



OHIO FACILITIES CONSTRUCTION COMMISSION

**Ohio Facilities Construction Commission
July 14, 2016
William McKinley Room
2:30 PM**

MINUTES

Chairman Keen called the meeting to order at 3:07 PM.

Roll Call

Members present: Chairman Timothy Keen and Vice Chair Robert Blair.

Adoption of the April 28, 2016 Minutes

Vice Chair Blair moved to approve the April 28, 2016 minutes. Chairman Keen seconded the motion.

Approval: Vote 2-0.

**Lead Plumbing Fixture Replacement Assistance Grants Program Guidelines Approval
Jeff Westhoven – Resolution 16-03**

Jeff Westhoven presented the Lead Plumbing Fixture Replacement Assistance Grants Program Guidelines for Commission approval. HB390 created this program. It is an appropriation of \$12M to reimburse schools for lead testing and replacement of fixtures found to be the cause of lead in water. It includes \$2M from the Ohio Water Development Authority (OWOA) and up to \$10M from the Ohio Facilities Construction Commission (OFCC). The Law allows OFCC, in consultation with Ohio Environmental Protection Agency (OEPA) and OWA to develop guidelines for the program. The law was signed by the Governor on June 28, 2016 and becomes effective on September 27, 2016. This was brought to the July Commission meeting because the law becomes effective before the next Commission meeting and will allow the guidelines to be ready when the law becomes effective. Any school housed in a building constructed before 1990 is eligible (traditional public, community and chartered non-public.) It provides up to \$15,000 per school for drinking water assessments fixture replacements. It also covers work that has already been performed after January 1, 2016 as long as that work performed is consistent with the guidelines. However, work already performed cannot be reimbursed until September 27, 2016, the effective date of the program.

It would work similar to the School Security Grant Program. Potentially eligible schools will receive a personalized link to an on-line grant application system. The schools will answer on-line questions for pre-approval and money is then reserved for the school or goes directly to a reimbursement process if work is completed. If pre-approved, the school has 9 months to submit

for reimbursement. To get reimbursed, the school will upload evidence of invoices that have been paid. If approved, OFCC pays the school by depositing funds electronically through OAKS-FIN. In anticipation of public requests, the system will be designed to track useful metrics: how many tests were performed, how many fixtures were replaced, etc. All potentially eligible schools have been notified via email to watch our website for updates. We are currently working on the grant application and hope to have it operational prior to the effective date of the program. We plan to host a webinar and will invite schools to participate to help them understand how to apply for the program.

Vice Chair Blair asked how the decision was made to reimburse for \$15,000. Mr. Westhoven responded that it was a legislative decision, it was in the law. We did not advise them on the amount, that was an amount that was determined by others.

Vice Chair Blair moved to approve Resolution 16-03.

Chairman Keen seconded the motion.

Approval: Vote 2-0.

Lead Plumbing Fixture Replacement Assistance Grants Program Delegation of Authority Approval – Jeff Westhoven – Resolution 16-04

Jeff Westhoven presented the Lead Plumbing Fixture Replacement Assistance Grants Program delegation of authority for Commission approval. This is similar to our other grant programs: Cultural Facilities Grant Program, Community Schools Grant Program, Security Grant Program. Those are delegated to the executive director for approval. These are small grants. These are \$15,000 decisions. For efficiency, we are requesting that authority be delegated to the executive director rather than coming to the Commission individually for approval.

Chairman Keen moved to approve Resolution 16-04.

Vice Chair Blair seconded the motion.

Approval: Vote 2-0.

Authority to File Suit Approval – Jon Walden – Resolution 16-05

Jon Walden presented an authority to file suit with TC Architects, Inc. on the Northeast Ohio Medical University (NEOMED) project for Commission approval. TC Architects, Inc. entered into contract to serve as the architect on the Research and Graduate Education building. Following completion of the project design documents, the architect was terminated from the project for its refusal to prosecute its work in a timely and efficient manner. The Architect's drawings remained the basis for construction of the Project. During construction it became apparent that the designs were incomplete and there were excessive errors and omissions that lead to increased project costs of approximately \$1.7M. The Commission staff is working with NEOMED and the Attorney General's Office to evaluate the amount of those changes and increased costs that should be charged to TC Architects, Inc. as part of any prosecution of claims against the architect and its insurance carrier.

Chairman Keen asked how is the architect selected for a university. Mr. Walden responded the architectural selection process would be under Chapter 153. We would have issued an RFQ. The architect would have submitted a statement of qualifications. The staff would evaluate the architect, rank them and then the top ranked firm would then enter negotiations and would be put under contract. Chairman Keen asked if the owner would be involved in those discussions. Mr. Walden responded that the owner would be involved in those selections.

Vice Chair Blair moved to approve Resolution 16-05.

Chairman Keen seconded the motion.

Approval: Vote 2-0.

Executive Director's Report

Director Williamson reported on contracts executed since the April 2016 meeting for agency, higher education and cultural Grants projects totaling approximately \$33.8M and the K-12 program projects totaling approximately \$256.3M. To date 1,327 facilities have been constructed or renovated between the K-12 program, state agencies, colleges/universities and cultural facilities. There are 182 projects currently in construction for that same group with a total dollar value of \$1.75B.

The Director shared since the last meeting that we are moving forward in our recruitment efforts with the support from DAS and the Governor's Office. We are also conducting an extensive outreach program and will be visiting state agencies to share changes that we have made in our programs and look forward to their feedback, ideas from them on the types of services we are providing and our responsiveness. We have emphasized with staff the importance of supporting our clients and ensuring we are moving in the direction they need to support their requirements.

The Director introduced Bruce Ratekin, Agencies and Higher Education Project Manager. Mr. Ratekin thanked the Commission for the opportunity to provide a presentation on the ODOT Madison County Full Service Maintenance Facility. ODOT has 101 full service maintenance facilities, 109 outposts, refueling facilities and 90 rest areas. Since 2008 we have done 48 projects for ODOT totally \$230M. \$4.7M is the average. The Madison County Full Service Maintenance Facility was a Design Build project. Miles McClellan was the design builder. The architect of record was Starr Consulting. The budget was \$8M. Actual cost was \$7,982,000. The facility has 18 units and is 480,991 sf. Madison County takes care of 613 lane miles with 133 bridges. They have a total of 21 trucks.

There was no public testimony.

The meeting was adjourned at 3:39 PM.


Timothy S. Keen, Commission Chair


These meeting minutes were prepared by
Carolyn L. McClure, Secretary to the Commission