

**COMBINED MEETING OF THE BUSINESS AFFAIRS &
EXECUTIVE COMMITTEES OF THE BOARD OF TRUSTEES
Community College of Philadelphia
Wednesday, June 20, 2018 – 10:00 A.M.**

TO: Business Affairs Committee and Executive Committee of the Board of Trustees

FROM: Jacob Eapen 

DATE: June 12, 2018

SUBJECT: **Committee Meeting**

A meeting of the combined Business Affairs and Executive Committees of the Board of Trustees will be held on **Wednesday, June 20, 2018 at 10:00 A.M.** in the College's **Isadore A. Shrager Boardroom, M2-1**. For those of you who are not able to attend in person, the following is the conference bridge information: **DIAL-IN NUMBER: 1-888-675-6779; PARTICIPANT PASSCODE: 2050590#**

AGENDA - PUBLIC SESSION

(1) 2018-19 Property and Casualty Insurance Renewal Package (Action Item):

Attachment A contains the detailed summary of the insurance fees from Willis Towers Watson, the College's broker. The insurance fees increased from \$846,468 in 2017-18 to \$903,508 in 2018-19.

The staff recommends the Business Affairs Committee and Executive Committee to approve the 2018-19 insurance program, with a total cost of \$958,508 including the broker fee.

(2) Three Year Contract with AEFIS (Action Item):

An RFP was issued for an Assessment Management System (AMS), to provide a system for the collection, analysis, planning, and continuous improvement of student learning outcomes and administrative programs. The RFP invited seven firms to respond with four firms providing responses.

Attachment B details the review process, evaluation criteria and the Evaluation Committee's recommendation.

The staff recommends the Business Affairs Committee and the Executive Committee to approve a three year contract with AEFIS (Assessment, Evaluation, Feedback & Intervention System) for \$225,000.

(3) Purchase and Installation of Classroom Door Locks. (Action Item):

The College continues to make improvements on College Safety and Security. One area that requires improvement is locks in classrooms. The majority of classroom doors are not able to be locked from the inside and open outwards. This makes it extremely difficult to secure a classroom during an emergency lock down. The College has surveyed all classroom doors and have identified the appropriate lock hardware to be installed that meets both fire code and ADA compliance. A total of about 130 doors will be equipped with new hardware that enable faculty to turn a thumb bolt to lock the door. The door can be easily unlocked by turning the handle; this one-step process is an ADA requirement. About 50 doors that currently have an electronic swipe device need a minor adjustment to be able to lock the door from the inside.

The College is in the process of issuing an RFP for the purchase and installation of the required hardware. The staff recommends the Business Affairs Committee and Executive Committee approve the awarding of the project to the lowest responsible bidder with a value not to exceed \$225,000.

(4) Revised Policy & Procedure Memorandum #201 – Open Market Purchasing. (Action Item):

Attachment C is the revised Policy & Procedure Memorandum #201, Open Market Purchasing. Staff recommend that the bid limit for procurement of goods and services be raised from \$15,000 to \$25,000. For procurements between \$15,000 and \$25,000, the Purchasing Department will canvas the market and award according to the best interests of the College. These values are more in line with common practice and will reduce administrative efforts, improve efficiency and could lead to increased opportunities for Philadelphia-based vendors and minority vendors.

The staff recommends the Business Affairs Committee and the Executive Committee approve the revised Policy & Procedure Memorandum #201, Open Market Purchasing.

(5) Next Meeting Date

The next meeting of the Committee is scheduled for **Wednesday, August 22, 2018 at 10:00 A.M.** in the Isadore A. Shrager Boardroom, M2-1.

JE/lm

Attachments

c: Mr. Jeremiah J. White, Jr.
Dr. Donald Generals
Mr. Gim Lim
Mr. James P. Spiewak
Victoria L. Zellers, Esq.

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ATTACHMENT A

2018-2019 Property and Casualty Insurance Renewal Program

Introduction

The College insurance program is reviewed annually prior to the July 1 renewal with its broker, Willis Towers Watson (WTW). During the renewal strategy meeting held on February 23, 2018, it was decided that WTW would approach the incumbent carriers with the intent of securing identical coverages at premiums as close to expiring as possible and approach other selective carriers. Our broker representatives noted that the state of the insurance market is stable but the College's Educators Legal Liability, General Liability and Workers' Compensation policies will be impacted by increased claim activity.

General Liability

The College's general liability coverage has been with United Educators (UE) for the past seventeen years. Willis Towers Watson has opined that UE has the best General Liability (GL) policy form available in the higher education market offering the most comprehensive coverage. The College was anticipating a small rate increase in the range of 4 to 6% based upon discussions WTW had with UE's underwriters but the renewal premium came in at the same rate as expiring - \$193,144 with no change to the deductibles (\$25,000 each occurrence; \$100,000 annual aggregate). As in past years, the College was granted a 6% premium rate credit based upon certain risk management initiatives that were undertaken during the year. Additionally, the College is entitled to a dividend of \$13,915 from United Educators if at least one coverage line (GL or Umbrella) is renewed. This, in effect, makes the net cost to the College for fiscal year 2018-19 equal to \$179,229. United Educators is organized as a reciprocal risk retention group – owned by its members like CCP; this would be the seventh consecutive year that the College will have received a dividend.

Umbrella

The College's umbrella liability coverage (\$25 million for any one loss) has also been with United Educators for seventeen years. UE's policy form offers the most comprehensive coverage in the higher education market for umbrella/excess coverage according to Willis Towers Watson. United Educators offered a renewal rate of \$88,895 which is only \$880 higher than the previous year's premium. This policy also sits on top of the \$1 million coverage for student medical malpractice insurance. It also provides excess general liability, automobile liability, employers' liability and foreign liability insurance. As with the general liability policy, the College was granted a 6 percent premium reduction based upon certain risk management initiatives that were undertaken during the year.

Workers' Compensation

PMA originally offered a renewal rate that was 18% higher than expiring which matched the increase in the College's PA experience modification factor. After the carrier and WTW review of recent claims, the increase in premium was modified to 14%. The new premium is \$290,866 or \$35,127 higher than expiring. The Human Resources Office and the College's Safety Committee continue to review all work-related claims and offer recommendations and training efforts where needed. The College's Safety Committee again received re-certification from the PA Department of Labor; this automatically makes the College eligible for a 5 percent reduction in premium. Due to increased claims in FY 16-17, the College's PA experience modification factor for the new year increased from .746 to .877, an 18% increase.

Property

Affiliated FM quoted a rate of \$172,085 or \$7,474 higher than the expiring premium. The rate was impacted by the College increasing its replacement value for buildings by 2%. The College will have a blanket limit of \$369,436,000 with a deductible of \$25,000. This policy also provides \$7 million of business interruption insurance.

Educator Legal Liability

The ELL policy provides management liability protection (\$15 million limit with a \$75,000 retention) for the College's Board of Trustees and the Foundation's Board of Trustees, employment practices liability, employed lawyers liability and professional liability for faculty and staff. AIG, the incumbent carrier, provided a quote of \$102,544 that is \$11,661 or 13% higher than the expiring premium. The increase was driven by the recent claims activity.

Automobile

The incumbent carrier, Philadelphia Insurance Co., offered a renewal rate of \$19,716 which is \$2,264 higher than the current year. This rate includes the additional recruitment vehicle that is being added to the policy. The automobile policy covers employees driving College owned, rented or hired vehicles as well as providing collision and comprehensive coverage for the College's vehicles.

Student Medical Malpractice

CNA offered a quote of \$8,040 that is \$370 higher than the expiring premium. The number of students participating in clinical settings affects the cost of this insurance. The number of students expected to be in clinical environments was increased from 725 to 760. There has been no rate increase for this coverage over the past several years. This policy provides \$1 million in coverage to the College and to students and faculty related to their activities in a clinical setting.

Crime

Travelers, the incumbent carrier's, renewal rate is \$5,648, the same as expiring as this is year three of a three-year policy with constant rates. Travelers offered this rate two years ago based upon their opinion that the College had strong existing internal control features to prevent employee theft. This policy provides the College with protection against 1st party (employee) theft and 3rd party theft and fraud for a limit of \$4 million. It also covers "social engineering fraud/ funds transfer" should an employee unwittingly transfer College assets to a fraudulent third party due to deceptive activities.

International Liability

This policy provides foreign-based general liability, automobile liability, and workers compensation coverage as well as travel, medical and security assistance services for faculty and staff traveling abroad. This policy also includes kidnap and extortion coverage. The premium quoted by Navigators, the incumbent carrier is \$3,324, the same as the previous three years.

Security and Privacy (Cyber Insurance)

Travelers, the incumbent carrier, offered a renewal rate of \$23,466 or \$63 less than expiring. The College first secured this line of coverage for the 2011-2012 fiscal year with a policy limit of \$1 million which was increased to \$3 million in fiscal year 2016-2017. This insurance offers protection to the College if there were data security breaches or compromises of student and/or employee "private" information (as determined by federal and state jurisdiction). The carrier will provide forensic and legal assistance from a panel of experts to help determine the extent of the breach and the steps required to comply with applicable laws, include the following: notification to persons who must be notified under applicable law or on a voluntary basis; offer 12 months of 3-bureau credit monitoring to affected individuals; identify theft-related fraud resolution services for individuals enrolled in credit monitoring who become victims of identity theft; and extend coverage for theft, loss or unauthorized disclosure of information held by business associates as defined by HIPPA. First party benefits include protection for data recovery and business interruption, extortion threats and regulatory defense and penalties. The policy also protects the College against 3rd party legal action for damages arising from the alleged breach (including defense costs). The College currently has a policy limit of \$3 million and offers notification and credit monitoring services for up to 250,000 affected individuals

Broker Fee

The annual fee for 2018-19 is \$55,000 which is the same fee as the prior year.

Recommendation

College staff recommends that the College procure insurance as detailed below.

| <u>Coverage</u> | <u>Carrier</u> | Expiring (2017-18) <u>Premium</u> | Renewal (2018-19) <u>Premium</u> |
|--|----------------------|--|---|
| General Liability (\$1M) | United Educators | \$193,144 | \$193,144 |
| Umbrella (\$25M) | United Educators | 87,995 | 88,875 |
| Workers' Compensation | PMA | 255,739 | 290,866 |
| Property | Affiliated FM | 164,608 | 172,085 |
| Educators Legal Liability (\$15M) | AIG | 90,950 | 102,544 |
| Automobile | Phila. Insurance Co. | 17,452 | 19,716 |
| Student Medical Professional Liability (\$1M) | CNA | 7,670 | 8,040 |
| Crime (\$4M) | Travelers | 5,648 | 5,648 |
| International Liability | Navigators | 3,324 | 3,324 |
| Security & Privacy (\$3M for FY17) | Travelers | 18,588 | 17,951 |
| Travel Accident | | 1,350 | 1,315 |
| TOTAL INSURANCE PREMIUMS | | \$846,468 | \$903,508 |
| Broker Fee | Willis Towers Watson | \$ 55,000 | \$ 55,000 |

ATTACHMENT B

Assessment Management System (Three Year Contract)

REVIEW PROCESS, EVALUATION CRITERIA AND THE EVALUATION COMMITTEE'S RECOMMENDATION

The evaluation team consisted of: Vice Presidents Gay and Hirsch, Deans Sweet, Carter, Celenza and Hauck, and representatives from Academic Systems, Academic Assessment, Information Technology Services and Purchasing (non-voting).

The review process consisted of:

- Faculty input gathered *via* product demonstrations offered to all faculty during spring Professional Development week, and collated *via* evaluation forms
- Review of detailed written RFP responses
- A second set of demonstrations for the evaluation team
- Recommendations from peer institutions.

Evaluation criteria consisted of:

- Vendor qualifications
- System feature set
- Reporting capabilities
- Usability
- Training and support
- Security and Performance
- Cost

The evaluation team recommend an award to AEFIS (Assessment, Evaluation, Feedback & Intervention System) for the following reasons:

- **Ease of Use.** This might be the single most important factor in any system, and evaluators consistently rated AEFIS highest in this regard. A number of faculty commented on the workflows within AEFIS being similar to what they are doing already.
- **System Features.** AEFIS has excellent integration with Canvas, which will be a big benefit for faculty who are already doing their assessment online. The Evaluation Team were also impressed with the system ability to collect data easily and analyze the results. Modules included in the basic system include:
 - o Course and Syllabus Management
 - o Course Evaluation and Feedback
 - o Faculty activity and curriculum Vitae
 - o Strategic Planning and Data collection
 - o Curricular Mapping and Outcomes Alignment
 - o Outcomes Assessment and Evidence Collection
 - o Outcomes transcript and Competency Portfolio
 - o Self-Study and accreditation reporting

Most of these features do not exist at all in the other systems reviewed, or are at an extra cost.

- **Reporting.** AEFIS reporting is robust, with 14 reports for course, programs and Strategic Planning, and the ability to pull data for custom reports. AEFIS will provide reports that inform faculty and administrators on achievement of learning outcomes at the course, program and general education levels, assess program viability and provide needed data analysis for accrediting purposes.

- **Training and support.** References in this area were excellent. In addition, they are a local Philadelphia company, so we have the ability to get more personalized attention than most of the competitors. Their system is also the most accessible for people with disabilities, based on the VPAT (Voluntary Program Accessibility Template) submitted.

- **Cost.** The annual subscription cost per year is \$90,000 with a one-time installation and setup charge of \$20,000. However, for a three-year contract with an upfront payment, AEFIS has offered the following terms:

| | |
|--|-----------------|
| ○ One-Time Installation, Integration, Setup & Training | \$20,000 |
| ○ Year 1 Annual Subscription | 90,000 |
| ○ Year 2 Annual Subscription | 90,000 |
| ○ Year 3 Annual Subscription | 90,000 |
| ○ New Client Discount | (54,000) |
| ○ Up-Front Payment Discount | <u>(13,500)</u> |
| ○ TOTAL FOR THREE-YEAR CONTRACT | \$222,500 |

ATTACHMENT C

**Revised Policy and Procedure Memorandum #201
Open Market Purchasing**

OPEN MARKET PURCHASING

Memorandum #201 Open Market Purchasing

Revised: June 20, 2018
Date of Issue: September 15, 1971

| | | |
|-----------|-------|-----------------|
| Reissued: | 59A - | March 13, 1978 |
| | 59B - | March 27, 1984 |
| | 59C - | July 12, 1988 |
| | 201 - | January 9, 1997 |
| | 201 - | July 1, 2014 |

The purpose of this policy and procedure memorandum is to set forth purchasing policy for the College.

All purchasing accomplished by the College is subject to regulations established by the Department of Education of Pennsylvania for community colleges and by the Board of Trustees.

Procurement of books and periodicals directly related to the Library is the responsibility of the Department Head of the Library under the direction of the Dean of Educational Support Services. Procurement of all other materials, equipment, and services is the responsibility of the Office of Purchasing and Services under the leadership of the Vice President for Business and Finance. Authority to make limited purchases on behalf of the College may be granted to Organizational unit (cost center) managers in such cases where purchases do not exceed a prescribed dollar amount, can be made more efficiently by the Organizational unit (cost center) manager, and there are no significant cost savings to the College from central purchasing of the items.

Any person conducting purchasing transactions on behalf of the College without following the procedures addressed in this policy will be held personally responsible for such transactions.

Construction Procurements

Section 35.51 of the State Regulations, Chapter 35, Act 22 of the Pennsylvania Code permits the College to have construction, reconstruction or repair work performed by commercial contractors. The following rules apply when such procurement is involved:

1. If procurement is estimated at \$20,000, the College shall, with public notice, solicit competitive bids and shall award the contract to the lowest responsible bidder.

2. If procurement is estimated between \$5,000 and \$20,000, the College shall solicit competitive bids from at least three responsible bidders and shall award the contract to the lowest responsible bidder.
3. If procurement is less than \$5,000, the College may award the contract without soliciting competitive bids.
4. In an emergency in which any part of the College facilities may become unusable, on the approval of the Department of Education, a contract may be awarded without soliciting bids.
5. All bids under public notice shall be received in sealed envelopes at a designated place and time and shall be opened and read publicly.
6. All bids under public notice shall be accompanied by a bond with corporate surety or a certified check of at least 5% of the amount bid. In the event any bidder shall, upon award of the procurement, fail to comply with the requirements as to a bond guaranteeing the performance of the contract, such bid bond or certified check shall be forfeited and the award given to the next lowest responsible bidder.
7. The bidder to whom the contract is awarded shall furnish bonds within 10 calendar days to guarantee the performance of the contract and payment for labor and materials. Bonds shall be in compliance with the Public Works Contractors' Bond Law of 1967. Failure to furnish bonds shall void the award.

Procurements requiring public notice shall be advertised in a minimum of two newspapers or trade publications.

All procurements requiring public notice will contain reference to executive order 11246 which imposes equal employment opportunity requirements upon construction contractors.

Goods and Services

Procurement, for goods and services, of \$25,000 and over shall be conducted on a competitive basis whenever possible and in writing. For purchases of items with a value of \$15,000 or more but less than \$25,000, the Purchasing Department will canvas the market and the award will be made according to the best interests of the College. Noted exceptions to this policy are procurements for services of a professional nature and those procurements which are classified as non-competitive procurements. Procurements shall be awarded to the lowest responsible bidder meeting specifications and delivery requirements. Bid files will include a synopsis of the procurement showing the sources contacted and responses thereto.

If the purchase is being funded with a federal grant, the Purchasing Department shall comply with the Uniform Grant Guidance. The current Uniform Grant Guidance requires for purchases using grant funds of \$3,000 or more, that the College solicit quotes and/or bids from three or more vendors.

Right to Know Requirement

Any payment request of \$5,000 or more requires the issuance of a Purchase Order. This requirement is for reporting the Right to Know information to the PA State Treasury Department.

Inclusion of Diverse Suppliers and Philadelphia-based Business

Support of diversity and use of Philadelphia-based businesses is a business objective of the College in undertaking its procurement of goods and services. Policies and Procedures Memorandum No. 216 addresses this matter.

Non-Competitive Procurements

Any procurement conducted under the provision of Act 31, Commonwealth of Pennsylvania, is exempt from existing regulations governing competitive bidding.

When procurement is determined to be non-competitive, the ultimate award shall be accomplished in the best interests of the College. In all cases, educational, institutional, governmental or other discounts will be requested. The following circumstances are illustrative of non-competitive procurements:

1. The equipment can be obtained from only one person or firm (sole source of supply);
2. Competition is precluded because of the existence of patent rights, copyright, or similar circumstances;
3. Supplies or services are required immediately because of an exigency, and time will not permit formal advertising or soliciting of competitive sources. All such circumstances will be documented;
4. For personal or professional services;
5. It is impossible to draft, for solicitation of bids, adequate specifications or any other adequately detailed description of the required supplies or service;
6. The contemplated procurement is for components being procured in support of equipment specially designed by the manufacturer;
7. The contemplated procurement is for technical non-personal services in connection with the assembly, installation, or servicing or the instruction of personnel therein of equipment of a highly technical or specialized nature;
8. The procurement is for an item which must be compatible to those items already on College premises;
9. The contemplated procurement is for labor and material required for providing immediate accommodation in support of the installation of new equipment/systems which can be accomplished by a vendor already on site; and it would not be practical to allow another vendor to work on the same site or when it would be considered impractical for another vendor to mobilize and demobilize;
10. The contemplated procurement is estimated to be less than \$15,000.

Petty Cash Purchases

Petty cash may be used to accommodate procurements as set forth in Policy and Procedure Memorandum No. 204.

Procurement Requests

Requests for procurements will be submitted to the Purchasing Department in the format set forth in College Policies and Procedures Memorandum No. 203.

Additional controls/approval required within each administrative unit of the College may be established by concerned administrators.

Any single capital item or combination of complementary items with a value of \$50,000 must be presented to the Board of Trustees prior to the purchase. (See Policies and Procedures Memorandum No. 202.)

Capital items requiring Pennsylvania Department of Education approval prior to procurement are:

1. Purchase of a Building/s.
2. Construction of a Building/s.
3. Improvements of Buildings of which the College holds title which cost \$90,000 or more.
4. Leasehold improvements costing \$45,000 or more.
5. Purchase of furniture and equipment for a project costing in excess of \$45,000.
6. Leasing of land.
7. Lease of building, furniture and equipment in which the rental exceeds \$8,500 a year.
8. Lease of computer, computer peripheral equipment and software as a package which exceeds \$45,000.
9. Purchase of computer software items in excess of \$45,000.
10. Purchase of works of art in excess of \$8,500 which are not included in the purchase, construction or improvement of building.

Date Effective: June 20, 2018