

Ohio School Facilities Commission
May 21, 2009
William McKinley Room 1:30 PM

MINUTES

The meeting was called to order at 1:30 PM.

Roll Call

Members present: Acting Chair Mr. Richard Hickman, Dr. Steve Puckett, Representative Clyde Evans and Representative Matt Patten.

1. Adoption of the April 23, 2009 Meeting Minutes

Dr. Puckett moved to approve the April 23, 2009 meeting minutes.

Mr. Hickman seconded the motion.

Approval: Vote 2-0.

2. Dream School Presentation – Presented by Sue Meyer

Sue Meyer presented the ten winners of the 2009 Dream School podcast contest. Through this competition, students in Grades K-12 attending schools that have been offered OSFC funding beginning July 2007 and have had their building projects approved by the Commission, and obtained their local share, were eligible to participate. Students were asked to create a two-minute podcast selected from one of five topics and respond to the question, “What Do You Think?”

The OSFC sponsored this contest in conjunction with the Council of Educational Facility Planners International (CEFPI) Foundation’s School Building Week focusing on the importance of high performance, healthy, safe and sustainable schools that foster student achievement. The Commission's partners in the 2009 event included CEFPI (Ohio), Construction Management Association of America (Ohio), Ohio School Boards Association, College Advantage (Ohio Tuition Trust Authority), Columbus Green Building Forum and eTech Ohio.

First place winners received an iPod® Nano - provided by CMAA, Ohio Chapter, \$250 College Scholarship - provided by College Advantage, Ohio’s 529 Savings Program, and 2 passes to the 2009 Green Building Expo - provided by Columbus Green Building Forum. Second place winners received an iPod® Shuffle - provided by CEFPI Intl., Ohio Chapter, \$100 College Scholarship - provided by College Advantage, Ohio’s 529 Savings Program. Third place winners received \$25 iTunes® Gift card - provided by OSBA, \$50 College Scholarship - provided by College Advantage, Ohio’s 529 Savings Program. All winners received an architectural inspired gift provided by AIA Ohio, which also sponsored a reception for the students held at the OSFC office following the Commission’s recognition.

Dream School 2007 Winners:

Division 1: Grades K-1

1st Place: Marcus Koons, Beech Grove Elementary, Tuslaw Local School District

2nd Place: Jake Loar, Beech Grove Elementary, Tuslaw Local School District

3rd Place: Cole Freidly, Beech Grove Elementary, Tuslaw Local School District

Division 2: Grades 3-5

1st Place: Gretchen Lee, Pettisville Elementary, Pettisville Local School District

Division 3: Grades 6-8

1st Place: Shelby Miller, Pettisville High School, Pettisville Local School District

2nd Place: Clara Beck, Pettisville High School, Pettisville Local School District

3rd Place: Jasmine Carpenter, Mikovich Middle School, Maple Heights City School District

Division 4: Grades 9-12

1st Place: Lincoln Frey, Pettisville High School, Pettisville Local School District

2nd Place: Mitch Hukill, Indian Creek High School, Indian Creek Local School District

3rd Place: Zach Waidelich, Pettisville High School, Pettisville Local School District

Mr. Hickman offered congratulations to all the winners, thanked the school districts and the Dream School partners. Director Shoemaker thanked Sue Meyer for all her hard work, as well as the parents and faculty members who were present and all the sponsors.

3. Executive Director's Report

The Executive Director updated the Commission members on the following: AE/CM Regional Update Meetings - Cincinnati, Columbus and Cleveland areas; Senate Budget Testimony; Meetings with Governor Strickland and President Harris; Spoke at the OASBO Leadership Conference; Quarterly BASA – Facilities Commission Meeting; CEFPI Midwest District; Spoke at American Sub Contractors Meeting; Mansfield Schools – Rep. Goyal Meeting; Spoke at the Logan Elm Levy Committee Meeting; Met with Contractors Peterman Plumbing and John Todd; and Election Updates.

Staff met with Cincinnati Public School District regarding their enrollment. There was an increase of approximately 2,500 students with a possible additional increase of 1,000 students as numbers are still being reviewed. Staff also approved the district's decision to renovate the Rothenberg Preparatory Academy, that has been closed for four years, in the heart of the Over-the-Rhine area.

4. School Energy Conservation Financing Program Approval – Presented by Mark Wantage

Mark Wantage presented three School Districts requesting participation in the Energy Conservation Financing Program. In this program districts identify energy saving facility improvements. Projects must pay for themselves through the result and reduction of energy consumption within a fifteen-year period. School districts are required to prepare and submit project proposals for review and approval by the Commission. Commission approval allows the school district to obtain financing and proceed with their program. These projects have been reviewed by the Ohio Department of Development/Office of Energy Efficiency and the staff of the OSFC. Staff recommended approval of Resolution 09-55.

Southern Local School District (Perry):

Total Project Cost \$1,352,675

Interest Rate (Included in the Total Project Cost) 4.25%

Totaled Annual Savings \$105,649

O&M Savings (Maximum Limit of 30%) N/A

O&M Savings is Percentage of Total Savings N/A

Payback Period (Maximum 15 Years) 12.8 years

Number of Buildings 1

Vendor Aleron, Inc.

Scope of Work:

Gym Lighting Retrofit (2)

Exterior Lighting Retrofit (2)

Lighting Controls(2)

Variable Frequency Drives for Heating & Cooling Water Loops (2)

New Building Controls (2)

CO2 Demand Control Ventilation

Mechanical Tune-up (2)

Symmes Valley Local School District (Lawrence):

Total Project Cost \$191,448

Interest Rate (Included in the Total Project Cost) N/A (Paying cash)

Totaled Annual Savings \$70,269

O&M Savings (Maximum Limit of 30%) N/A
O&M Savings is Percentage of Total Savings N/A
Payback Period (Maximum 15 Years) 2.73 years
Number of Buildings 2
Vendor Aleron, Inc.
Scope of Work:
Gym Lighting Retrofit (2)
Lighting Controls (2)
New Building Controls (2)
Mechanical Tune-up (2)
CO₂ Demand Control Ventilation
Variable Frequency Drives for Heating & Cooling Water Loops (2)
Exterior Lighting Retrofit (2)

Troy City School District (Miami):

Total Project Cost \$1,556,589
Interest Rate (Included in the Total Project Cost) 4.86%
Totalled Annual Savings \$104,578
O&M Savings (Maximum Limit of 30%) \$15,880
O&M Savings is Percentage of Total Savings 15.2%
Payback Period (Maximum 15 Years) 14.88 years
Number of Buildings 2
Vendor H.E.A.T. Total Facility Solutions
Scope of Work:
Gym Lighting (1)
Lighting Retrofit (2)
Building Controls Upgrade (1)
Partial Roof Replacement
Replace Rooftop
Air-handlers (1)
New Energy Management Controls (1)

Dr. Puckett moved to approve Resolution 09-55.
Mr. Hickman seconded the motion.
Approval: Vote 2-0.

5. Maintenance Plans Approval – Presented by Mark Wantage

Mark Wantage presented five maintenance plans for Commission approval for Ashtabula Area City School District, Franklin Local School District, Pike County Area Joint Vocational School District, Strasburg-Franklin Local School District and Tri-Valley Local School District. A Maintenance Plan provides the district with a systematic and thorough guide for preventative maintenance of the facility completed under the Commission's programs. The plan also provides for projections of cost and a prioritization of the recommended maintenance operations. Individual plans are based upon the equipment and materials used in the facility. Recommendations are made concerning maintenance tasks, staffing, continuous education and service contracts. Commission approval of the Maintenance Plan is required for the access to their half-mill maintenance fund. The School Districts have submitted their Maintenance Plans and staff reviewed them and determined they met all the requirements. Resolution 09-56 was recommended for approval.

| School District | Buildings Included in the Maintenance Plan |
|------------------------------------|--|
| Ashtabula Area CSD (Ashtabula) | Lakeside HS (INTERIM PLAN) |
| Franklin LSD (Muskingum) | Duncan Falls ES, New Philo HS, Philo Junior High, Roseville ES, Roseville MS |
| Pike County Area JVSD (Pike) | Verne Riffe Joint Vocational School (Final Plan) |
| Strasburg-Franklin LSD(Tuscarawas) | Strasburg ES |
| Tri-Valley LSD(Muskingum) | Adamsville ES, Dresden ES, Frazeyburg ES, Nashport ES, MS, HS |

Dr. Puckett moved to approve Resolution 09-56.

Mr. Hickman seconded the motion.

Approval: Vote 2-0.

6. Delegation of Maintenance Plans Approval – Presented by Mike Mendenhall

Mike Mendenhall presented this resolution in response to the Commission’s inquiry regarding the approval process of the maintenance plans. To participate in the Classroom Facilities Assistance Program, school districts must establish a maintenance fund that is equivalent to the proceeds from a half-mill property tax that has been levied for twenty-three years. In order for the district to access these funds, the district must first have a Commission approved maintenance plan. This resolution would authorize the executive director to approve facility maintenance plans in accordance with the requirements of the project agreements and in conjunction the executive director will periodically provide a summary report to the Commission members on approved maintenance plans. Staff recommended approval of Resolution 09-57.

Dr. Puckett proposed tabling the resolution. He said it is an appropriate resolution as it gives the approval of the maintenance plans to the Director with a summary report to the Commission, but since Chair Sabety and Vice Chair Quill are absent he felt it was a change that they should be involved in. Mr. Hickman concurred.

Dr. Puckett moved to table Resolution 09-57.

Mr. Hickman seconded the motion.

Approval: Vote 2-0.

7. Quality School Construction Bond Program Approval – Presented by Eric Bode

Eric Bode presented for Commission approval the Quality School Construction Bonds (QSCB), which are authorized by the federal government through the American Recovery and Reinvestment Act (ARRA) of 2009. The bonds provide federal tax credits for bondholders in lieu of interest in order to significantly reduce an issuer’s cost of borrowing. The ARRA provides for an allocation to each state, along with separate allocations for large school districts. The allocation for Ohio is \$267,112,000 in calendar year 2009 and is anticipated to approximate the same amount in calendar year 2010. Additional allocations totaling \$151,671,000 in CY 2009 were made directly to Ohio’s five largest urban districts, which may choose to re-allocate any unused balance to the State of Ohio.

Use of Proceeds

100% of available project proceeds must be used for the construction, rehabilitation, or repair of a public school facility, or for the acquisition of land on which such a facility is to be constructed with part of the proceeds of such issue.

Tax Credit

Credit to investor of 100% of Tax Credit Rate.

Maturity Limit

Maximum maturity and Tax Credit Rate are set by the IRS as of the date that there is a binding, written contract for the sale of the bonds (as of May 2009, the maximum maturity was set at 15 years).

Arbitrage Rules

The entity issuing the bonds must enter into contract to spend at least 10% of the proceed within six months of issuance, and must spend 100% of proceeds within 3 years or redeem the bonds.

Projects funded with the bonds must comply with all ARRA provisions including the Davis-Bacon Fair Labor Act governing federal prevailing wage requirements, whistle-blower protection, and Buy American requirements.

CY2009 tax credits may be obtained for bonds issued after February 17, 2009 and prior to January 1, 2010. The State can carry forward unused CY2009 allocations to CY2010.

The CY2009 allocation for Ohio will be sub-allocated to eligible public school projects through a competitive application process. The State desires to see the bonds used for a range of projects of varying sizes. To achieve this end, applications can compete within three separate pools:

Pool A: \$100,000,000 for entities that are ready to issue bonds for a major school facility project (a target minimum allocation of \$2 million and a target maximum allocation of \$20 million).

Pool B: \$100,000,000 for entities with major school facility projects that are in the planning stage and do not yet have the bond issue approval or other revenue in place to be able to issue bonds for the project (a target minimum allocation of \$2 million and a target maximum allocation of \$20 million)

Pool C: \$67,112,000 for Energy Conservation Program (HB264) projects and other smaller construction projects (a target minimum allocation of \$0.5 million and a target maximum allocation of \$2.5 million).

Depending on the number and size of valid applications received, the state may increase or decrease the size of the three pools.

Eric Bode acknowledged and thanked the working group comprised of the Office of Budget and Management, the Ohio Department of Education, the Treasurer of the State's Office and OSFC.

This resolution directs the Executive Director to administer the QCSB program on behalf of the State and to issue guidelines governing the approval process for applications for QSCB no interest bonds for school construction under the ARRA. It also authorizes the Executive Director to expeditiously process all QSCB applications and appropriately approve applications fitting the QSCB Program. The Director will provide a report to the Commission on the status of the applications received, processed and approved. Staff recommended approval of Resolution 09-58.

Dr. Puckett moved to approve Resolution 09-58.

Mr. Hickman seconded the motion.

Approval: Vote 2-0.

8. Consultant Contract Agreements and Amendments Approval – Presented by Eric Bode

Eric Bode presented consultant contracts and amendments for Commission approval.

Design Manual Update:

This is an operating contract for Fanning/Howey in the amount of \$70,000 for the next fiscal year, expiring June 30, 2010. Eric Bode noted that this contract was reduced by 30% for the next fiscal year. Fanning/Howey will assist in the annual process of updating the design manual including an analysis of recommendations based on suggestions from our partners. Fanning/Howey will work with our planning staff under the direction of OSFC staff Melanie Drerup and Franklin Brown. This is the third contract with Fanning/Howey and the next contract will require a reselection process. Staff recommended approval of Resolution 09-59.

Dr. Puckett moved to approve Resolution 09-59.

Mr. Hickman seconded the motion.

Approval: Vote 2-0.

Auditing and Finance Close Out Services:

Both of these contracts are operating contracts. The Auditing contract was for Kennedy Cottrell Richards LLC in the amount of \$30,000. This contract is for consulting services that help us when we establish the audit program. For instance, we are doing some updates of the auditing of the ELPP Program and we needed some help from a financial expert. They recommend procedures and also help us with training. The Finance Close Out Services contract was for Ms. Pat Willard in the amount of \$25,000. The scope of services is financial closeout. Ms. Willard is a retired treasurer and helps OSFC Deputy Chief Financial Officer, Lois Snyder, in reviewing financial documents for financial reconciliation and close out. Staff recommended approval of Resolution 09-60.

Dr. Puckett moved to approve Resolution 09-60.

Mr. Hickman seconded the motion.

Approval: Vote 2-0.

Auditing Services and Exceptional Needs Program (ENP) Assessment Services:

There were three capital contract amendments. Two amendments were for Auditing Services for field audits for Julian & Grube, Inc in the amount of \$125,000 and Kennedy Cottrell Richards LLC in the amount of \$175,000 expiring on June 30, 2010. There is no increase in rates for these consultants for this year. OSFC audits the school district for compliance with the terms of the project agreement. Kennedy Cottrell Richards LLC received an additional amount to their contract for auditing services that are more in support of close out rather than general auditing. The third amendment was for field assessments for ENP Assessment Services for Shelley Metz Bauman Hawk Inc. in the amount of \$6,000 expiring on June 30, 2010. They are structural experts. Last year the Greenville City School project had a partial collapse of stonework above the entryway. Shelley Metz Bauman Hawk were sent out to do special work there and ate up the balance of their contract and so we are positioning ourselves for the next round of ENPs and adding a small amount to their contract. Staff recommended approval of Resolution 09-61.

Dr. Puckett moved to approve Resolution 09-61.

Mr. Hickman seconded the motion.

Approval: Vote 2-0.

9. FY09 Project Approval – Presented by Eric Bode

Eric Bode presented Greeneview Local School District Segment 1 project listed below for funding in the Classroom Facilities Assistance Program. This project entails construction of a Grades 5-8 building. It also incorporates a retroactive ELPP credit. Greeneview built a high school under ELPP. They were in design when the ELPP program started and there is a special provision in the

ELPP language, which allowed us to allow retroactive credit assuming that they were mostly design manual compliant. Because of this ELPP credit, the district has enough money to move forward with this segment. Staff recommended approval of Resolution 09-62.

| School District | County | State Share | Local Share | Total Budget |
|------------------------|---------------|--------------------|--------------------|---------------------|
| Greeneview LSD | Greene | \$17,482,480 | \$10,715,069 | \$28,197,549 |

Dr. Puckett moved to approve Resolution 09-62.
 Mr. Hickman seconded the motion.
 Approval: Vote 2-0.

10. Master Facilities Plan Amendment Approval – Presented by Steve Lutz

Steve Lutz presented two amended Master Facilities Plans for districts participating in the Classroom Facilities Assistance Program and the Vocational Facilities Assistance Program.

The Buckeye Local School District of Jefferson County had a first amendment for their 2008 participation in the Classroom Facilities Assistance Program. This amendment adds \$2,220,282 to the original \$41,881,634, which is a 5% increase. The budget is being amended to fund deep foundations that are required due to unsuitable soils at the location for the new elementary school. The amendment also funds the addition of one classroom to serve ten prekindergarten students not included in the original enrollment projection.

The Scioto County Joint Vocational School District of Scioto County had a second amendment for their 2005 participation in the Vocational Facilities Assistance Program. This amendment adds \$1,018,871 to the previously approved budget of \$17,574,986, which is a 5.6% increase. The amendment funds work which was identified after the start of construction, which is necessary for the complete renovation of the school. Additional work includes sitework, repaving and curb replacement, utility line replacement and boiler replacement.

Commission staff worked with the Buckeye Local School District and the Scioto County Joint Vocational School District to assure that the requested scope and budget adjustments are needed and recommended approval of Resolution 09-63.

Dr. Puckett moved to approve Resolution 09-63.
 Mr. Hickman seconded the motion.
 Approval: Vote 2-0.

11. Architectural Agreements and Amendments Approval – Presented by Steve Berezansky

Steve Berezansky presented design profession agreements for Commission consideration. The Commission staff reviewed and recommended approval of Resolution 09-64.

Agreements:

| School District | Project | Architect | Amount |
|---------------------|----------------------------------|-----------------------------------|----------------|
| Olmsted Falls CSD | Build one new elementary school | Architectural Vision Group Ltd | \$926,397.00 |
| Western Reserve LSD | Build one new K thru 12 facility | Olsavsky Jaminet Architects, Inc. | \$1,352,732.00 |

Amendments:

| School District | Project | Architect | Fees to Date | Amendment | Total |
|-------------------|--|--------------------------------|--------------|--------------|----------------|
| Olmsted Falls CSD | Addition and renovation to the middle school | Architectural Vision Group Ltd | \$926,397.00 | \$498,908.00 | \$1,425,305.00 |

Locally Funded Initiatives:

| School District | Project | Architect | Amount |
|---------------------|--|---|-------------|
| Dayton CSD – Seg. 2 | Relocation of additional academic space outside of approved Master plan scope | Lorenz Williams Inc. | \$51,188.42 |
| Southington LSD | Selective renovations to athletic fields and add square footage above approved Master plan | Glaus, Pyle, Schomer, Burns & Dehaven, Inc. | \$83,901.00 |

Dr. Puckett moved to approve Resolution 09-64.

Mr. Hickman seconded the motion.

Approval: Vote 2-0.

12. Construction Manager Amendment Approval – Presented by Steve Berezansky

Steve Berezansky presented the following Construction Manager amendment for Commission approval.

The Commission Staff recommended approval of Resolution 09-65.

| School District | Construction Management Company | Amount |
|--|---------------------------------|--------|
| Minerva Local SD | Hammond Construction | \$0 |
| Ohio School for the Deaf/ Ohio State School for the Blind | Bovis Lend Lease | \$0 |

Dr. Puckett moved to approve Resolution 09-65.

Mr. Hickman seconded the motion.

Approval: Vote 2-0.

13. Trade Construction Contracts Approval – Presented by Steve Berezansky

Steve Berezansky presented trade contracts for Commission approval. All contracts represent the lowest responsible bidder. There was one contract that represents an award to the second low bidder. The North Central Local School District had a contract for Accurate Electric Construction, Inc. The apparent low bidder withdrew their bid due to a mathematical error. This withdraw has been reviewed and is supported by the project teams. The Commission staff reviewed and recommended approval of Resolution 09-66.

| School District | Contracting Entity | Scope Of Work | \$ Amount |
|-----------------------|--|--------------------------------|----------------|
| 1 Akron CSD | Continental Office Furniture | Classroom Furniture | \$273,553.01 |
| 2 Akron CSD | Continental Office Furniture | Furniture & Specialties | \$807,550.01 |
| 3 Ashtabula Area CSD | Ohio Desk Company | Loose Furnishings | \$80,765.47 |
| 4 Ashtabula Area CSD | E-Quip Company, Inc. | Media Furnishings | \$32,538.00 |
| 5 Ashtabula Area CSD | Continental Office Furniture | School Specialties | \$348,511.19 |
| 6 Buckeye Central LSD | Document Concepts, Inc. | Office Furniture and Equipment | \$19,538.00 |
| 7 Buckeye Central LSD | Valley Electrical Consolidated, Inc. | Technology Equipment | \$464,382.13 |
| 8 Bucyrus CSD | Continental Office Furniture Corporation | Loose and School Furnishings | \$760,026.20 |
| 9 Bucyrus CSD | Environmental Demolition Group, LLC | Asbestos Hazard Abatement | \$134,618.00 |
| 10 Bucyrus CSD | Martin Public Seating, Inc. | Student Desks | \$113,500.00 |
| 11 Cincinnati CSD | Feldkamp Enterprises, Inc. | Plumbing | \$623,000.00 |
| 12 Cincinnati CSD | Dalmatian Fire, Inc. | Fire Protection | \$285,000.00 |
| 13 Cincinnati CSD | Blau Mechanical, Inc. | HVAC | \$1,328,000.00 |
| 14 Cincinnati CSD | Tom Sexton & Associates | Loose Furnishings | \$163,616.50 |
| 15 Cincinnati CSD | S. A. Comunale Company | Fire Protection | \$269,000.00 |
| 16 Cincinnati CSD | Triton Services, Inc. | Plumbing | \$492,000.00 |

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|-------------------------------|--|--|----------------|
| 17 Cincinnati CSD | Blau Mechanical, Inc. | HVAC | \$1,212,000.00 |
| 18 Cincinnati CSD | United Electric Company, Inc. | Electrical/Technology | \$1,618,000.00 |
| 19 Cincinnati CSD | United Electric Company, Inc. | Electrical/Technology | \$1,568,000.00 |
| 20 Cincinnati CSD | Dalmatian Fire, Inc. | Fire Protection | \$240,500.00 |
| 21 Cincinnati CSD | Quality Mechanical, Inc. | HVAC | \$1,706,111.00 |
| 22 Cincinnati CSD | Blau Mechanical, Inc. | HVAC | \$557,000.00 |
| 23 Cleveland MSD | United Mechanical Contractors, Inc. | Plumbing | \$785,000.00 |
| 24 Cleveland MSD | Fire Protection, Inc. | Fire Protection | \$174,100.00 |
| 25 Cleveland MSD | ESI, Inc. | Electrical | \$1,242,600.00 |
| 26 Cleveland MSD | Licursi Company, Inc. | Site Concrete Flatwork | \$169,985.00 |
| 27 Cleveland MSD | Accurate Electric Construction, Inc. | Electrical | \$1,425,580.00 |
| 28 Cleveland MSD | Giambone Construction, Inc. | General Trades | \$5,441,000.00 |
| 29 Cleveland MSD | Down To Earth Landscaping, Inc | Landscaping | \$17,973.83 |
| 30 Cleveland MSD | Great Lakes Crushing, Ltd | Site Work | \$964,475.00 |
| 31 Cleveland MSD | Down To Earth Landscaping, Inc. | Landscape | \$35,863.75 |
| 32 Cleveland MSD | Giambone Construction, Inc. | General Trades | \$5,194,300.00 |
| 33 Cleveland MSD | Harner Plumbing, Inc. | Plumbing | \$651,300.00 |
| 34 Clyde Green EVSD | Mosser Construction, Inc. | General Trades | \$4,942,500.00 |
| 35 Clyde Green EVSD | Stark's, Inc. | Plumbing | \$492,800.00 |
| 36 Clyde Green EVSD | Vulcan Enterprises, Inc. | Fire Suppression | \$228,192.00 |
| 37 Clyde Green EVSD | Brint Electric, Inc. | Electrical | \$1,660,000.00 |
| 38 Clyde-Green Springs EVSD | J. F. Bernard, Inc. | HVAC | \$870,499.00 |
| 39 Clyde-Green Springs EVSD | Bromack Electric Services, Inc. | Electrical | \$1,181,500.00 |
| 40 Clyde-Green Springs EVSD | Vaughn Industries | HVAC | \$1,633,000.00 |
| 41 Crestview LSD | Craynon Fire Protection, Inc. | Fire Protection | \$170,350.00 |
| 42 Defiance CSD | Brookside Lawn Services, Inc. | Landscaping | \$39,000.00 |
| 43 Elyria CSD | Stonecreek Systems, LLC | Casework-Millwork | \$1,578,300.00 |
| 44 Elyria CSD | Spectra Contract Flooring | Flooring | \$1,285,590.00 |
| 45 Ft. Loramie LSD | Chapel-Romanoff Technologies | Audio/Visual Equipment | \$220,250.00 |
| 46 Ft. Loramie LSD | LOGO's Communications | Telecommunications & IP CCTV Equipment | \$398,795.00 |
| 47 Ft. Loramie LSD | Farnham Equipment Company | Loose Furnishings | \$299,000.00 |
| 48 Gallia Jackson Vinton JVSD | Continental Office Furniture Corporation | Cafeteria Furniture | \$50,005.15 |
| 49 Gallipolis CSD | Greg Stevens Construction, Inc. dba Stevens Construction | Roofing | \$301,000.00 |
| 50 Gallipolis CSD | King Business Interiors | Furnishings | \$63,813.71 |
| 51 Gallipolis CSD | Claypool Electric, Inc. | Electric and Technology | \$2,800,000.00 |
| 52 Gallipolis CSD | Greg Stevens Construction, Inc. dba Stevens Construction | Roofing | \$227,000.00 |
| 53 Gallipolis CSD | Wenger Corporation | Furnishings | \$44,740.00 |
| 54 Graham LSD | TriMark SS Kemp | Kitchen Equipment | \$289,937.00 |
| 55 Hamilton CSD | Triton Services, Inc. | HVAC | \$1,208,000.00 |
| 56 Hamilton CSD | Peterson Contractors, Inc. | Aggregate Piers | \$279,796.00 |
| 57 Hamilton CSD | Trane U. S., Inc. | AHU & Chillers - Logistics | \$998,000.00 |
| 58 Hamilton CSD | Triton Services, Inc. | HVAC | \$1,240,000.00 |
| 59 Hamilton CSD | Cummins Bridgeway, LLC | Generator & ATS | \$96,125.00 |
| 60 Hamilton CSD | Artic Heating & Air Conditioning | HVAC | \$1,122,028.00 |
| 61 Hamilton CSD | Artic Heating & Air Conditioning | HVAC | \$1,135,172.00 |

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|----------------------------|---|-----------------------------|-----------------|
| 62 Hamilton LSD | King Business Interiors, Inc. | Loose Furnishings | \$19,558.31 |
| 63 Hamilton LSD | Continental Office Environments | Loose Furnishings | \$147,721.84 |
| 64 Hamilton LSD | Tom Sexton & Associates | Loose Furnishings | \$126,549.27 |
| 65 Hamilton LSD | Martin Public Seating, Inc. | Loose Furnishings | \$71,971.01 |
| 66 Hubbard EVSD | Stonecreek Interior Systems, LLC | Casework | \$863,200.00 |
| 67 Hubbard EVSD | Fire Foe Corporation | Fire Protection | \$529,283.00 |
| 68 Leetonia EVSD | S.M Electric Co., Inc. | Electrical Remedial Work | \$81,230.00 |
| 69 Madison LSD | A 1 Sprinkler Co., Inc. | Fire Protection | \$176,341.00 |
| 70 Madison LSD | Performance Construction (A Division of Aggressive Construction, Inc.) | General Trades | \$5,662,200.00 |
| 71 Mapleton LSD | Edifice Restoration Contractors, Inc. | Masonry Repairs | \$121,289.00 |
| 72 Morgan LSD | Tom Sexton & Associates | Furniture | \$335,957.97 |
| 73 Mount Healthy CSD | TriCon, Inc. | General Trades | \$18,770,000.00 |
| 74 Mount Healthy CSD | Peck, Hannaford and Briggs Company | HVAC | \$5,255,000.00 |
| 75 North Central LSD | S. S. Sprinkler, LTD | Fire Suppression | \$244,000.00 |
| 76 North Central LSD | Accurate Electric Construction, Inc. * * * | Electrical/Fire Alarm | \$1,716,956.00 |
| 77 North Central LSD | Valley Electrical Consolidated, Inc. | Technology | \$535,719.06 |
| 78 North Central LSD | M. Campbell Contracting, LLC | Site Work | \$1,601,315.00 |
| 79 North Central LSD | The Knoch Corporation | General Trades | \$4,714,000.00 |
| 80 North Central LSD | Tom Sexton & Associates | Loose Furnishings | \$325,879.00 |
| 81 North Central LSD | Guenther Mechanical, Inc. | Plumbing/Mech/HVAC | \$2,894,000.00 |
| 82 North Central LSD | Breckenridge Kitchen Equipment | Food Service Equipment | \$144,446.00 |
| 83 North Central LSD | Valley Electrical Consolidated, Inc. | Technology | \$982,659.78 |
| 84 North College Hill CSD | Louis R. Polster Company | Food Service Equipment | \$141,750.00 |
| 85 North College Hill CSD | Quality Fire Protection, Inc. | Fire Protection | \$133,000.00 |
| 86 North College Hill CSD | Farnham Equipment Company | Casework | \$242,775.00 |
| 87 North College Hill CSD | Monarch Construction Company | General Trades | \$11,926,500.00 |
| 88 North College Hill CSD | Hudson Piping, Inc. | HVAC | \$1,129,000.00 |
| 89 North College Hill CSD | Stonecreek Interior Systems, LLC | Casework | \$539,400.00 |
| 90 North College Hill CSD | Johnson-Lancaster and Associates, Inc. | Food Service Equipment | \$423,650.00 |
| 91 North College Hill SD | Jess Hauer Masonry, Inc. | Masonry | \$1,562,741.00 |
| 92 Painesville CLSD | LOGOS Communications, Inc. | Network Electronics | \$267,767.00 |
| 93 Sandy Valley LSD | Hein Construction | General Trades | \$1,150,602.00 |
| 94 South Range LSD | Antenucci, Inc. | Plumbing | \$1,722,494.00 |
| 95 South Range LSD | Johnson-Lancaster & Associates | Kitchen Equipment | \$502,458.00 |
| 96 South Range LSD | " Joe" Dickey Electric, Inc. | Electric | \$2,259,349.00 |
| 97 South Range LSD | Jack Gibson Construction Company | General Trades | \$12,870,300.00 |
| 98 South Range LSD | Brown Sprinkler Services, Inc. | Fire Protection | \$435,600.00 |
| 99 St. Marys CSD | Ohio & Indiana Roofing Company(Division of Bruns Building) | Roofing | \$1,172,755.00 |
| 100 St. Marys CSD | Cincinnati Floor Company | Athletic and Stage Flooring | \$341,816.00 |
| 101 Strasburg Franklin LSD | Soehnen Piping Company | Plumbing | \$365,000.00 |
| 102 Strasburg Franklin LSD | S. S. Sprinkler | Fire Protection | \$129,900.00 |
| 103 Strasburg Franklin LSD | Abbott Electric, Inc. | Electrical & Technology | \$1,134,526.00 |
| 104 Strasburg Franklin LSD | J. F. Bernard, Inc. | HVAC | \$1,010,000.00 |
| 105 Strasburg Franklin LSD | Knoch Corporation | General Trades | \$4,677,300.00 |
| 106 Teays Valley LSD | The Tri-M Group | Voice & Data | \$975,100.00 |
| 107 Teays Valley LSD | Continental Office Furniture Corp | Academic Furniture | \$448,053.66 |

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|----------------------|---|---|------------------|
| 108 Teays Valley LSD | Library Design Associates, Inc. | Library Furniture | \$121,200.00 |
| 109 Teays Valley LSD | Tom Sexton & Associates | Music Furniture | \$42,478.00 |
| 110 Teays Valley LSD | Industrial Communication & Sound | Security & Intrusion Control and Audio/Visual | \$1,100,000.00 |
| 111 Teays Valley LSD | Continental Office Furniture Corp | Office Furniture | \$305,541.72 |
| 112 Toledo CSD | Continental Office aka Continental Education Environments aka Continental Office Furniture & Supply Corp. | School Furnishings and Equipment | \$202,648.60 |
| 113 Toledo CSD | McNerney & Son, Inc. | Office Furniture and Equipment | \$80,443.00 |
| 114 Toledo CSD | Continental Office aka Continental Education Environments aka Continental Office Furniture & Supply Corp. | Office Furnishings and Equipment | \$132,439.76 |
| 115 Toledo CSD | Continental Office aka Continental Education Environments aka Continental Office Furniture & Supply Corp. | School Furnishings and Equipment | \$200,235.82 |
| 116 Toledo CSD | Continental Office aka Continental Education Environments aka Continental Office Furniture & Supply Corp. | School Furnishings and Equipment | \$177,417.14 |
| 117 Toledo CSD | Tom Sexton & Associates | School Furnishings and Equipment | \$161,846.50 |
| 118 Toledo CSD | Tom Sexton & Associates | School Furnishings and Equipment | \$245,419.80 |
| 119 Toledo CSD | McNerney & Son, Inc. | Office Furnishings and Equipment | \$125,298.44 |
| 120 Toledo CSD | McNerney & Son, Inc. | Office Furnishings and Equipment | \$94,767.45 |
| 121 Toledo CSD | McNerney & Son, Inc. | Office Furnishings and Equipment | \$121,074.17 |
| 122 Toledo CSD | McNerney & Son, Inc. | Office Furnishings and Equipment | \$116,087.61 |
| 123 Toledo CSD | Folding Equipment Company, LLC *** Lowest Responsible, Second Low Bidder | School Furnishings and Equipment | \$281,919.00 |
| TOTAL | | | \$148,444,709.86 |

Dr. Puckett moved to approve Resolution 09-66.

Mr. Hickman seconded the motion.

Approval: Vote 2-0.

14. Authorizing Initiation of Litigation Approval – Presented by Jerry Kasai

Jerry Kasai presented an authorization to initiate litigation for the Wellston City School District project. The new high school and middle school constructed under the CFAP Program was occupied in 2002. Subsequent to the occupation of the facilities it was determined that the installing mason did not put adequate rebar and grout throughout the structural block. The design also did not call for the adequate steel reinforcing at stress points in the facilities. When the outer brick veneer was removed it was also discovered that the insulation was inadequately installed by the mason, which explained air infiltration problems. This is going to require ripping off the veneer of a building and back-engineering into the structural block grout and rebar in the critical places that it was required by the building code. We are in the process of doing that and have already bid out the work. It was originally estimated at \$4.5 million. The bids came in lower and work is expected to start on June 3rd. We have taken all the steps to make the situation correct. This resolution asks the Commission to authorize initiation of litigation against the architect and the construction manager. We have already settled with the original contractor on the project. This Commission approved that settlement three months ago, which was for the entirety of the mason's bond. Now we just need to go back and pursue a couple more parties on that matter. Staff recommended approval of Resolution 09-67.

Chairman Hickman asked if Triad was performing design services on any other projects. Jerry Kasai responded that the only outstanding project that they are currently on is Columbus City School's Career Center. Chairman Hickman asked the same question of BBL. Jerry Kasai responded that BBL is on a number of projects, including Scioto JVS and Ironton. BBL has indicated that they are willing to discuss this matter and come to the table and do the right thing. However if we are going to sue someone, we have to sue everyone at the same time. We do fully expect BBL to be cooperative.

Director Shoemaker added that BBL was no longer submitting any proposals for projects. BBL has decided to discontinue in Ohio in terms of construction management services. Jerry Kasai responded that was correct and the projects previously mentioned BBL was awarded when BBL was doing business in Ohio. BBL has essentially pulled out of their Ohio operations and are not going to do any more work as a CM in Ohio.

Dr. Puckett moved to approve Resolution 09-67.

Mr. Hickman seconded the motion.

Approval: Vote 2-0.

15. Settlement Agreements Approval – Presented by Jerry Kasai

Jerry Kasai presented a settlement agreement for Mapleton City School District for the high school renovation/addition and the new elementary school.

There were numerous problems with roof leaks and water infiltration problems, some of which were caused by roof problems and some of which were caused by masonry problems. The project had previously settled with the roofer at a prior Commission meeting. The parties had earlier agreed to work together to come up with a new design and review the work in place. On April 29, 2009, the parties entered into a mediation to resolve the masonry issues. This settlement is with the masonry contractor or the surety for the other contractor, the design professional, and the surety. Remedial work had been put out to bid with a price of about \$121,000. The settlement amount totaled about \$90,000, however the new design included betterment of stainless steel through wall flashing. Estimates of the difference in material varied between \$25-40,000. Staff recommended approval of Resolution 09-68.

Representative Patten noted that there were two resolutions in a row dealing with masonry issues. He asked how is it that we are having these types of masonry installation problems and who is overseeing them. Jerry Kasai responded that he could talk for about 45 minutes on masonry issues that we have and on the industry and what causes these things. OSFC has addressed this matter head-on in a lot of ways. This was a topic at the regional construction manager/architect regional meetings. OSFC has also co-sponsored seminars with the International Masonry Institute for the construction managers and architects. Coming out in a month or so, architectural agreements will contain more construction administration duties – hours per week requiring architects to look at things like masonry and to look at some other problem areas we have. We are trying to train our construction managers and architects to detail their drawings, to go out and walk the job and when you see something wrong, you must point it out. Through training, additional oversight and lawsuits, we are making an impact. We will not really know until more and more schools come on and we see this phenomenon decreasing.

Representative Patten was glad to see the Corrective Action Grants that are available to help districts. He noted that Quandel was on this settlement agreement and stated his concern on seeing the same construction manager tied to these types of issues. Jerry Kasai responded that we do hold our construction managers accountable. Regarding Quandel, they have performed many, many good jobs for us. The vast majority of their jobs have come in on budget and on schedule. Quandel has always stepped up to the plate when there is a problem. When Quandel has made a mistake, they are the first one to say they will make it right, as opposed to a number of other parties who have the attitude of never doing anything wrong. Construction is a business where there always mistakes. Director Shoemaker added that it is going to take time for the educational process, but a pretty strong signal came from the Frontier issue that the architect, construction manager and the tradesmen on the job have a great deal of liability and would be held accountable.

Dr. Puckett moved to approve Resolution 09-68.

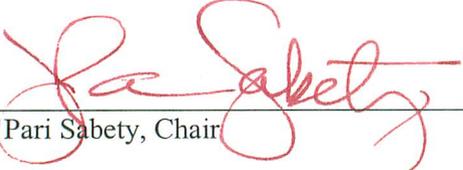
Mr. Hickman seconded the motion.

Approval: Vote 2-0.

16. Public Testimony

No public testimony was provided.

The meeting was adjourned at 3:01 PM.



J. Pari Sabety, Chair

These meeting minutes were prepared by:
Carolyn McClure
Executive Assistant
Ohio School Facilities Commission