graduate students are in the same class section) the final assessment policies for graduate courses apply to all students, including undergraduate students. Conflicts that arise for undergraduate students should be resolved in a manner consistent with sections F and G above.

The due dates for graduate final assessments that are not in-class exams or activities but instead take the form of out-of-class take-home exams, papers, projects or student scheduled exams need not coincide with the final day of classes. The due dates for graduate final assessments must be noted in the syllabus distributed at the beginning of the semester and should be due on the last day of the graduate course or up to three academic days thereafter, at the instructor's discretion (unless this conflicts with the deadline for the final grade submission).

**Resolution Approving Waivers  
Of Advertising  
For College Business Purposes**

- Whereas:** State College Contracts Law permits waivers of advertising for specified purchases in excess of \$34,400, and
- Whereas:** The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees, and
- Whereas:** Waiver requests have been reviewed and are recommended by the Business and Infrastructure Committee, a subcommittee of The College of New Jersey Board of Trustees.
- Therefore,  
Be It  
Resolved:** The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein:

<b>VENDOR</b>	<b>PURPOSE</b>	<b>FUNDING SOURCE</b>
NJ Association of State Colleges and Universities \$112,152	Association Dues	College Operating
Center for Strategic Diversity Leadership & Change, LLC. \$75,000	Inclusive Excellence Strategy	College Operating
Educational Computer Systems, Inc. \$42,000	Student Loan Collection, Company & Produce Tax Form 1098-T	College Operating
GradGuard, Next Generational Insurance Group, LLC. \$43,000	Tuition Refund Insurance	Student Charges
Transact Campus, Inc. \$240,000	Credit Card, ACH Payment Processing, Payment Plan, E-Market	Student Charges



College Board \$35,000	Student Search Service	College Operating
Common Application \$95,000	Online Admission Application	College Operating
Assessment Technologies Institute \$55,760	Nursing Testing Package	Student Activity Fee
Wizard's Festival of Fun, Inc. \$130,000	College Union Board (CUB) Funival	Student Activity Fee
Concert Ideas \$320,000	CUB Fall and Spring Concerts	Student Activity Fee
EDS Events and Designs, LLC \$140,000	CUB Concert Production and Entertainment Services	Student Activity Fee
Degy Booking International, Inc. \$300,000	College Entertainment Middle Agency	Student Activity Fee
Arbiter Sports \$60,000	Intercollegiate games referees	College Operating
American Cancer Society \$60,000	Electronic Databases	Library Acquisitions
EBSCO Subscription Services \$715,000	Materials and Electronic Databases	Library Acquisitions
Elsevier \$105,000	Electronic Databases	Library Acquisitions
Institute of Electrical and Electronics Engineers \$50,000	Electronic Databases	Library Acquisitions
OCLC \$90,000	Online Bibliographic Services	Institutional Commitments

ProQuest \$55,000	Electronic Databases, Books and Periodical Materials	Library Acquisitions
Thomson Reuters \$50,000	Electronic Databases, Books and Periodical Materials	Library Acquisitions
VALE \$250,000	Electronic Databases	Library Acquisitions
WALDO \$170,000	Online Bibliographic Services and Electronic Databases	Library Acquisitions And Institutional Commitments
Yankee Book Peddler \$225,000	Books and Library Materials	Library Acquisitions
The Washington Center \$17,845	TCNJ Washington	Program Fees
Vendor TBD \$35,000	Business Objects Business Intelligence Annual Software Licenses and Maintenance	College Operating
Watermark Insights/ LiveText \$55,600	Assessment Keycodes	Student Charges
Apogee Telecom Inc. DBA Campus Televideo \$147,055	Cable Television	College Operating
Ex Libris Inc./ ProQuest subsidiary \$125,406	Cloud Subscription (Alma and Primo Saas)	College Operating
iMedRIS Data Corporation \$62,100	Annual Software Licenses and Maintenance Renewal	College Operating
Symplicity Corp. \$204,150	Insight with Early Alert w/CARE Network, Advocate Complete, Advocate GME	College Operating

Complete and  
Accommodate Full (42-  
month Agreement)

TeamDynamix Solutions,  
LLC.  
\$34,672

TeamDynamix: Enterprise,  
Technician, Student  
Technician, PPM, Team  
Member

College Operating

Verizon  
\$320,000

Verizon Local, Long  
Distance and Wireless  
Telephone Services

College Operating

**The College of New Jersey  
Board of Trustees  
Business and Infrastructure Committee  
Waiver of Advertising for College Business Purposes  
February 23, 2021**

**Professional Services**

**• NJ Association of State Colleges and Universities \$112,152**

**Association Dues**

The New Jersey Association of State Colleges and Universities is a nonprofit higher educational association serving New Jersey's seven state colleges. Created in 1985 by the New Jersey Legislature (NJS.A. 18A:64-45 et seq.), the Association's mission is to: 1. Advocate for the state colleges and for their importance in meeting the educational needs of the State of New Jersey. 2. Support the common interests of the state colleges through policy research, information services and statewide forums and inter-institutional cooperative projects; and 3. Preserve the independence of state college trustee boards in setting policy to fulfill each institution's distinct mission.

The association's expenses are defrayed by college membership dues, in accordance with state law and association bylaws. Fiscal Year 2021 dues for The College of New Jersey are estimated at \$56,076 and Fiscal Year 2022 dues for The College of New Jersey are estimated at \$56,076.

*Waiver statutory exception N.J.S.A. 18A:64-56(b), "contract with State of New Jersey or subdivision"*

**Funded by College Operating Budget**

**• Center for Strategic Diversity Leadership & Change, LLC \$75,000**

**Inclusive excellence strategy**

The College's leadership team is committed to developing a high impact Inclusive Excellence strategy and assessment model consistent with the guiding principles that have underpinned our vision of Inclusive Excellence with a formula of success and leadership amongst our peers in higher education. This is the continuation and culmination of his previous project with the College that began in late 2019 and continued through early 2020 but was interrupted due to the COVID19 pandemic. The goal of this project is to develop an evidenced based Inclusive Excellence Scorecard and activation methodology to support TCNJ in developing a powerful approach to drive change campus wide.

The following are five deliverables expected from this project:

- (1) Scorecard Framework to guide the overall accountability assessment process, including indicators.
- (2) Scorecard Activation Guide to provide guidance on how to cascade the score card institutionally and align with your ongoing campus climate and other assessment activities.
- (3) Customized Power-Point Tool to develop presentations from your data.
- (4) Customized Annual Reporting Tool to gather annual reports from schools, colleges, and units on Campus.
- (5) Scorecard Activation Overview video – outlining national guidance and TCNJ Inclusive Excellence Framework and accountability process.

*Waiver statutory exception N.J.S.A. 18A:64-56(a)(15) "Professional consulting services"*

**Funded by College Operating Budget**

- **Educational Computer Systems, Inc. (ECSI) \$42,000**  
**Student Loan Collection Company (\$27,000) & Produce Tax Form 1098-T (\$15,000)**

The College currently uses Heartland Campus Solutions ECSI (Educational Computer Systems, Inc.) as our Perkins and Nursing Loan billing and collections service. ECSI provides third party management and loan servicing for Perkins and Nursing Loans. In 2019, the College extended requests for proposals to several companies who offer services for billing and collection of NSLDS/Federal Perkins Loans and Nursing Student Loans. We received responses from Heartland Campus Solutions ECSI and Unisa. Since the college had been pleased with the previous quality of account services, pricing, the use of technology, and references, Heartland Campus Solutions ECSI was recommended as the selected vendor.

Heartland Campus Solutions ECSI also produces our required annual end-of-the-year tax forms (1098T) for students. ECSI continues to make an online version available to students. ECSI also provides quality customer service to the students for questions related to the 1098T. We recommended and were received prior approval for a three-year contract starting with FY21 with two (2) one-year renewals. For FY22, we wish to proceed with year two of three years provided for by the contract.

*Waiver statutory exception N.J.S.A. 18A:64-56a (14), the collection of amounts due on student loans, including without limitation loans guaranteed by or made with funds of the United States of America*

**Funded by College Operating Budget**

- **GradGuard, Next Generation Insurance Group, LLC. \$43,000**  
**Tuition Refund Insurance**

If a student is required to withdraw or take a leave of absence from the college due to an unexpected sickness or accident, the families may face the loss of tuition and fees paid. The college has a withdrawal/LOA policy which prorates the tuition and fee cost; however, the full cost is required by the fifth week of classes. Any withdrawal/LOA after that date would not provide a refund to the student. Instead, the college has a voluntary program, which allows students to purchase tuition refund insurance to address financial refunds for withdrawals/LOAs in the case of an illness or accident.

Students have the opportunity to select the threshold of coverage they wish based on their academic year cost. Currently, students may contact GradGuard and choose the amount of desired coverage. The purchase price is approximately 1.2% of the chosen contract amount. GradGuard's coverage plan allows for pre-existing medical conditions to be covered as long as at the time the coverage was purchased, the student did not have any symptoms and was medically able to attend classes. This type of coverage is rare amongst tuition insurance companies. The plan through GradGuard has provisions for coverage and refunding of psychological conditions which meet the needs of today's college student. GradGuard coverage allows for TCNJ to be paid in full for past due semester debt before a refund is generated to an insured student. GradGuard has been in business since 2008 and provides coverage for more than 600,000 students from higher educational institutions

*Waiver statutory exception 18A:64-56a (11), Insurance, including the purchase of insurance coverage and consulting services, which exceptions shall be in accordance with the requirements for extraordinary unspecifiable services.*

**Funded by Student Charges**

- **Transact Campus, Inc. / CashNet \$240,000**  
**Credit Card, ACH Payment Processing, Payment Plan, E-Market**

The College would like to exercise the final optional year of the contract. Additionally, TCNJ has had an excellent working relationship with CashNet for 15+ years. CashNet has offered an attractive e-Market functionality that will allow non-tuition payments to be made to TCNJ directly and real-time.

To date for FY21, a total of 8,688 payments (6,891 ACH, 1,797 credit card) valued at \$35,723,057 have been made utilizing CashNet Electronic Tuition Payment Gateway. Since CashNet currently assesses a convenience fee of 2.75% (domestic) and 4.25% (international) to the credit card holder, this generated \$95,921 in revenue for CashNet to date. CashNet also provides students with a tuition payment plan option. Students contact CashNet directly to enroll into the payment plan and all payments are made to CashNet. The charge to the student to enroll in a payment plan is \$25 per semester. CashNet assesses a convenience fee directly to students for any credit card payment made towards a tuition payment plan. There is no financial implication to the College for this product. To date in FY21, CashNet provided 1,873 payment plan contracts for a total of \$11,916,356. CashNet has earned approximately \$46,825 on the enrollment fee for their payment plans.

The yearly licensing and maintenance fee for the e-Market that provides the payment gateway and payment plan for CashNet is \$14,100. In addition, CashNet is providing an e-Market functionality that allows for TCNJ to accept non-tuition payments through an online payment platform. TCNJ has various programs on campus that are using this service to collect payments to TCNJ.

*Waiver statutory exception N.J.S.A. 18A:64-56a (14), the collection of amounts due on student loans, including without limitation loans guaranteed by or made with funds of the United States of America*

**Funded by Student charges**

**Total for Professional Services Waivers**

**\$512,152**

## **Annual Services**

### **• College Board**

**\$35,000**

#### **Student Search Service**

The College Board is a not-for-profit organization that serves students and selects member institutions by providing the Office of Undergraduate Admissions a database for prospective students, which facilitates our enrollment. The College Board administers the SAT, which has been required for Admissions. Although TCNJ will be test-optional for the next three years, The College Board Search continues to be a source with integrated enrollment solutions consisting of services designed to help institutions find students and focus on recruitment strategies. The College Board provides TCNJ with a set of strategic analysis and reporting features that taps into Search's historical database of millions of test-takers. College Board is the only vendor that has a "Segment Analysis Service" which is a powerful data enrichment and tagging service that helps TCNJ identify promising prospective students by providing information about where students live and where they go to high school.

*Waiver statutory exception N.J.S.A. 18A: 64-56(a)(3), "materials or supplies which are not available from more than one potential bidder..."*

## **Funded by College Operating Budget**

### **• Common Application \$95,000** **Online Admission Application**

For fifteen years, The College of New Jersey has been a member institution successfully utilizing this on-line nationally recognized application. The Common Application is a not-for-profit organization that serves students and select member institutions by providing an admissions application, on-line, that students may submit to any of the nearly 300 colleges. Membership to Common Application is limited to colleges and universities that evaluate students using a holistic selection process. The College of New Jersey continues to use this approach to evaluate applicants. Because of continued growth in applications due to the accessibility of the Common Application for potential TCNJ students, we are requesting \$95,000.00 for the 2022 application cycle. *Waiver statutory exception N.J.S.A. 18A: 64-56(a)(3), "materials or supplies which are not available from more than one potential bidder..."* **Funded by College Operating Budget**

- **Assessment Technologies Institute**

**\$55,760**

**Nursing Testing Package- Academic Year 2021-2022**

The testing services available from Assessment Technologies Institute (ATI) will allow the Nursing department to continue its current program of outcomes assessment. We base this estimate on projected class enrollment of 82 sophomores for the academic year commencing August 2021. The cost per year is \$680.00 per student. The reasons for continuing this commercial package are: 1. to provide comprehensive and longitudinal outcome data; and 2. to give feedback to students as they prepare for the NCLEX-RN examination. The Department recommends using ATI's comprehensive web-based assessment to test all students in each clinical course. The Department will be able to use the benchmark data provided on our students to compare them with other schools that use ATI. Funds for the program will come from pass-through charges to the students.

*Waiver statutory exception N.J.S.A. 18A:64-56(17), "funds created by student activities fees..."*

**Funded by Student Activity fee**

<b>Total of Annual Service Waivers</b>	<b>\$185,760</b>
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**Student Affairs**

- **Wizard's Festival of Fun, Inc.**

**\$130,000**

**College Union Board Spring 2022 Funival**

The College Union Board (CUB) is a student organization recognized by the Student Government and viewed as the foremost student-led programming group on campus. CUB's mission is to provide programs that fulfill the social, cultural, and educational needs of the campus community. CUB will contract rides for the carnival from Wizard's Festival of Fun, Inc., which is based in New Jersey, and is licensed and bonded to operate this equipment within the State. Wizard's Festival of Fun, Inc. will be required to present The College of New Jersey with evidence of general liability insurance coverage naming The College Union Board, its members and advisor, The State of New Jersey, The College of New Jersey, and the New Jersey Educational Facilities Authority as additional insured against all legal liability claims in the amount of not less than \$2,000,000.00. The College Union Board will also purchase insurance in the amount of \$2,000,000.00 with the same additionally insured language.

CUB will work with TCNJ Campus Police to ensure the necessary safety and security precautions are in place for attending students, staff, artists and facility. Campus Police have also approved a working relationship with Professional Corporate Security Services of New Jersey to aid in large-scale events of this nature. The venue site for the carnival will be parking lots along Metzger Drive. Average event attendance is 3,400 people. Funding for the College Union Board is provided entirely through the Student Activity Fee. In the event this event cannot take place on campus due to Covid-19 safety concerns this event will be rescheduled.

*Waiver statutory exception N.J.S.A. 18A:64-56(17), "funds created by student activities fees..."*

**Funded by Student Activity Fee**



- **Concert Ideas**

**\$320,000**

- CUB Fall 2021 and Spring 2022 Concerts**

CUB will contract through Concert Ideas, a college entertainment middle agency, who will serve as the contracting agent who will hire the artists. The middle agent will provide consulting, planning, and purchasing/talent buying assistance. Artists will be required to present The College with evidence of general liability insurance coverage naming The State of New Jersey, The College of New Jersey, and the New Jersey Educational Facilities Authority as additional insured against all legal liability claims in the amount of not less than \$1,000,000.00. The Student Finance Board has purchased a comprehensive insurance policy that will provide coverage in the amount of \$1,000,000.00 with the same additional insured language.

CUB will work with TCNJ Campus Police to ensure the necessary safety and security precautions are in place for attending students, staff, artists and facility. Members of Professional Corporate Security Services of New Jersey will be present at all concerts. CUB will comply with all College and State guidelines related to the Covid-19 health and safety guidelines for holding in person events. The venue sites for CUB concerts will be the TCNJ Student Recreation Center; capacity is set at 2,700 tickets (2,500 tickets for sale, 200 tickets for workers, artist complimentary tickets, etc). In the event these events cannot take place on campus due to Covid-19 safety concerns the events may be held virtually on a secure platform. Funding for the College Union Board and all Registered Student Organizations is provided entirely through the Student Activity Fee.

*Waiver statutory exception N.J.S.A. 18A:64-56(17), "funds created by student activities fees..."*

**Funded by Student Activity Fee**

- **EDS Events and Design, LLC**

**\$140,000**

- CUB concert production and entertainment services**

CUB's location for their concerts is the Student Recreation Center. CUB will contract with EDS Events and Design LLC to provide production and entertainment services. EDS Events and Design LLC will be required to present The College of New Jersey with evidence of general liability insurance coverage naming The State of New Jersey, The College of New Jersey, and the New Jersey Educational Facilities Authority as additional insured against all legal liability claims in the amount of not less than \$1,000,000.00. The Student Finance Board has purchased a comprehensive insurance policy that will provide coverage in the amount of \$1,000,000.00 with the same additional insured language. CUB will work with TCNJ Campus Police to ensure the necessary safety and security precautions are in place for attending students, staff, artists and facility. Members of Professional Corporate Security Services of New Jersey will be present at all concerts. CUB will comply with all College and State guidelines related to the Covid-19 health and safety guidelines for holding in person events.

The TCNJ Student Recreation Center, capacity is set at 2,700 tickets (2,500 tickets for sale, 200 tickets for workers, artist complimentary tickets, etc.) Primary ticket sales will be to TCNJ students at the cost of \$10 per ticket. Faculty and staff tickets will be made available the week prior to the show at the cost of \$15 per ticket if tickets are still available. There will be a limit of two tickets available for purchase per person. In the event these events cannot take place on campus due to Covid-19 safety concerns the events may be held virtually on a secure platform. Funding for the College Union Board is provided entirely through the Student Activity Fee

*Waiver statutory exception N.J.S.A. 18A:64-56(17), "funds created by student activities fees..."*

**Funded by Student Activity Fee**

- **Degy Booking International, Inc.**

**\$300,000**

**College entertainment middle agency**

TCNJ has over 200 registered student organizations who are recognized by the Student Government Association who plan countless events for the campus community. Throughout the year, some registered student organizations propose to bring large scale performers to campus to fulfill their missions and enhance the student experience. The middle agent will provide consulting, planning, and purchasing/talent buying assistance. Artists will be required to present The College of New Jersey with evidence of general liability insurance coverage naming The State of New Jersey, The College of New Jersey, and the New Jersey Educational Facilities Authority as additional insured against all legal liability claims in the amount of not less than \$1,000,000.00. The Student Finance Board has purchased a comprehensive insurance policy that will provide coverage in the amount of \$1,000,000.00 with the same additional insured language.

Student Organizations will work with TCNJ Campus Police to ensure the necessary safety and security precautions are in place for attending students, staff, artists and facility and will comply with all College and State guidelines related to the Covid-19 health and safety guidelines for holding in person events. Student Organization events will be held on campus at either Kendall Main Stage Theatre or the Brower Student Center. In the event these events cannot take place on campus due to Covid-19 safety concerns the events may be held virtually on a secure platform. Funding for all Registered Student Organizations is provided entirely through the Student Activity Fee, administered by the Student Finance Board

*Waiver statutory exception N.J.S.A. 18A:64-56(17), "funds created by student activities fees..."*

**Funded by Student Activity Fee**

- **Arbiter Sports**

**\$60,000**

**Intercollegiate games referees**

When hosting intercollegiate games, the Athletic department is responsible to hire sanctioned referees for each event. The assigning of referees for each home game is done by independent assigning organizations which is dictated by NJAC and/or NCAA. Arbiter Sports allows for a central online portal where referees are assigned to a specified Athletic contest and can be paid instantly through Arbiter's website. The collection/issuance of all tax requirements is the responsibility of Arbiter, relieving the College from this responsibility. Since the assignors dictated by NJAC and/or NCAA utilize Arbiter for their assignments and the referees being assigned hold Arbiter accounts for receipt of payments, this makes them the exclusive third-party vendor to provide these services. Therefore, Arbiter must be agent to be used by our Athletic department in order to pay these assigned referees electronically.

*Waiver statutory exception N.J.S.A. 18A:64-56(a)(2), "extraordinary unspecifiable services and products which cannot reasonably be described by written specifications..."*

**Funded by College Operating Budget**

<b>Total of Student Affairs Waivers</b>	<b>\$950,000</b>
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## Library Acquisitions

### • American Chemical Society (ACS)

**\$60,000**

#### **Electronic Databases**

This is the third year of a three-year contract that offers significant savings to the College. ACS is the sole source supplier for many electronic publications that are essential for library services. The Gitenstein Library acquires from ACS several important electronic titles including The Journal of Organic Chemistry, The Journal of Physical Chemistry, and Organic Letters.

*Waiver statutory exception N.J.S.A. 18A:64-56(6), "library materials including without limitations books, periodicals...and specialized library services including electronic databases and digital formats."*

**Funded by: Library acquisition funds**

### • EBSCO Subscription Services

**\$715,000**

#### **Materials and Electronic Databases**

EBSCO Subscription Services has been one of the leading library periodical suppliers in the world for over 60 years. Now part of EBSCO Information Systems, they continue to be a worldwide leader in providing information access and management solutions through print and electronic journal subscription services. EBSCO is TCNJ's supplier of choice for several reasons, including title availability, customer service, and peripheral products. EBSCO's unique and extensive serials titles database contains both print and electronic titles from US and foreign publishers. The depth of EBSCO's database allows us to order, search, claim, and renew the vast majority of our periodicals subscriptions through one service. This represents a significant savings in TCNJ staff time, relative to dealing directly with the individual publishers. Reliable customer service is another of EBSCO's strong points. Throughout the course of their long association with TCNJ, they have proven their willingness to expedite the resolution of any dispute between TCNJ and individual publishers. TCNJ uses EBSCO's Electronic Journals Service (EJS) to handle electronic journal access and management needs. These include tracking the registration status of e-journals, authentication assistance to facilitate both on-campus and remote access to e-journal content, and automatic management of e-journal URLs. EBSCO provides durable URLs for thousands of journals and millions of articles, with no URL maintenance by Gitenstein Library staff required.

*Waiver statutory exception N.J.S.A. 18A:64-56(6), "library materials including without limitations books, periodicals...and specialized library services including electronic databases and digital formats."*

**Funded by: Library acquisition funds**

### • Elsevier

**\$105,000**

#### **Electronic Databases**

This is the third year of a three-year contract that offers significant savings to the College. Elsevier is one of the world's largest publishers of scientific, medical and technical information. In recent years, this company has acquired many other scientific publishing houses, and currently owns information resources previously purchased from a variety of vendors but now available only through Elsevier. These resources include bibliographic databases, electronic handbooks and electronic serials. Elsevier's *Science Direct* provides full text content for close to 1,000 journals covering primarily the chemical, biological, health sciences, and engineering fields but also including journals from the social sciences. The tables of contents and abstracts of additional journals are also available.

Elsevier is the sole provider of *Engineering Village* search interface. The *Engineering Village* provides access to a variety of engineering-related databases including *Compendex*, a comprehensive interdisciplinary engineering database. *Compendex* provides citations and abstracts of articles from periodicals, conference proceedings and other sources in many fields including mechanical, civil, chemical, computer, and electrical engineering, as well as engineering management. These databases provide TCNJ students and faculty with a range of material not otherwise easily available to them.

*Waiver statutory exception N.J.S.A. 18A:64-56(6), "library materials including without limitations books, periodicals...and specialized library services including electronic databases and digital formats."*

**Funded by: Library acquisition funds**

• **Institute of Electrical and Electronics Engineers (IEEE) \$50,000**

**Electronic Databases**

IEEE (the Institute of Electrical and Electronics Engineers) is the producer of the IEEE Xplore® digital library which offers access to IEEE journals, transactions, letters, magazines and conference proceedings, IET journals and conference proceedings, IEEE Standards and IEEE educational courses. These databases provide TCNJ students and faculty with a range of material not otherwise easily available to them. Each year the Library does prudent price comparisons with other vendors of electronic information services, such as VALE, WALDO, and LYRASIS, to get the best rates for individual databases. They have found that their best pricing for IEEE Xplore® is through IEEE.

*Waiver statutory exception N.J.S.A. 18A:64-56(6), "library materials including without limitations books, periodicals...and specialized library services including electronic databases and digital formats."*

**Funded by: Library acquisition funds**

• **OCLC (formerly Online Computer Library Center) \$90,000**

**Online Bibliographic Services**

OCLC is the largest international distributor for online catalog records for books and other materials. Online cataloging records from the Library of Congress and from libraries around the world are distributed via the OCLC utility. OCLC also provides a unique ordering and record-keeping system for Inter-Library Loan (ILL).

*Waiver statutory exception N.J.S.A. 18A:64-56(6), "library materials including without limitations books, periodicals...and specialized library services including electronic databases and digital formats."*

**Funded by: Institutional commitment funds**

• **ProQuest \$55,000**

**Electronic Databases, Books and Periodical Materials**

ProQuest is the sole source supplier for many publications that are essential for library services. As a result of agreements with more than 8,000 publishers worldwide, ProQuest provides access to information from newspapers, out-of-print books, dissertations, and scholarly collections, in predominantly microfiche or microfilm formats.

Gitenstein Library acquires from ProQuest several important newspapers, such as Barron's National Business and Financial Weekly, The New York Times, Wall Street Journal, Christian Science Monitor, on microfiche with indexes in book format, Ulrich's Web Academic and Index to Music Periodicals online, as well as out-of-print books on demand, serials back files, etc.

*Waiver statutory exception N.J.S.A. 18A:64-56(6), "library materials including without limitations books, periodicals...and specialized library services including electronic databases and digital formats."*

**Funded by: Library acquisition funds**

• **Thomson Reuters** **\$50,000**

**Electronic Databases, Books and Periodical Materials**

Thomson Reuters is the sole source supplier for many publications that are essential for library services. Gitenstein Library acquires from Thomson Reuters several important electronic databases including West Information, RIA Academic Advantage, JCR WEB, and Dialog.

*Waiver statutory exception N.J.S.A. 18A:64-56(6), "library materials including without limitations books, periodicals...and specialized library services including electronic databases and digital formats."*

**Funded by: Library acquisition funds**

• **VALE** **\$250,000**

**Electronic Databases**

VALE's objective is to help New Jersey academic institutions meet the demands of students and faculty for access to scholarly materials. Through cooperation and leveraged purchasing, and through the use of collaboration and cutting-edge technology, VALE seeks to provide a seamless network of access to shared electronic academic information resources throughout the state of New Jersey. VALE provides subscriptions to major periodical indexes, full text content, and other electronic resources at substantial savings over the price of subscriptions direct from the publisher. Each year the Gitenstein Library does prudent price comparisons with other vendors of electronic databases such as WALDO or LYRASIS, to get the best rates for individual databases, and in those cases where VALE offers the best price they subscribe through VALE. Subjects covered by these databases include business, arts, social sciences and humanities.

*Waiver statutory exception N.J.S.A. 18A:64-56(6), "library materials including without limitations books, periodicals...and specialized library services including electronic databases and digital formats."*

**Funded by: Library acquisition funds**

• **WALDO** **170,000**

**Online Bibliographic Services and Electronic Databases**

WALDO is a membership organization supporting the procurement and administration of electronic databases for libraries since 1982. WALDO provides subscriptions to major periodical indexes, full text content, and other electronic resources. Through consortial negotiation, WALDO is able to offer favorable pricing on electronic resources used by TCNJ faculty and students. Unlimited access and remote access are available for most databases and most subscriptions can be started on a prorated basis at any time. Each year the Gitenstein Library does prudent price comparison with other vendors of electronic databases, such as VALE or LYRASIS, to get the best rates for individual databases. This comparison has led to a determination that WALDO offers TCNJ the best pricing and service on many electronic resources.

*Waiver statutory exception N.J.S.A. 18A:64-56(6), "library materials including without limitations books, periodicals...and specialized library services including electronic databases and digital formats."*

**Funded by: Library acquisition funds and institutional commitments**

• **Yankee Book Peddler (YBP)** **\$225,000**

**Books and Library Materials**

YBP is an established library material vendor that supplies academic and research materials to academic, specialized, and public libraries. Yankee's title database, with its superior selection of academic books in general, reference books and books in the sciences and technology, particularly the life sciences, is superior to that of most of our other book vendors. They are recognized as a supplier

of material that the library would otherwise have to order direct from the publisher. They also supply library materials in formats other than print books, including e-books and audio- and video recordings in digital formats. YBP provides additional value-added services to TCNJ, including pre-catalog records, installing security strips in the books, and applying plastic reinforcement of paperbacks prior to shipment. The Gitenstein Library has incorporated Yankee's unique GOBI ordering system into its acquisitions workflows, expediting book acquisitions and cataloging, thereby reducing the time between a title's request and its availability to the TCNJ community.

The Gitenstein Library has been using Yankee as its main source for the "harder to obtain" titles that are short-discounted and are often not found in other vendor databases. The Library has also moved to consolidate its standing order titles with YBP, streamlining workflow. YBP's pricing remains highly competitive and their service excellent.

*Waiver statutory exception N.J.S.A. 18A:64-56(6), "library materials including without limitations books, periodicals...and specialized library services including electronic databases and digital formats."*

**Funded by: Library acquisition funds**

<b>Total of Library Waivers</b>	<b>\$1,770,000</b>
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## **Study Abroad Programs**

### **• The Washington Center**

**\$17,845**

#### **TCNJ Washington**

The School of Humanities and Social Science, in cooperation with the TCNJ Center for Global Engagement, seeks to offer undergraduate students a Fall, Spring, or Summer semester study program in Washington, DC. The above mentioned provider will provide assistance and coordinate student housing, classroom space, course instruction, and internship placement for a group of TCNJ undergraduate students.

When we originally submitted the Request for Waiver last July 2020, the anticipated enrollment for The Washington Center (TWC) was 5 students for the Fall 2020 program and 9 students for the Spring and Summer 2021 programs. TCNJ pays approximately \$8,965 per fall semester student, \$9275 per spring semester student, and \$7,100 per summer. These payments include tuition, fees, and internship placement. Due to the recent COVID-19 international travel restrictions, we have had an increase of students who have attended or wish to attend TWC. We had an additional 4 (9 total) students who attended this past Summer and Fall and anticipate having 11 students enroll in the Spring and Summer programs. This increase in student enrollment at this study center requires that we request an increase to the Request for Waiver of Bid Advertising that was submitted and approved during the July 2020 Board of Trustees meeting. We are requesting the waiver amount be increased from \$128,300 to \$146,145.

*Waiver statutory exception N.J.S.A. 18A:64-56(a)(2), "extraordinary unspecifiable services and products which cannot reasonably be described by written specifications..."*

**Funded by Program Fees**

<b>Total of Study Abroad Program Waivers</b>	<b>\$17,845</b>
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## Computing and Technical Services

### • **TBD** **\$35,000**

#### **Business Objects Business Intelligence Annual Software Licenses and Maintenance**

The specific vendor is pending competitive quote collection in the amount of \$35,000.00 for Business Objects Business Intelligence Annual Software Licenses and Maintenance. In October 2005, the Board of Trustees approved a waiver of advertising for the purchase of Business Objects Business Intelligence Software. Business Objects Business Intelligence Software provides the College with analytical and strategic reporting based on the Oracle PeopleSoft Administration Information Systems use by the College. Licensing allows the College to use the software. Maintenance, including upgrades and support, allows the College to keep the software up-to-date and functioning properly. SAP Public Services, Inc. is the sole source provider of Business Objects Business Intelligence Annual Software Licenses and Maintenance.

*Waiver statutory exception N.J.S.A. 18A:64-56(a) (19), Information Technology*

**Funded by College Operating Budget**

### • **Watermark Insights /LiveText** **\$55,600**

#### **Assessment keycodes**

The total is based on the need to issue keycodes to a projected 400 students who are new to the LiveText system. Each student has already paid a LiveText fee that covers the \$139 per person expense (keycode) as part of their package of tuition and fees. LiveText fulfills a unique need for the School of Education and related education programs at the College. This product is utilized for accreditation purposes as the education unit of the College is required to collect and record student achievements in a way that outstrips the functionality of our learning management system, Canvas. LiveText is also a required for the submission of edTPA, a requirement for teacher certification by NJDOE.

*Waiver statutory exception N.J.S.A. 18A:64-56(a) (19) Information Technology*

**Funded by Student charges**

### • **Apogee Telecom Inc. DBA Campus Televideo (CTV)** **\$147,055**

#### **Cable Television for the College**

Apogee Telecom has been providing the College with cable television since 2015 and has performed the following functions for the College of New Jersey. CTV as part of the agreement has installed and will maintain satellite Smart Box headend equipment and deliver bulk programming to all designated active units. The College has successfully negotiated the removal of the cost for the equipment lease saving approximately \$23,229.88 annually. The Board Waiver will cover the programming, maintenance and Philo recurring maintenance cost. The College is currently provided with more than 80 Satellite channels. The College also chose eight over the air local channels as well as a choice of four premium channels from the HBO package.

*Waiver statutory exception N.J.S.A. 18A:64-56(a) (19) Information Technology*

**Funded by College Operating Budget**

• **Ex Libris Inc., a subsidiary of ProQuest** **\$125,406**  
**Cloud Subscription (Alma and Primo Saas)**

The Ex Libris software application was originally purchased in 2000 for use in the TCNJ R. Barbara Gitenstein Library. In recent years, this system was migrated to the cloud solution. Ex Libris's Alma and Primo SaaS (cloud version) were selected as the applications that would best meet the needs of the College. Ex Libris Inc. is the sole source provider of Alma and Primo SaaS software, licenses, and maintenance. The waived price includes all cloud subscriptions and any necessary upgrades and maintenance.

*Waiver statutory exception N.J.S.A. 18A:64-56(a) (19), Information Technology*

**Funded by College Operating Budget**

• **iMedRIS Data Corporation** **\$62,100**  
**Annual Software Licenses and Maintenance Renewal**

A 2017 competitive process conducted by the Institutional Review Board (IRB) committee together with the Office of Academic Grants and Sponsored Research, representatives from the Office of the Treasurer, and Information Technology Business Office resulted in the selection of iMedRIS. The renewal will maintain licensing as well as cover maintenance, including upgrades and online help support. The annual recurring maintenance costs will be \$62,100.00. iMedRIS is a sole source vendor for their software.

*Waiver statutory exception N.J.S.A. 18A:64-56(a) (19), Information Technology*

**Funded by College Operating Budget**

• **Symplicity Corp.** **\$204,150**  
**Insight with Early Alert w/CARE Network, Advocate Complete, Advocate GME Complete and Accommodate Full (42-month Agreement)**

Student Affairs has been using Insight Early Alert and CARE Network to identify and track at-risk students while Advocate Complete has been used as a management tool for student conduct and a behavioral intervention system. The success of these products has led to the purchase of Advocate GME Complete and Accommodate Full Edition. Advocate GME is a unified solution for complaints, grievances, and conflict resolution, which protects the College from liability by providing staff and faculty with an easy, reliable way of reporting concerns. Accommodate modernizes the accommodation request process with a fully ADA-Compliant interface that allows students to seamlessly submit requests, check out assistance devices and more. Licensing allows the College to use the software. Maintenance, including upgrades and support, allows the College to keep the software up-to-date and functioning properly. Symplicity Corp. is the sole source for all their Software Licenses and Maintenance. By contracting for a forty-two-month term, the College was able to negotiate a more competitive agreement that will allow the College to realize savings of approximately \$41,607.00 with a favorable renewal option in subsequent years.

*Waiver statutory exception N.J.S.A. 18A:64-56(a) (19), Information Technology*

**Funded by College Operating Budget**



- **TeamDynamix Solutions, LLC**

**\$34,672**

**Enterprise, Technician, Student Technician, PPM, Team Member**

TeamDynamix Solutions, LLC is the sole source developer of TeamDynamix, which is used by IT Project Management, IT Help Desk, and Institutional Research. IT Service Management and Enterprise Service Management both integrate with Project Portfolio Management (PPM) in a single platform and Enterprise Service Management fully integrates with our PPM solution, thus allowing the College to benefit from a full 360° view of work management. With TDX Project Portfolio Management (PPM) tools, the College can evaluate and prioritize project requests, assess needs, and understand the impact on resources. The College relies on the PPM platform to plan, track, and manage the entire portfolio of work across all projects. TDX Technician enables service desk technicians to focus on managing tickets and incidents that are entered, Student Technician allows service desk technicians to focus on managing tickets and incidents that are entered without access to non-ticket related reporting and planning tools, and Team Member enables team members to focus on executing the work to which they have been assigned. TeamDynamix LLC is the only product offering this full suite of products.

*Waiver statutory exception N.J.S.A. 18A:64-56(a) (19), Information Technology*

**Funded by College Operating Budget**

- **Verizon**

**\$320,000**

**Verizon Local, Long Distance and Wireless Telephone Services**

Verizon is the College's source for local and long-distance landline telephone services, and some wireless telephone services. The following estimates are expected for Fiscal Year 2020; faculty, staff and residential student local landline telephone service costs will be \$155,000.00, faculty, staff and residential student long distance landline telephone service costs will be \$45,000.00, wireless charges for staff business related wireless telephone use will be \$20,000.00 and support for the Verizon circuit transformation for the cogent plant will be \$100,000.00.

*Waiver statutory exception N.J.S.A. 18A:64-56(a) (19), Information Technology*

**Funded by College Operating Budget**

<b>Total for Information Technology Waivers</b>	<b>\$983,983</b>
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<b>Grand Total of all Waivers</b>	<b>\$4,419,740</b>
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**Resolution Approving Waivers  
Of Advertising  
Business and Infrastructure Committee  
(Facilities and Construction)**

**Whereas:** State College Contracts Law permits waivers of advertising for specified purchases in excess of \$34,400; and

**Whereas:** The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees; and

**Whereas:** Waiver requests have been reviewed and are recommended by the Business and Infrastructure Committee, a subcommittee of The College of New Jersey Board of Trustees.

**Therefore,  
Be It  
Resolved:**

The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein.

<b>VENDOR</b>	<b>PURPOSE</b>	<b>FUNDING SOURCE</b>
Broad, USA \$48,342	Maintenance Agreement for the remote HVAC units for Phelps and Hausdoerffer Halls	Housing Operating
EnviroTrac Ltd. \$43,813	Fuel oil remediation professional services	College Operating
Ewing Township \$470,000	Sewage disposal services	College Operating – 53% Housing Operating – 39% BSC Operating – 8%
Honeywell International, Inc. \$641,778	Service contract for energy management and fire alarms	College Operating – 53% Housing Operating – 39% BSC Operating – 8%
Itron, Inc. \$42,564	Maintenance contract for campus metering system	College Operating – 57% Housing Operating – 35% BSC Operating – 8%

Johnson Controls 118,596	Service contract for chiller plant and computerized chiller controls and Art/IMM and BSC energy management systems	College Operating - 52% Housing Operating - 21% BSC Operating - 27%
Public Service Electric and Gas \$4,100,000	Purchase of regulated utility service - natural gas and electric	College Operating - 53% Housing Operating - 39% BSC Operating - 8%
Quincy Compressors \$126,201	Rebuilding of gas compressors and maintenance agreement on associated equipment	College Operating - 61% Housing Operating - 39%
Schneider Electric \$56,290	Service contract for energy management for Phelps & Hausdoerffer Halls and the Education Building	College Operating - 57% Housing Operating - 43%
Siemens Fire Safety \$94,312	Fire alarm service agreement	College Operating - 50% Housing Operating - 50%
Trenton Waterworks \$500,100	Water services	College Operating - 53% Housing Operating - 39% BSC Operating - 8%
United States Postal Service \$230,000	Postage expenses and fees	College Operating with Chargeback to Functional Units



TO Business and Infrastructure Committee  
The College of New Jersey Board of Trustees

FROM Kathryn A. Foster  
President

DATE February 9, 2021

RE Waivers of Advertising for Facilities and Construction

This memorandum requests that the Business and Infrastructure Committee review the attached list of waivers for Facilities and Construction totaling \$6,471,996 and recommend it for approval to the Board of Trustees at the February 23, 2021.

These waivers are in conformity with the State College Contracts Law 18A:64-56, that permits any purchase, contract or agreement of the character described in section 4 of P.L.1986, c.43 (C.18A:64-55) may be made, negotiated or awarded by the State college by resolution at a public meeting of its board of trustees without public advertising for bids or bidding.

**The College of New Jersey  
Board of Trustees  
Business and Infrastructure Committee  
Waiver of Advertising - Facilities and Construction  
February 9, 2021**

**Annual Waivers for FY 2022**

- **Broad U.S.A., Inc.**  
**Annual Maintenance Agreement** **\$48,342**  
This waiver is for the annual maintenance agreement for the Heating, Ventilation and Air Conditioning (HVAC) units in Phelps and Hausdoerffer Halls. Personnel trained in the operation and maintenance of Broad, USA remote HVAC units must maintain these heating and chiller units. Waiver statutory exception: N.J.S.A 18A:64-56(a)(3) Materials or supplies which are not available from more than one potential bidder.  
**Funded by Housing Operating Budget**
  
- **EnviroTrac Ltd.**  
**Professional Services** **\$43,813**  
In 1994 during construction at the powerhouse, there was a release of #6 fuel oil into the environment from a 30,000-gallon Underground Storage Tank (UST) that was being removed. The College was required to be assigned a New Jersey Department of Environmental Protection (NJDEP) case number and a contract for professional services is required under the NJDEP's Site Remediation Reform Act. Activities associated with the consulting services include, but are not limited to: a Licensed Site Remediation Professional (LSRP), recovering liquid phase hydrocarbons (LPH) from groundwater in the monitoring wells, measuring groundwater levels in all monitoring wells, collecting soil and groundwater samples and corrective maintenance to all monitoring wells. For Fiscal Year 2022 Requests for Proposal were sent for the aforementioned services and EnviroTrac Ltd. was deemed the most responsive. The College has been satisfied with the performance of EnviroTrac and will be entering into a three year contract at an annual cost of \$43,813., for remediation activities directed by the NJDEP.  
Waiver statutory exception: N.J.S.A 18A:64-56(a)(1) Professional Services.  
**Funded by College Operating Budget**
  
- **Ewing Township** **\$470,000**  
Due to the College's location, raw sewage is processed through the Ewing-Lawrence Sewage Authority's underground sewer distribution system. The College is required to pay regulated fees for the treatment of this raw sewage. These fees are paid directly to Ewing Township, under its contractual arrangement with the Ewing-Lawrence Sewage Authority. Waiver statutory exception: N.J.S.A 18A:64-56(a)(8) Supply of any product or the rendering of any service by a public utility.  
**Funded by BSC, College and Housing Operating Budgets**
  
- **Honeywell International, Inc.**  
**Maintenance Agreement** **\$641,778**  
This waiver is for the renewal of four of a five-year service contract for the Honeywell energy management system (EMS), direct digital control automatic temperature controls in campus buildings with old and new Honeywell technologies, fume hood testing throughout the campus, Central Utilities Plant, and fire/security maintenance in the amount of \$591,778. In addition, an emergency repair fund for parts and devices not covered under the service contract for \$50,000 is needed. While Honeywell International, Inc. is not the only service vendor of its EMS HVAC system, the majority of their internal components are of a proprietary nature. The College has

over 4,500 energy management hardware points in the older Delta 1000 system and approximately 40,000 newer direct digital points in the upgraded Excel and Electronic Building Integrator (EBI) systems. Therefore, other major service contractors will not be as capable of providing prompt and effective service on the College's EMS system. The original equipment manufacturer has the full technical staff expertise, availability of replacement parts and support of older technology and software programming knowledge to provide the necessary and timely services.

The College uses five different manufacturers of fire alarm systems throughout the campus (Honeywell, Standard Electric Time Corporation, Johnson Controls, Siemens Fire Safety, and Minuteman). All of the non-Honeywell fire alarm systems as well as Honeywell fire and security systems communicate directly to a central monitoring computer at the EMS office and to Campus Police Services headquarters via a Honeywell Fire/Security system. Honeywell has proven over the years to be capable of responding to any emergency within four (4) hours. Since we have all of our fire alarm systems report through this system, it is a requirement that we obtain twenty-four hour, seven days per week service. Honeywell International, Inc. has diverse, technically trained staff that is well versed in the most recent Honeywell EMS technology. Waiver statutory exception: N.J.S.A 18A:64-56(a)(3) Materials or supplies which are not available from more than one potential bidder.

**Funded by BSC, College and Housing Operating Budgets**

- **Itron, Inc.**  
**Annual Maintenance Agreement** **\$42,564**  
The College currently has a campus-wide electric metering system for energy management and reporting purposes. Since the system was installed, the College has maintained an annual extended service agreement for system maintenance. Fiscal year 2022 is the final year of a three year contract. Waiver statutory exception: N.J.S.A 18A:64-56(a)(3) Materials or supplies which are not available from more than one potential bidder.  
**Funded by BSC, College and Housing Operating Budgets**
  
- **Johnson Controls, Inc.**  
**Maintenance Agreement** **\$118,596**  
The College's chiller plant currently operates with two Johnson Controls-York brand turbine driven chillers. A service contract is required for the startup and optimization of the chillers each spring. JCI is also the supplier of the energy management equipment and controls, and provides maintenance for the computerized energy management system (EMS) for automatic temperature controls in the Art/IMM Building. Fiscal Year 2022 is the final year of a two year contract. Waiver statutory exception: N.J.S.A 18A:64-56(a)(3) Materials or supplies which are not available from more than one potential bidder.  
**Funded by BSC, College and Housing Operating Budgets**
  
- **Public Service Electric & Gas (PSE&G)**  
**Utility** **\$4,100,000**  
The College supplements the cogeneration plant's production of electricity by purchasing electricity and natural gas from PSE&G. PSE&G provides a subsidized rate for natural gas established through the Public Utilities Reform Policy Act of 1982. No other provider is able to compete with this rate. Based on a projection of use, this waiver is for \$4,586,680 for fiscal year 2020. Waiver statutory exception: N.J.S.A 18A:64-56(a)(8) Supply of any product or the rendering of any service by a public utility.  
**Funded by BSC, College and Housing Operating Budgets**

- **Quincy Compressors** **\$126,201**  
**Maintenance Agreement**  
 The College has two Gardner Denver gas compressors that run constantly to supply gas to the cogeneration plant turbine, which generates campus heat and electricity. It is important to perform yearly inspections and overhauls to maintain reliable and efficient operations of the cogeneration plant. Every year, each compressor receives either a major or a minor rebuild. In addition, this contract will include the maintenance of three air compressors along with the associated air dryer. These air compressors are needed to operate the various control systems in the Powerhouse. Quincy Compressors is the sole Gardner Denver distributor in the area and the only firm qualified to do this work. The College will be entering into the first year of a five year contract at an annual cost of \$126,201. This five year service agreement covers all of the proprietary equipment that Quincy services at the Powerhouse and has no annual increase for years two to five. In addition, the agreement can be canceled with 60 days' notice. Waiver statutory exception: N.J.S.A 18A:64-56(a)(3) Materials or supplies which are not available from more than one potential bidder.  
**Funded by BSC, College and Housing Operating Budgets**
- **Schneider Electric** **\$56,290**  
**Maintenance Agreement**  
 Schneider Electric is a supplier of energy management equipment and controls, and provides maintenance for the computerized energy management system (EMS) for automatic temperature controls in both Phelps and Hausdoerffer Halls and the Education Building. While Schneider Electric is not the only service vendor for the EMS system within these facilities, the majority of its internal components are of a proprietary nature. . Fiscal year 2022 is the third year of a five year contract. Waiver statutory exception: N.J.S.A 18A:64-56(a)(3) Materials or supplies which are not available from more than one potential bidder.  
**Funded by College and Housing Operating Budget**
- **Siemens Fire Safety** **\$94,312**  
**Maintenance Agreement**  
 The College currently has Siemens fire alarm systems in seven facilities on campus. The system provides audible local alarms, and transmission through the Honeywell energy management system to Campus Police for emergency response. It is essential for the safety of our campus that the system be properly maintained and supported by the manufacturer. In order to comply with fire and safety codes and to ensure the safety of the campus community, it is essential that these fire alarm systems are fully operational at all times. Reliability and proper functioning of each system is dependent upon qualified staff that can respond on short notice and have access to proprietary replacement parts. To further enhance fire safety at the College, the annual service agreement has been augmented to include one weekly visit, in addition to a required system inspection and for Siemens to perform additional system troubleshooting and preventive maintenance beyond that which College staff can perform. Waiver statutory exception: N.J.S.A 18A:64-56(a)(3) Materials or supplies which are not available from more than one potential bidder.  
**Funded by College and Housing Operating Budgets**
- **Trenton Water Works** **\$500,100**  
**Utility**  
 As regulated by the New Jersey Public Utilities Commission, Trenton Water Works owns and maintains the existing underground distribution system and water treatment plants, which serve the College's campus. This waiver is for the projected annual cost of water service for FY 2021. Waiver statutory exception: N.J.S.A 18A:64-56(a)(8) Supply of any product or the rendering of any service by a public utility.  
**Funded by BSC, College and Housing Operating Budgets**

- **United Postal Service**

**Postage**

**\$230,000**

The Postal Service is responsible for nationwide postal regulation, as well as for the collection and delivery of mail. During the upcoming fiscal year, and based upon year-end data from Fiscal Year 2021, it is estimated that the College will meter approximately 147,000 pieces of first class mail and 678,000 circulars (third-class/bulk mailings). Based upon these numbers and the associated postal rates, the College anticipates spending an estimated \$230,000 on postage and related fees in Fiscal Year 2022. Waiver statutory exception: N.J.S.A 18A:64-56(b) Contracts entered into with the United States of America.

**Funded by Operating Budgets with Charge back to Functional Units**

**Total Amount of Waivers for Facilities Management**

**\$6,471,996**



**Resolution Approving Waivers  
Of Advertising  
For College Business Purposes  
(Audit, Risk Management and Compliance Committee)**

**Whereas:** State College Contracts Law permits waivers of advertising for specified purchases in excess of \$34,400, and

**Whereas:** The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees, and

**Whereas:** Waiver requests have been reviewed and are recommended by the Audit, Risk Management and Compliance Committee, a subcommittee of The College of New Jersey Board of Trustees,

**Therefore,  
Be It**

**Resolved:** The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein:

<b>VENDOR</b>	<b>PURPOSE</b>	<b>FUNDING SOURCE</b>
Office of the Attorney General \$150,000	Legal Services Provided by the New Jersey Office of the Attorney General for FY2022	College Operating

**The College of New Jersey  
Board of Trustees  
Audit, Risk Management and Compliance Committee  
Waiver of Advertising for College Business Purposes  
February 23, 2021**

**Professional and Other Services**

- **Office of the Attorney General** **\$150,000**  
**Legal Services for Fiscal Year 2022**

The College of New Jersey ("TCNJ") yearly commits to the representation of some of its legal interests by the Office of the Attorney General. The Office of the Attorney General represents TCNJ before the Office of Administrative Law and in State and Federal courts on general litigation. The Office of the Attorney General also provides legal advice on matters pertaining to TCNJ's status as a State entity, as well as representing it in collection matters.

*Waiver statutory exception: N.J.S.A. 18A:64-56b "a contract entered into with an agency or subdivision of the State of New Jersey".*

**Funded by College Operating Budget**

<b>Grand Total for all Waivers</b>	<b>\$150,000</b>
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