From: Quintana, Wendy Anne
Sent: Tuesday, May 11, 2010 8:31 AM
Subject: Global - Regents 5/12/10 Special Meeting agenda

Importance: High

May 11, 2010

The New Mexico Highlands University Board of Regents will hold a special meeting on Wednesday, May 12, 2010.
The meeting will begin at 3:00 p.m., in the President's Conference Room, Rodger's Administration Building.

The agenda for the meeting is as follows:

1. Call to Order – Chairman Leveo V. Sanchez

2. Roll Call

3. Approval of Agenda

4. Construction Contract Approval for the Student Union Building – Action Item

5. President's Report

6. Adjournment

For more information, call the Office of University Relations, 454-3387.

The New Mexico Highlands University Board of Regents held a special meeting on May 12, 2010 in the President's Conference Room in the Rodger's Administration Building on the New Mexico Highlands University main campus in Las Vegas, New Mexico. Chairman Sanchez called the meeting to order at 3:00 p.m.

Attendance
Board Members Present: Mr. Leveo V. Sanchez, Mr. Pete Aguilar, Mr. Jesus L. López, and Mr. Gregory A. Rael. Ms. Nancy R. Long participated in the meeting via conference call.

For the record Regent López stated that Regent Long was participating in the meeting via conference call as permitted by the Open Meetings Act.

Administrative Personnel Present: Dr. James Fries, President; Dr. William Taylor, Vice President for Finance & Administration; Ms. Judy Cordova-Romero, Vice President for Student Affairs; and Mr. Lawrence Trujillo, Associate Vice President for Finance & Administration.

Others Present: Ms. Marisol Greene, Facilities Director; Mr. Max Baca, ITS Director; Mr. Michael Saavedra, Purchasing Department Senior Buyer; Mr. Sean Weaver, University Relations Director; Mr. Don Pace, Las Vegas Optic Reporter; and Ms. Carolina Garduño, Executive Administrative Assistant.

Approval of Meeting Agenda for May 12, 2010
Regent Rael moved to approve the May 12, 2010 agenda. Regent Aguilar seconded the motion. Voting in favor were: Chairman Sanchez, Regent Aguilar, Regent Long, Regent López, and Regent Rael. Motion passed unanimously.

Construction Contract Approval for the Student Union Building – Action Item
President Fries asked the Board to consider entering into executive session to discuss possible litigation associated with the construction contract approval for the Student Union Building item. President Fries informed the Board that on the advice of legal counsel the Board could enter executive session even though an executive session is not listed on the agenda.

Regent Aguilar moved to enter into executive session for the sole purpose of discussing the Construction Contract Approval for the Student Union Building. Regent Rael seconded. A roll call was taken and voting in favor were: Chairman Sanchez, Regent Aguilar, Regent Long, Regent López, and Regent Rael. Motion carried and the Board entered executive session at 3:05 p.m.

Regent López moved to come out of executive session into open session having retired into executive session for the very limited purpose of considering potentially threatened litigation concerning the bids submitted for the Student Union Building project. Regent Rael seconded the motion. A roll call was taken and voting in favor of coming out of executive session into regular

session were: Chairman Sanchez, Regent Aguilar, Regent Long, Regent López, and Regent Rael. Motion carried unanimously and the meeting was called back to order at 4:18 p.m. For the record Regent López stated that only matters for which closure was moved prior to entering into executive session were discussed. Regents present confirmed.

Regent López called on President Fries to review the bids received for the Student Union Building project and asked for the university's stance.

President Fries reported that the university received ten bids ranging from $14,614,000 to $17,735,000. President Fries informed the Board that ten add-on alternates were added to the bid request. President Fries recommended that the Board not include alternates #6 additional landscaping and #8 green roofing on the buildings east side on the contract awarding.

President Fries informed the Board that the lowest bidder was the Makwa Firm; their bid including all of the alternates except #6 and #8 totals $16,006,000. President Fries stated that the bid process was a straight bid therefore the university is recommending that the lowest bidder, Makwa Firm be awarded the Student Union Building contract.

Regent López moved that the Board of Regents award the construction contract to the lowest bidder, Makwa in the total amount of $16, 006,000 for the full and complete construction of the Student Union Building on the condition that staff meet with the contractor and are satisfied that the contractor can fulfill all of the conditions and specifications of the invitation for bids as promised by the contractor in his bid. Regent Rael seconded. Motion passed unanimously.
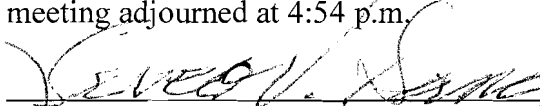
President's Report
President Fries informed the Board of the following:

- The NMHU Baseball Team is playing in the regional tournament on May 13, 2010 at 7:00 p.m. in Farmington, NM against St. Cloud from Minnesota.

- President Fries met with Mr. Gerald Burke regarding the General Obligation Bond. If the bond is passed Highlands will receive $7.1 million to remodel the Trolley Building. Luna Community College will receive $5 million for one of their projects.
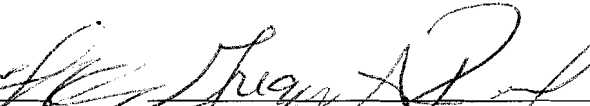
President Fries informed the Board that the bid process for the remodeling of the Lora Shields Building is two days behind schedule and asked that the Board meet at a later date than the previously suggested date of May 25, 2010. The Board agreed to hold a special meeting to award the Lora Shields remodeling contract on June 1, 2010 at 10:00 a.m.

Adjournment
Regent López moved to adjourn. Regent Rael seconded the motion. Motion carried and the meeting adjourned at 4:54 p.m.

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Chairman   Secretary/Treasurer
NMHU Board of Regents   NMHU Board of Regents