

UNIVERSITY OF MAINE SYSTEM  
Board of Trustees Meeting

Zoom Meeting  
September 2, 2020

**Finance/Facilities/Technology Committee**

**Present: Committee Members:** Mark Gardner, Chair; Timothy Doak, Sam Collins, James Donnelly, David MacMahon, Trish Riley, Emily Cain, James Erwin, and Kelly Martin. **Chancellor:** Dannel Malloy. **Presidents:** Joan Ferrini-Mundy, Ray Rice, Edward Serna, Rebecca Wyke, Deborah Hedeon, and Glenn Cummings. **Faculty Representative:** Clyde Mitchell and Harlan Onsrud **System Staff:** Ryan Low, Ellen Doughty, Robert Placido, Kay Kimball, Miriam White, James Thelen, and David Demers. **Other Participants:** Claire Strickland, Leigh Saufley, Ben Shaw, Carolyn McDonough, John Volin, Kenda Scheele, Laurie Gardner, Jake Ward, Renee Kelly, Jeff Letourneau, Liam Riordan, and Alec Porteous.

**Committee Members Absent:** Trevor Hustus.

Trustee Gardner, Chair, called the meeting to order and welcomed everyone. The Clerk performed a roll call of the Committee members present.

**University Credit Union Lease Authorization Request, UM**

UM Associate Vice president and Senior Associate Dean Kenda Scheele provided information about UM's request for authorization of a two-year extension to an existing lease with University Credit Union (UCU) which provides approximately 300 square feet of space at the Memorial Union on the Orono campus. The rental rate was initially set at \$16,800 annually with a 1.5% annual escalation factor plus a \$10,000 contribution to student activities. The total for this two-year extension would be approximately \$56,468. The request would exercise the two-year renewal option of the initial lease that has been in effect since September of 2015, bringing it within the purview of the committee to approve based on the length of time with no further Board action. The current lease for space at the Memorial Union, of approximately 300 square feet on the ground floor, nearby the Bookstore, began September 15, 2015 and expires on September 14, 2020. The renewal would extend the agreement by another two (2) years, through September 14, 2022. Rent for the space began at \$16,800 annually, with an additional \$10,000 due to fund student-centered activities. The annual rent of \$16,800 since the first year of the lease is subject to a 1.5% escalation factor each year.

Trustee Donnelly abstained from voting on this item due to a possible conflict of interest with his employment at Bangor Savings Bank.

On a motion by Trustee Collins, which was seconded by Trustee Riley, and approved by a roll call vote of all Trustees present, the Board of Trustees, acting through the Finance, Facilities, and Technology Committee authorized the University of Maine System acting through the University of Maine to extend a lease with University Credit Union for a period of two years and a total value of approximately \$56,468, subject to review and approval of all final terms and conditions by the University of Maine System Treasurer and General Counsel.

**Temporary Kitchen Space Lease Authorization Request, USM**

USM Chief Business Officer Alec Porteous provided information about USM's request for

authorization to lease 2 Portland Square, Portland, Maine (the former Walter's Restaurant location) to use as a temporary kitchen for Sodexo for a period of 32 to 36 months. The University of Southern Maine would lease the space from North River IV, LLC for \$26/sf. ft. modified gross, plus a 2.5% annual escalator for years two and three, for a period of 32 to 36 months. In addition, the University would lease (8) eight parking spaces for \$155 per space per month. The lease payments would total up to \$262,240 plus an additional \$44,640 for parking for a total of up to \$306,880. The lease will be funded by dining revenue. USM plans to begin construction of their new Residence Hall (Portland Commons) and Career and Student Success Center in Portland in early Spring of 2021. To start that construction will require the demolition of the Woodbury Campus Center where the Sodexo dining operation for Portland is located. The Woodbury Campus Center will be closed at the end of the Fall 2020 semester and the University will begin preparation to demolish the building when students leave after Thanksgiving break in November. The University plans to relocate the current Portland Sodexo operation to a temporary location for the duration of the construction projects, which are anticipated to be completed in early summer 2023.

Trustees expressed concerns that the temporary kitchen space might pose competition to other local Portland restaurants. This is especially concerning with the effects of the pandemic already adversely affecting so many privately owned restaurants. The Trustees requested that the resolution be amended to add a clause stating that the finalized lease would contain non-compete language to ensure that the Sodexo temporary kitchen space would not be in competition with local restaurants.

On a motion by Trustee Erwin, which was seconded by Trustee Cain, and approved by a roll call vote of all Trustees present, the Board of Trustees, acting through the Finance/Facilities/Technology Committee approved the following resolution as amended:

The Board of Trustees authorized the University of Maine System, acting through the University of Southern Maine, to lease space located at 2 Portland Square from North River IV, LLC for use as a temporary kitchen space for Sodexo during the construction of the new Portland Residence hall and Career and Student Success Center. The lease shall contain non-compete language that ensures that the temporary kitchen space will not operate in competition with other local restaurants. The final terms, including rate, associated costs and other terms, shall be negotiated by the University of Southern Maine in the best economic interest of the University, subject to review and approval by the University of Maine System Vice Chancellor of Finance and Administration and University Counsel.

**University Credit Union Lease Authorization Request, UMPI**

UMPI Chief Business Officer Ben Shaw provided information on UMPI's request for authorization of a two-year extension to an existing lease with University Credit Union (UCU), which provides 145 square feet of office space on the UMPI campus. The rental rate is set at \$6,300 per year for a total of \$12,600 over the term of the extension. The request would exercise the two-year renewal option of the initial lease that has been in effect since December 2015, bringing it within the purview of the Committee to approve based on the length of time with no further Board action. The renewal would be effective starting August 1, 2020, and would terminate 2 years later, on July 31, 2022. The rent would be \$6,300 annually for both years of the lease. The University has been renting this space to the UCU for a period of 13 years in total. The office space in the lease is located on the first floor of the Campus Center and includes both an office and an Automated Teller Machine (ATM) available to the campus and public. The UCU branch on the UMPI campus has been a great benefit to the campus community as well as the larger local population. UCU has been an active and involved partner with

the University, regularly taking part in events, including Homecoming and Employee Recognition events.

On a motion by Trustee Riley, which was seconded by Trustee Cain, and approved by a roll call vote of all Trustees present, the Board of Trustees, acting through the Finance, Facilities, and Technology Committee authorized the University of Maine System acting through the University of Maine at Presque Isle to extend a lease with the University Credit Union for a period of two years, for a total of \$12,600, subject to review and approval of all final terms and conditions by the University of Maine System Treasurer and General Counsel.

**Northern Maine Community College Houlton Higher Education Center Lease Renewal, UMPI**

Ben Shaw provided information on UMPI's request for authorization to exercise the second one-year renewal option of the current lease with the Northern Maine Community College (NMCC), which would provide 634 square feet of office and classroom space at the UMPI Houlton Higher Education Center. The request would exercise the one-year renewal option of the initial lease that has been in effect since July 2016, bringing the total lease time to 5 years and within the purview of the Committee to approve based on the length of time with no further Board action. The renewal would be effective starting July 1, 2020, and would terminate 1 year later, on June 30, 2021. The rent would be \$3,000 for the additional year, with an additional \$1,902 in custodial charges, bringing the total payment to \$4,902. The University has been renting this space to the Northern Maine Community College for a period of 4 years, under the current lease. The office space and classroom are located within the Houlton Higher Education Center. NMCC provides offerings from the Houlton Higher Education Center consistent with offerings from the Presque Isle campus. UMPI and NMCC collaborate on their offerings to provide pathways for students in this region of Aroostook County.

On a motion by Trustee Riley, which was seconded by Trustee Doak, and approved by a roll call vote of all Trustees present, the Board of Trustees, acting through the Finance, Facilities, and Technology Committee authorized the University of Maine System acting through the University of Maine at Presque Isle to renew a lease with the Northern Maine Community College for a period of one year, subject to review and approval of all final terms and conditions by the University of Maine System Treasurer and General Counsel.

**Optical Network Equipment Refresh for the Northern Ring, UMS**

UMS Executive Director of Networkmaine Jeff Letourneau provided an overview of the the optical network equipment refresh project for the Northern Ring. Approval is being sought to expend \$1.35 million of existing funds to replace the optical network equipment supporting MaineREN's Northern Ring in order to meet the advanced network requirements of the research and education institutions of downeast and northern Maine. MaineREN, a RON (regional optical network), is the backbone network connecting Maine's research and education institutions to each other and the rest of the world to facilitate collaboration. This cyber-infrastructure is critical not only to be able to recruit and retain top research faculty, but also to educate Maine's K-20 students. Funding for this project will be \$1.1 million in external funds, which are the product of annual fees collected from 3rd party MaineREN subscribers and \$250 thousand from the UMS IT Capital Reserves Project, which is funding allocated to replace network equipment connecting UMM, UMFK, UMPI, and the Houlton Center.

On a motion by Trustee Collins, which was seconded by Trustee Donnelly, and approved by a roll call vote of all Trustees present, the Finance, Facilities and Technology Committee agreed to forward

this item to the Consent Agenda at the September 28, 2020, Board of Trustees meeting for approval of the following resolution:

That the Board of Trustees accepts the recommendation of the Finance, Facilities and Technology Committee and authorizes the University of Maine System to expend up to \$1,350,000 to replace optical network equipment in northern and downeast Maine with funding from existing sources derived from fees collected from non-UMS entities connected to the optical network along with previously allocated capital project funds to upgrade network equipment for UMM, UMFK and UMPI.

**Projects with a Value of \$250,000 or Greater.** Chief Information Officer Dr. David Demers provided information on projects with a value of \$250,000 or greater.

The Classrooms for the Future project completion has stayed at 99% from June 2020 to August 2020. The revised budget of \$4.945 million for the project reflects the additional \$582,730 allocation provided from project contingency funds, which has allowed for additional sites and rooms to be included in the project. The COVID-19 pandemic and Summer Web-Conferencing upgrades have affected final work scheduling. Several campuses have been completed and there is anticipation of availability of a small amount of remaining funds for UMA, UM and UMPI. There is still high anticipation for Phase II funding needed to complete the remaining rooms.

The Classrooms for the Future (CFTF) Web-Conferencing Project has increased from 4% complete in June 2020 to 41% complete in August 2020. The budget for this project is \$2.564 million. This project was added to address the need for expanded availability of web-conferencing and video recording capabilities across UMS, in order to maintain social distancing practices as UMS moves into the Fall semester. Manufacturing and shipping delays have pushed installation of cameras. Documentation and training has been distributed and the remaining locations will be completed over winter break. Project concerns include a tight completion timeline and availability of equipment and resources needed to complete the work.

The Wireless Infrastructure project completion has increased from 96% complete in June 2020 to 98% complete in August 2020. The revised budget of \$13.2 million reflects the additional \$415 thousand in contingency funds that will be infused back into the project. The COVID-19 pandemic has affected final work at USM due to facility availability and workforce availability. A few projects at USM have recently been completed and current work includes several additional projects at USM. USM will have to maintain parallel wireless networks for a period of time due to phased funding and there is still high anticipation for additional funding to complete this effort.

The MaineStreet Improvements project report shows that the Campus Solutions (CS) upgrade to move from version 9.0 to version 9.2 is 100% complete and the Peoplesoft User Experience (UX) enhancement project increased to 70% complete as of August 2020. This project has a total budget of \$2.48 million. Recently completed work includes a controlled student preview of the new MaineStreet Experience interface and user-acceptance testing. UMS IT will be conducting an expanded student pilot during the Fall 2020 term with emphasis on functionality, to support the Spring 2021 registration. There is still some concern around managing change in navigation and the interface for the MaineStreet environment.

The VoIP Implementation Project for UMF, USM, and UMPI continues to progress. The overall

budget for this project is \$1.599 million. The project is currently 84% completed at UMF, 50% completed at UMPI and 25% completed at USM. At UMF, Admissions and Franklin Hall were completed and Merrill is nearly completed. Final punch-list items are being scheduled and plans for final decommission of the legacy system are underway. At UMPI, work has commenced in Preble Hall now that UMS IT is able to access the building and South Hall work will proceed over Winter break. At USM, work is continues at Glickman Library, Luther-Bonney, Science, Bailey Hall, and Upton. Work at Brooks Student Center, Corthell and Wishcamper has been substantially completed. Two areas of concern are the on-going probability of future failures of legacy phone systems at UMF/USM and the poor network infrastructure on both campuses posing challenges to the project timeline.

The Brightspace Learning Management System (LMS) Implementation project with a budget of \$1.61 million has increased from 81% in June 2020 to 88% complete in August 2020. Brightspace from Desire2Learn will replace Blackboard Learn, the current UMS LMS, with a modern, mobile friendly, cloud-based platform. Recently completed work includes Brightspace training for IT Support Staff, additional refinement of user roles & permissions, additional 3<sup>rd</sup> party tool integrations, and migration of course content from Blackboard. Current work includes planning for transition from implementation to operation, ongoing faculty training, and exploring additional users of Brightspace. Concerns include the very aggressive timeline for completion and the COVID-19 disruption.

UMF Faculty Representative to the Board Clyde Mitchell expressed his thanks to Dr. Demers and the UMS IT team for all of their hard work and support during the transition to remote learning during the pandemic and stated that he has had a great experience with the new Brightspace platform. Chair Gardner and Chancellor Malloy also expressed appreciation to Dr. Demers and UMS IT for their excellent work to support the System through the pandemic.

#### **Adaptive reuse of Coburn and Holmes Halls – Market Demand and P3 Project Update, UM**

UM President Joan Ferrini-Mundy and Vice President for Innovation and Economic Development Jake Ward provided an update on the UM campus adaptive reuse of Coburn and Holmes Halls. The University of Maine continues to pursue adaptive reuse of Coburn and Holmes Halls, unused facilities on the Orono campus. These building have been previously identified for reuse or disposition, yet are historic properties. UM has utilized the consultant Brailsford & Dunlavy (B&D) to analyze the nature of the facilities for potential private redevelopment for future uses that would be compatible with the UM education, research and public service mission. UM established a Project Team of UM and System Staff to advise B&D and the Project Team participated in the evaluation, analysis and determination of market demand. The team believe office and hotel concepts, through a public-private partnership that takes advantages of the federal and state Historic Tax Credit Program, are both economically viable and strategically beneficial options to pursue for adaptive reuse of Coburn and Holmes Halls. Following the recommendations from B&D and the Project Team, UM plans to pursue a qualifications-based, public, competitive solicitation in search of potential partners for the project. That solicitation is planned to be in the market place in the fall of 2020. Based on results from the future Request for Quotes (RFQ), the University expects to request further Board consideration over the fall 2020 and winter 2021 period.

#### **Career and Student Success Center and Portland Commons P3 Project Update, USM**

USM Chief Business Officer Alec Porteous provided an update on the USM Career & Student Success Center (CSSC) and Portland Commons Private, Public Partnership (P3). USM continues, in

partnership with the System, to advance development plans for the CSSC and Portland Commons Residence Hall. The Building Committee has begun referring to the residence hall as “Portland Commons”. This is an informal name for the time being, and USM will seek formal designation authority from the Board of Trustees to officially name the building. The USM Foundation is currently working with the consulting firm CCS to develop philanthropic support for the CSSC, and naming of the latter, the residence hall and the green quad are each featured opportunities in that campaign. The CSSC and Portland Commons project remains on budget at \$25 million and \$65-\$68 million, respectively, and the project is on schedule to begin construction in March 2021. Over the coming fall and winter work will begin, including vacating both the Facilities Management and Woodbury Student Center locations and relocating the people and services currently in and around those buildings. One such move includes leasing space where Sodexo can continue their food preparation and operations for the campus through the duration of the project.

The Portland Commons and CSSC are scheduled to be complete in May 2023. Doors would open immediately upon completion, and USM would take advantage of its growing Summer Session and of the opportunity to house summer interns as well as graduates and others seeking a 12-month lease option. USM and the System signed a Predevelopment Agreement with Capstone Development Partners in May, authorizing up to \$5.7 million in project expenditures. The USM/UMS team is currently negotiating a Development Agreement with Capstone. The USM/UMS Parking Garage Building Committee has selected Desman Design Management, a parking design and consulting firm, to design the proposed parking garage that would accompany the CSSC and Portland Commons. The Desman team includes Woodard & Curran of Portland and Michael Boucher Landscape Architecture of Freeport. Throughout August and September, Desman will conduct a site study, moving into design development in October. The Building Committee is proposing to use a CM at-risk development model and would return to the Board for authorization of future borrowing to procure and develop the project. The timeline that Desman has developed provides for owner occupancy of the structure in the spring of 2023 to coincide with the opening of the CSSC and Portland Commons.

Trustees raised concerns about expending this amount of money amidst the current UMS financial environment and asked if options to scale back the project had been discussed. Mr. Porteous explained that there have been some changes to the original plan in order to save costs and that most of the funding for the project is coming from the UMS \$49 million bond.

### **Capital Project Status Report and Bond Projects Update, UMS**

UMS Director of Capital Planning and Project Management Ms. Carolyn McDonough provided an overview of the UMS Capital Project Status and Bond Project Status reports. The Capital Project Status report reflects a total of 22 projects. One new project has been added and three projects have been removed since the last report. While many projects continue to move forward at this time under the various provisions of state and federal pandemic guidance, some impacts continue. Three of four projects previously placed on hold remain so. The viability of and alternative options for these projects will continue to be reviewed for potential future resumption. Where construction is underway, the University is requiring contractors to provide a site specific COVID-19 work plan that outlines their process for ensuring their employees respect social distancing and other recommended or mandated practices for minimizing the spread of the virus, and their alignment with University protocols. Since mid-March the University has been conducting pre-bid meetings virtually; providing photos and videos of existing conditions and responding to questions issued by email. Since April the process of receiving bids transitioned to an electronic process. The University receives bids by email and provides a link to access an online or phone connection for the bid opening. Capital Planning and

Project Management is collaborating with each campus to understand the policies each has put in place as well as any local municipal orders or policies to ensure our contractors are heeding them. The University has started seeing communication from contractors that material deliveries are being delayed with potential schedule and cost impacts. UMS is beginning to see specific costs associated with the added protections and safety precautions required by the CDC, State and Campus.

The UM Ferland Engineering Education & Design Center project continues to be on schedule. Site and utility work continue in earnest with the intent of returning building services to operation for school to start. Excavation and ledge removal for the building footprint are in progress with forming for foundation and underground structures underway and the first concrete placement to follow. The GMP has been established within the existing approved project budget of \$72 million.

The Bond Project Status report reflects 29 projects in progress. These projects are currently estimated to account for more than \$38 million of the \$49 million in voter approved general obligation bond funding. About \$8.5 million of that has been expended. Supplemental funding is being leveraged for some of these projects and the total estimated project value across all funds currently stands at approximately \$51.1 million, including the bond funding and other project resources.

### **FY2021 Finance, Facilities & Technology Committee Work Plan**

Annually, a work plan for the Finance, Facilities & Technology Committee is formulated. The work plan is intended to cover both action items required for governance of the University of Maine System and those topics of importance and interest to the Board. Trustee Gardner and Vice Chancellor Ryan Low reviewed the draft plan with the Committee in preparation for inclusion in the September Board of Trustee meeting materials.

### **Building Name Removal, UM**

UM President Joan Ferrini-Mundy provided information on the UM request for authorization to to remove Clarence C. Little's name from the campus building bearing his name. President Ferrini-Mundy commissioned a task force earlier this year to recommend whether to remove Clarence C. Little's name. The task force submitted its report on June 23, 2020 and unanimously recommended Little's name be removed. President Ferrini-Mundy accepted the task force's report and concurred with its recommendation. A new task force has been formed to recommend a replacement name. This group's recommendation is expected in late September 2020. The full report was provided to the Trustees in the meeting materials. President Ferrini-Mundy highlighted some of the key points in the report including his profound role in the eugenics movement in the United States, which sanctioned the identification and forced sterilization of individuals with undesirable characteristics. Additionally, he was the lead expert in the tobacco industry's attempt to hide the link between smoking tobacco and cancer. Overall the report concluded that:

“C. C. Little's name should be removed from Little Hall because major areas of his professional life violate the ideals that are central to the educational mission of the University of Maine and its commitment to the public good. A new name for the building is a significant opportunity to better align the campus landscape with the values of the university, a process that should include public commemoration of Little's career as well as information about the renaming process.”

The Trustees were in agreeance that this request should be forwarded to the September 28, 2020 Board of Trustees meeting; however, they decided that this was part of a bigger issue concerning

Board Policy and the overall UMS protocol for selecting building names. It was recommended that a Board Working Group collaborate with UMS to evaluate and revise the UMS naming of building protocols and that the resolution be amended to reflect the Trustees concerns.

On a motion by Trustee Erwin, which was seconded by Trustee Donnelly, and approved by a roll call vote of all Trustees present, the Finance, Facilities and Technology Committee agreed to forward this item the September 28, 2020, Board of Trustees meeting for approval of the following resolution as amended:

That, acting under Section 6 of Board Policy 803, the Board of Trustees approves the recommendations of the Finance, Facilities, and Technology Committee to (i) authorize the University of Maine System, acting through the University of Maine, to remove Clarence C. Little's name from the building on the University of Maine campus which bears his name and (ii) charge a Board Working Group to consider the factors relied upon by the C.C. Little Hall Name Task Force in its June 23, 2020 report and recommendation for this name change and determine whether these factors or others should be expressly incorporated into Board Policy 803 to guide the Board's consideration of future naming recommendations of this nature.

### **EXECUTIVE SESSION**

On a motion by Trustee Collins, which was seconded by Trustee Martin, and approved by a roll call vote of all Trustees present, the Finance, Facilities and Technology Committee agreed to go into Executive Session under the provision of:

- 1 MRSA Section 405 6-C to discuss the condition, acquisition or disposition of real property or economic development if premature disclosure of the information would prejudice the competitive or bargaining position of the UMS.

On a motion by Trustee Donnelly, which was seconded by Trustee Riley, and approved by a roll call vote of all Trustees present, the Committee concluded Executive Session.

Additional information about the meeting can be found on the Board of Trustees website:

<https://www.maine.edu/board-of-trustees/wp-content/uploads/sites/12/2020/08/MtgMat-FFT-090220-rev083120.pdf>

Adjournment.

Heather A. Massey for  
Ellen N. Doughty, Clerk