

*Ohio School Facilities Commission
December 14, 2006
William McKinley Room 1:00 PM*

MINUTES

Meeting was called to order at 1:00 PM.

1. ROLL CALL

Members present: Chairman Timothy S. Keen, Vice Chairman Carol Nolan Drake, Dr. Steve Puckett, Representative Timothy Cassell and Jack Irvin for Senator Larry Mumper.

2. Adoption of the October 26, 2006 Meeting Minutes

The minutes were distributed prior to the meeting for the member's review. Chairman Keen asked if there was any discussion or amendments to the minutes. With no further discussion, Chairman Keen called for the roll.

Vice Chairman Drake moved to approve the September 21, 2006 minutes.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

3. Recognition Presentation

Governor Bob Taft saluted, applauded and recognized by resolution each Commission Member for their service and dedication to the Commission. Governor Taft thanked the Members for a remarkable job and taking on such a huge task. We are now seeing the results and fruits of their labor. Our model and your work have been recognized by Governing Magazine as an exemplary state program. Governor Taft also thanked Director Hickman and his staff for the great job that the Commission is doing for Ohio's school children.

Director Hickman thanked Chairman Keen and Vice Chairman Drake for their stewardship and support. Director Hickman then thanked Governor Taft for his commitment to Ohio's children through his education initiatives and vision for the Rebuilding Ohio's Schools program.

Director Hickman introduced Shayla Skinner, Age 8, a second grade student in the Columbus Public School District, and accompanied by her mother Marshie Skinner, an OSFC staff employee, was introduced. Shayla will attend Leawood Elementary School (Columbus Public Schools), which is currently under construction. Shayla and her teacher, Mrs. Tax, who was also present, look forward to attending the new Leawood Elementary School when construction is completed. Shayla assisted Director Hickman in presenting a glass paperweight as a small token of appreciation for his support of OSFC and the program.

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

One School District has submitted a conservation financing program for Commission approval.

Stow-Munroe Falls City School District of Summit County:

- Honeywell, Inc.
- Eleven Buildings
- Total Cost \$2,045,991 (Including Interest @4.5%)
- Annual Savings \$310,500
- Payback Period 11.2 Years
- Boiler & Air handler Replacements
- Automated Controls Upgrades
- Lighting Retrofit
- New Steam & Condensate Piping
- Window Replacement

This project has been reviewed by the Ohio Department of Development/Office of Energy Efficiency and the staff of the OSFC and is recommended for approval. With no further discussion, Chairman Keen called for the roll.

Dr. Puckett moved to approve Resolution 06-293.

Vice Chairman Drake seconded the motion.

Approval: Vote 3-0.

5. Maintenance Plans Approval - Presented by – Mark Wantage

The School Districts listed below have submitted their plans including a business plan for preventive maintenance and facility operations for Commission approval. The staff of OSFC have reviewed these plans and recommends approval.

School District	Buildings Included in the Maintenance Plan
Canton City School District (Stark)	Cedar, Belden, Gibbs, Worley, Belle Stone, Compton, Schreiber, Allen and Fairmount Elementary Schools, Hartford, Crenshaw and Lehman Middle Schools
East Palestine City School District (Columbiana)	Elementary and High School
Grand Valley Local School District (Ashtabula)	New PK-12 facility
Holgate Local School District (Henry)	New PK-12 facility
Lisbon Exempted Village School District (Columbiana)	McKinley Elementary
Lorain City School District (Lorain)	Longfellow and General Johnnie Wilson Middle Schools
Pandora-Gilboa Local School District (Putnam)	New PK-12 facility
Parkway Local School District (Mercer)	PK-12 facility
Patrick Henry Local School District (Henry)	New Middle School
Ripley-Union-Lewis School District (Brown)	Elementary, Middle and High School
Washington-Nile School District (Scioto)	Elementary, Middle and High School

With no further discussion, Chairman Keen called for the roll.

Vice Chairman Drake moved to approve Resolution 06-294.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

6. Project Agreement Approval - Presented by Steve Lutz

There is one supplemental project agreement for the third segment of work for the Cincinnati City School District under the Accelerated Urban Initiative.

Budget:	\$239,298,072
Co-Fund budget:	\$229,497,831
State Share:	\$52,784,501
Local Share:	\$176,713,330
Scope:	Build 8 new ES/MS Build 2 new HS Renovate 3 ES/MS Renovate 2 MS/HS Renovate & Add 2 ES/MS Abate & Demo 10 Buildings Allowance for design of 3 schools

The allowance for design of three schools provides the project flexibility to adjust to student attendance above what was projected in the planning for this segment. The Commission is not agreeing to pay for the construction of these three schools, only the design services because of the status of enrollment within the district. The 2006 student count was above what was projected and will be monitored annually. If enrollment remains above the projected numbers, the projection will be revised and brought back to the Commission for an additional supplemental agreement for additional buildings. Please note that Exhibit B in your Commission materials was incomplete and a revised Exhibit B with dollar amounts for the Years 2007-2013 is included in the Resolution materials.

The OSFC has worked closely with the Cincinnati City School District in the development of this Segment 3 plan and staff recommends the approval of Resolution 06-295.

Vice Chairman Drake asked how OSFC ensures monitoring of enrollment numbers. Steve Lutz responded that enrollment numbers are monitored on an annual basis and, in this review there was an increase of 798 students and the potential addition of 3 buildings addresses that increase. Chairman Keen asked if this 3rd Segment was the final segment for Cincinnati City School District. Steve Lutz replied that it was projected as the final, but if the trend continues we will present another segment for Commission approval. With no further discussion, Chairman Keen called for the roll.

Dr. Puckett moved to approve Resolution 06-295.

Vice Chairman Drake seconded the motion.

Approval: Vote 3-0.

7. Master Facilities Plan Amendment Approval - Presented by Steve Lutz

There is one Master Facility Plan Amendment for the Trotwood Madison Local School District (Montgomery) for approval with a total budget increase of \$6,115,705. This 2004 CFAP project budget was set based on construction costs data up through 2003, which preceded the substantial cost increases that were experienced in 2004 and 2005 in the construction industry. The state share of the budget increase is \$4,036,365. The staff recommends approval of Resolution 06-296.

Dr. Puckett asked how this affected the total budget. Steve Lutz responded this represents a 13% overrun due to industry seeing a high increase in material costs. Representative Cassell asked about the source of funding for the local share. Steve Lutz responded that the school district has certified that they can meet their local share and Madison Dowlen, Project Administrator, confirmed that the district has raised the local share. With no further discussion, Chairman Keen called for the roll.

Vice Chairman Drake moved to approve Resolution 06-296.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

**8. Expedited Local Partnership Program Agreement Amendments Approval
Presented by Steve Lutz**

There is one Expedited Local Partnership Program Part Two Agreement Amendment for Pike Delta York Local School District (Fulton). This district started participation in the Expedited Local Partnership Program in 2001 and has successfully pursued a building program of partial renovations to their high school. This amendment is a reconciliation of increase in the project's scope. The district was able to add new lockers and roofing work with an increase in the discrete portions cost of \$13,481. The amended project cost is \$451,618. The total Master Facility Plan budget is \$22,653,145. The state share of the budget is \$16,083,733. The local share of the budget is \$6,569,412. The staff recommends approval of Resolution 06-297.

Vice Chairman Drake asked if this was a normal procedure to bring this to the Commission for approval. Steve Lutz said the purpose in bringing this to the Commission was to allow us to give credit for the full amount expended. With no further discussion, Chairman Keen called for the roll.

Dr. Puckett moved to approve Resolution 06-297.

Vice Chairman Drake seconded the motion.

Approval: Vote 3-0.

**9. Consultant Contract Agreements and Amendments Approval - Presented by
Eric Bode**

A. Commissioning

This consultant contract is for seven commissioning firms: Four Seasons Environmental, Inc., Stan Engineers, The Osborn Engineering Company, Horizon Engineering Associates, LLP, The Brewer-Garrett Company, H.F. Lenz Company and Heapy Engineering LLC. This is for professional services to review, test, and recommend action so that mechanical, electrical and plumbing systems in new buildings are operating correctly. Commissioning ensures that the systems are correctly installed and operating at their peak designed efficiency, which saves operating costs. OSFC over the past three years has moved from pilot commissioning projects, to requiring that commissioning is performed on all projects going forward. Currently there are 4 firms, but with expansion, we have identified seven firms. There was a full selection process with 19 firms applying, 12 firms were short-listed, and 7 firms were approved. This is for a Memorandum of Agreement, not a contract. No state dollars are encumbered. Instead, school districts select one of the firms, and then pay them out of project funds. A Memorandum of Agreement sets the compensation at 35 cents/square foot. The staff recommends approval of Resolution 06-298.

Representative Cassell asked if the school districts were required to do Commissioning and were they limited to the seven firms or could they use others. Eric Bode responded that the school districts would be required to do Commissioning on a going forward basis. The school district can use these seven firms or they can go outside to another firm, but pay for the cost as a local expense with no state contribution. With no further discussion, Chairman Keen called for the roll.

Vice Chairman Drake moved to approve Resolution 06-298.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

B. Financial Close-Out Review

This \$20,000 capital contract is for Financial Close-Out Review with Pat Willard. There is a major effort to close out projects after they are completed. This includes full financial reconciliation, including total amount spent, interest earned and calculation of disposal of remaining funds back to the state, into the district's maintenance fund, or other as appropriate. This work requires interaction with school treasurers, as well as construction managers. Currently, there is a backlog in this work. We have identified Pat Willard, a recently retired treasurer who completed a CFAP project at Amanda Clearcreek. She will be assisting the OSFC finance staff. The staff recommends approval of Resolution 06-299.

Representative Cassell asked what the procedure was for any monies left over after a building is completed. Eric Bode replied that the law determines what happens with the money when a project is under budget. A percentage comes back to the state and the local share goes to the district's maintenance fund. Representative Cassell asked if they have to go towards maintenance funds. Eric Bode replied that the law requires they go towards the maintenance fund. With no further discussion, Chairman Keen called for the roll.

Dr. Puckett moved to approve Resolution 06-299.

Vice Chairman Drake seconded the motion.

Approval: Vote 3-0.

C. Program Evaluation Services

This \$25,000 operating contract is for Program Evaluation Services with Antioch McGregor. This may be one of our most important contracts this year, because it gets to the heart of our mission by providing an appropriate learning environment for Ohio's school children. We feel it is important to keep the discussion on design to promote learning at the forefront, but this often gets crowded out. This includes use of space and floor plans, use of technology, and other design considerations to match student learning and teaching methods of the next 50 years. This contract takes a practical approach, producing a resource guide. Based on successes with the first nearly 500 completed facilities, from conversations with teachers and principals at the building level. Antioch McGregor College trains Ohio K-12 teachers, through degree programs and shorter training sessions. They have constructed a "classroom of the future" which some of our project teams have visited for design ideas. Barbara Gellman-Danley, President, has been involved in the Dayton construction project, and spoken at our Architects and Engineers' summit. Eric Bode pointed out that the hourly rates in the contract in the Commission notebook might change to a schedule of deliverables. The staff

recommends approval of Resolution 06-300. With no further discussion, Chairman Keen called for the roll.

Vice Chairman Drake moved to approve Resolution 06-300.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

D. Facilities Assessment Services

This \$2,200,000 capital contract amendment is for Facilities Assessment Services with the following firms:

Contractor	Scope of Work	Amount	Extended Thru
ADA Architects, Inc.	Original Contract Amount	\$500,000	June 30, 2008
	Additional Services	\$850,000	
ATA Beilharz Architects	Original Contract Amount	\$500,000	June 30, 2008
	Additional Services	\$50,000	
Duket Porter Associates	Original Contract Amount	\$500,000	June 30, 2008
	Additional Services	\$800,000	
Karl Rohrer Associates, Inc.	Original Contract Amount	\$500,000	June 30, 2008
	Additional Services	\$150,000	
Schorr Architects	Original Contract Amount	\$500,000	June 30, 2008
	Additional Services	\$350,000	
Jester Jones Architects	Original Contract Amount	\$500,000	June 30, 2008
	Additional Services	\$0	
TMP Architecture LLC	Original Contract Amount	\$500,000	June 30, 2008
	Additional Services	\$0	
Total Original Contract Amount		\$3,500,000	
Total Additional Services		\$2,200,000	
Total		\$4,700,000	

One of the starting points of creating a master plan for school districts is the assessment of the current facilities. This involves on-site visits by architects and engineers, and provides a cost estimate to renovate all the systems and components of the facility, as well as an assessment of the educational adequacy of the facility. The Ohio School Facilities Commission conducted a selection process in 2005, following which the Commission approved 8 contracts totaling \$4 million for FY06 and FY07. These amendments add an additional \$2.2 million and extend the contract through FY08. Since the start of the contracts, we have seen that some firms are more willing and able to take on assignments and perform quality work. Because of this, the amendments are not of identical amounts. The staff recommends approval of Resolution 06-301. With no further discussion, Chairman Keen called for the roll.

Dr. Puckett moved to approve Resolution 06-301.

Vice Chairman Drake seconded the motion.

Approval: Vote 3-0.

E. Neutral Facilitation Services

This \$35,000 capital contract amendment is for Neutral Facilitation Services with North Star Consulting. Facilitation services are a key to the success of our multi-party, long-term, co-owner facility construction model. Facilitated sessions are held at multiple points in the life of a project, including at the planning stage, after awarding contracts, and at the start of closeout. We currently have two firms under contract through the end

of FY07. Only one, for North Star, requires an amendment due to an increased workload. The extra work is related to services for team process reviews with our urban districts, following the successful pilot review in Toledo completed earlier this year. Also, the plan of our staff to design facilitated planning sessions for districts projected for FY08 funding. The staff recommends approval of Resolution 06-302. With no further discussion, Chairman Keen called for the roll.

Vice Chairman Drake moved to approve Resolution 06-302.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

F. Website Support Services

This \$2,400 operating contract amendment is for Website Support Services with Martin G. Boso. The Ohio School Facilities Commission is nearing completion of its first overhaul of the website in about 5 years. There is a full working model now in internal testing, and ready to be made available to the public by the end of this month. Mr. Boso has been our primary resource for this upgrade. This amendment is essentially recapturing lapsed funds from the FY06 contract that could not be used. The staff recommends approval of Resolution 06-303. With no further discussion, Chairman Keen called for the roll.

Vice Chairman Drake moved to approve Resolution 06-303.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

10. Architectural Agreements and Amendments Approval - Presented by Craig Weise

The following architect agreements and amendments were presented for approval.

Agreements:

School District	Project	Architect	Amount	Agreement
Cincinnati City School District - Segment 2	John P. Parker PK-8 School	Voorhis, Slone, Welsh, Crossland Architect, Inc.	\$764,117.00	Agreement
Columbus City School District - Segment 1	Clinton MS - Boiler Replacement - Warm, Safe & Dry	Larsen Engineering, Inc.	\$18,565.00	Agreement
Columbus City School District - Segment 1	Beery MS - Boiler Replacement - Warm, Safe & Dry	W.E. Monks & Company	\$18,565.00	Agreement
Columbus City School District - Segment 1	Northland HS - Roof Replacement - Warm, Safe & Dry	Abbot & Abbot Architects	\$69,487.00	Agreement
Columbus City School District - Segment 1	Independence HS - Roof Replacement - Warm, Safe & Dry	O.A. Spencer, Inc.	\$48,270.00	Agreement
Columbus City School District - Segment 1	Ridgeview MS - Roof Replacement - Warm, Safe & Dry	J.L. Bender, Inc.	\$44,557.00	Agreement
Columbus City School District - Segment 1	Whetstone HS - Roof Replacement - Warm, Safe & Dry	J.L. Bender, Inc.	\$82,750.00	Agreement
Columbus City School District - Segment 1	Buckeye MS - Roof Replacement - Warm, Safe & Dry	Abbot & Abbot Architects	\$46,678.00	Agreement
Columbus City School District - Segment 1	Marion - Franklin HS - Roof Replacement - Warm, Safe & Dry	Hardlines Design Company	\$82,748.00	Agreement
Logan-Hocking Local School District	Elementary School and renovate the Middle School	Voorhis Slone Welsh Crossland Architects	\$1,627,735.30	Agreement

Amendments:

School District	Project	Architect	Fees to Date	Amount	Total	Amendment
Akron City School District - Seg. 1	Change in Architect duties	Akron Architectural Group, LLC.	\$9,103,964.00	(\$955,991.26)	\$8,147,972.74	Amendment
Canton City School District - Amendment 1	Decrease basic fee for removal of Souers from MFP	Lawrence, Dykes, Goodenburger, Vandegrift & Clancy Architects	\$2,371,347.70	(\$230,634.65)	\$2,140,713.05	Amendment

Canton City School District – Amendment 3	Additional basic fee for 10 month schedule extension on McKinley	Lawrence, Dykes, Goodenburger, Vandegrift & Clancy Architects	\$2,140,713.05	\$23,166.64	\$2,163,879.69	Amendment
Canton City School District - Amendment 4	Decrease basic fee for not performing Belle Stone abatement design services	Lawrence, Dykes, Goodenburger, Vandegrift & Clancy Architects	\$2,163,879.69	(\$9,765.25)	\$2,154,114.44	Amendment
Cincinnati City School District - Seg. 2	Change in scope from a masonry to precast concrete exterior and change in the storm water management system	McGill Smith Punshone, Inc.	\$829,136.00	\$85,000.00	\$914,136.00	Amendment
Columbus City School District - Seg. 1	Change of scope of work to include reno and alteration to Indianola K-8 at Crestview School	Feinknopf Macioce Schappa Architects, Inc.	\$641,989.00	\$458,626.50	\$1,100,615.50	Amendment
Columbus City School District - Seg. 1	Change in scope to include storm piping, connector road at existing building and fiber rework for three school buildings at Shady Lane Elementary	Foreman Davis, Ltd.	\$397,489.00	\$11,285.00	\$408,774.00	Amendment
Columbus City School District - Seg. 1	Change in scope to include deletion of two handicap ramps and relocation of third ramp for Watkins Elementary	Bogden Architects, Inc.	\$455,996.00	\$1,450.00	\$457,446.00	Amendment
Columbus City School District - Seg. 1	Change in scope to include conveyance survey for Lincoln Park Elementary	J.L. Bender, Inc.	\$414,951.00	\$4,800.00	\$419,751.00	Amendment

Locally Funded Initiatives:

School District	Project	Architect	Amount	Locally Funded Initiatives
Akron City School District - Seg. 1	Site engineering for Helen Arnold ES, programming and space design at Crouse, building elevations for Jennings MS and early site preparation package at Mason	Akron Architectural Group, LLC.	\$79,123.78	Amendment - LFI
Canton City School District - Amendment 1	Additional services for Souers Middle School Project	Lawrence, Dykes, Goodenburger, Vandegrift & Clancy Architects	\$37,960.76	Amendment – LFI
Canton City School District - Amendment 2	Additional services for revisions to McKinley addition	Lawrence, Dykes, Goodenburger, Vandegrift & Clancy Architects	\$22,047.58	Amendment – LFI
Canton City School District - Amendment 5	Additional services for Crenshaw, Hartford MS and McKinley	Lawrence, Dykes, Goodenburger, Vandegrift & Clancy Architects	\$117,587.30	Amendment – LFI
Cincinnati City School District - Segment 2	John P. Parker PK-8 School	Voorhis, Slone, Welsh, Crossland Architect, Inc.	\$16,234.00	Agreement – LFI
Columbus City School District - Seg. 1	Change of scope of work to include reno and alteration to Indianola K-8 and Crestview School	Feinknopf Macioce Schappa Architects, Inc.	(\$171,876.00)	Amendment – LFI
Columbus City School District - Seg. 1	Change in scope to include conveyance survey	J.L. Bender, Inc.	\$4,800.00	Amendment – LFI
Logan-Hocking Local School District	Middle School fixed seat auditorium	Voorhis Slone Welsh Crossland Architects	\$8,729.00	Agreement - LFI

The Commission staff has reviewed and recommends the approval of Resolution 06-304. With no further discussion, Chairman Keen called for the roll.

Chairman Keen moved to approve Resolution 06-304.
 Dr. Puckett seconded the motion.
 Vice Chairman Drake abstained from the vote.
 Approval: Vote 2-0.

11. Construction Manager Agreements and Amendment Approval - Presented by Craig Weise

The following Construction Manager agreements were presented for approval.

CM Firm	District	County	Total CM Compensation
Regency Construction	Bucyrus City SD	Crawford	\$1,772,006
Barton Malow / Rupp Rosebrock	Millcreek West Unity LSD	Williams	\$1,073,912

The Commission staff has reviewed and recommends the approval of Resolution 06-305. With no further discussion, Chairman Keen called for the roll.

Dr. Puckett moved to approve Resolution 06-305.
 Vice Chairman Drake seconded the motion.
 Approval: Vote 3-0.

The following Construction Manager amendments for “locally funded initiative” were presented for approval.

<u>School District</u>	<u>Construction Manager</u>	<u>Amount</u>
Painesville City School District	R.P. Carbone	\$386,257

The Commission staff has reviewed and recommends the approval of Resolution 06-306. With no further discussion, Chairman Keen called for the roll.

Vice Chairman Drake moved to approve Resolution 06-306.
 Dr. Puckett seconded the motion.
 Approval: Vote 3-0.

12. Trade Construction Contracts Approval - Presented by Craig Weise

All contracts represent the lowest responsible bidder. There was one contract added for Youngstown City School District for Environmental Protection Systems, LLC that has been added to the supplemental materials and the resolution.

<u>School District</u>	<u>Contracting Entity</u>	<u>Scope Of Work</u>	<u>\$ Amount</u>
Cincinnati CSD	Beacon Electric Company	Electrical/Technology	\$1,873,000.00
Cincinnati CSD	Tom Sexton & Associates	Academic Furniture	\$222,600.00
Cincinnati CSD	Feldkamp Enterprises, Inc.	HVAC	\$1,258,000.00
Cincinnati CSD	Dalmatian Fire, Inc.	Fire Protection	\$118,000.00
Cincinnati CSD	Dalmatian Fire, Inc.	Fire Protection	\$173,367.00
Cincinnati CSD	Williams Interior Designs, Inc.	Office Furniture	\$114,590.20
Cincinnati CSD	Feldkamp Enterprises	HVAC	\$1,629,000.00
Cleveland CSD	Great Lakes Crushing, Ltd.	Demolition and Associated Abatement	\$2,807,500.00

Dayton CSD	Quality Fire Protection, Inc.	Fire Protection	\$153,995.00
Dayton CSD	Griffith Sheet Metal, Inc.	HVAC	\$1,231,000.00
Dayton CSD	Peterson Construction Co.	General Trades	\$5,902,000.00
Dayton CSD	Ware-Shearer Co., Inc.	Plumbing	\$613,980.00
Dayton CSD	Saturn Electric, Inc.	Electrical	\$1,043,520.00
East Cleveland CSD	Titan Wrecking Environmental, LLC	Asbestos Abatement/Building Demolition PH II	\$627,000.00
Franklin LSD	Paul Construction Company, Inc.	Abuse Resistant Acoustical Panels	\$81,000.00
Galion CSD	Total Environmental Services, LLC	Asbestos Hazard Abatement & Related Work	\$86,465.00
Hamilton LSD	Johnson Controls, Inc.	TC HVAC	\$594,990.00
Hamilton LSD	Pezzo Construction, Inc.	Masonry	\$1,597,000.00
Hamilton LSD	Stonecreek Interior Systems, LLC	Casework	\$291,800.00
Hamilton LSD	Accurate Electric, Inc.	Electrical	\$1,247,117.00
Hamilton LSD	Central Fire Protection Co., Inc.	Fire Protection	\$172,617.00
Hamilton LSD	Gutknecht Construction	General Trades	\$3,431,000.00
Hamilton LSD	Winchester Mechanical, Inc.	Plumbing and HVAC	\$1,664,000.00
Hillsboro CSD	R. B. Jergens Contractors, Inc.	Site Grading	\$1,142,820.93
Newcomerstown EVSD	Johnson Controls, Inc.	Temperature Controls Repair and Completion	\$234,211.00
North Fork LSD	Law General Contracting, Inc.	Site Development Work	\$1,116,810.00
Sandy Valley LSD	Fechko Excavating, Inc.	Site Grading and Site Development	\$1,289,431.75
Steubenville CSD	Komar Plumbing Co., Inc.	Plumbing	\$318,000.00
Steubenville CSD	Prout Boiler, Heating & Welding, Inc.	HVAC	\$898,800.00
Steubenville CSD	S A Comunale Co., Inc.	Fire Protection	\$79,727.00
Steubenville CSD	Kalkreuth Roofing & Sheet Metal, Inc.	Roofing	\$284,000.00
Steubenville CSD	DeGol Carpet	Flooring	\$152,776.00
Steubenville CSD	ACJ Electric, Inc.	Electric	\$862,700.00
Steubenville CSD	DeSalvo Construction Co., Inc.	General Trades	\$3,994,000.00
Tecumseh LSD	Game Time c/o David Williams & Associates	Playground Equipment	\$238,116.00
Toledo CSD	F H Martin Contractors	General Trades	\$3,536,000.00
Toledo CSD	Bayes, Inc.	HVAC	\$1,195,000.00
Toledo CSD	Border Fire Protection, Inc.	Fire Protection	\$113,800.00
Toledo CSD	Mondo Mechanical, Inc.	Plumbing	\$311,816.00
Toledo CSD	Blaze Contracting, Inc.	Site	\$652,000.00
Toledo CSD	Transtar Electric	Electrical	\$818,327.00
Toledo CSD	Hank's Plumbing & Heating Co.	Plumbing	\$357,612.00
Toledo CSD	L R Babcock Plg & Htg, Inc.	HVAC	\$1,180,000.00
Toledo CSD	F H Martin Contractors	Site and General Trades	\$4,925,000.00
Toledo CSD	Romanoff Electric Co., LLC	Electrical	\$740,000.00
Toledo CSD	L R Babcock Plg & Htg, Inc.	HVAC	\$1,364,000.00
Toledo CSD	Crestline Paving & Excavating, Co., Inc.	Site Work	\$1,204,000.00
Toledo CSD	Hank's Plumbing & Heating Co.	Plumbing	\$407,928.00
Toledo CSD	A. Z. Shmina, Inc.	General Trades	\$4,127,000.00
Toledo CSD	The Spiker Company	Site	\$920,000.00
Toledo CSD	Absolute Fire Protection	Fire Protection	\$114,000.00

Toledo CSD	S. A. Comunale Company, Inc.	Fire Protection	\$125,300.00
Toledo CSD	Transtar Electric	Electrical	\$943,393.00
Tri-Valley LSD	The George P. Frueh Co.	HVAC	\$2,087,700.00
Tri-Valley LSD	Claggett & Sons, Inc.	General Trades	\$7,873,387.00
Tri-Valley LSD	Gutridge Plumbing, Inc.	Plumbing	\$776,512.00
Tri-Valley LSD	Gutridge Plumbing, Inc.	Fire Protection	\$194,400.00
Tri-Valley LSD	The George P. Frueh Co.	HVAC	\$1,863,700.00
Tri-Valley LSD	City Electric Service, Inc.	Electrical	\$1,508,960.00
Tri-Valley LSD	Paul Construction Co., Inc.	General Trades	\$8,624,850.00
Tri-Valley LSD	Peterman Plumbing & Heating, Inc.	Plumbing	\$931,672.00
Tri-Valley LSD	Waibel Electric Co., Inc.	Electrical	\$810,457.00
Warren CSD	Pro Quality Land Development	Demolition	\$75,000.00
Warren CSD	Commercial Appliance Contracts, Inc.	Food Service Equipment	\$381,613.00
Wheelersburg LSD	Restaurant Equipment Distributing, Inc	Food Service Equipment	\$295,341.06
Wheelersburg LSD	Brewer & Company of WV, Inc.	Fire Protection	\$524,000.00
Wheelersburg LSD	Pro-Onsite Technologies	Communication Cabling	\$454,000.00
Youngstown CSD	Environmental Protection Systems, LLC	Asbestos Hazard Abatement and Related Work	\$123,100.00
Youngstown CSD	Dave Sugar Excavation, Inc.	Demolition	\$756,000.00
		Total	\$87,860,801.94

The Commission staff has reviewed and recommends the approval of Resolution 06-307. With no further discussion, Chairman Keen called for the roll.

Vice Chairman Drake moved to approve Resolution 06-307.
Dr. Puckett seconded the motion.
Approval: Vote 3-0.

13. Settlement Agreements Approval - Presented by Jerry Kasai

A. East Muskingum Local School District

The East Muskingum Local School District, with Commission approval, entered into a contract with Triad Architects in 2000 to perform professional design services for a new middle school at the School District and for trade contracts with Grae-Con Construction and Saup-Hartley Roofing in 2002 to perform the general trades work and roof work, respectively at the Middle School. It has been experiencing water infiltration problems which were the result of design and workmanship issues. Triad, Grae-Con and Saup-Hartley have agreed to perform work on the Middle School Project at their own cost, with Triad to pay the co-owners \$12,500 for work to resolve the water infiltration problems at the Middle School. Recommend approval of Resolution 06-308. With no further discussion, Chairman Keen called for the roll.

Dr. Puckett moved to approve Resolution 06-308.
Vice Chairman Drake seconded the motion.
Approval: Vote 3-0.

B. Jackson City School District

The Jackson City School District (School District), with Commission approval, entered into a trade contract in 2005 with Howard's Sheet Metal to perform HVAC work for a new elementary school at the School District. Subsequently the co-owners determined

that it would be in the best interest of the Project to terminate the contract with Howard's. Through negotiation, the co-owners terminated Howard's contract for convenience, with the co-owners agreeing to hold Howard's harmless for any claims received by other trade contractors on the project for delay claims resulting from Howard's inability to reach milestone dates on schedule. Recommend approval of Resolution 06-309. With no further discussion, Chairman Keen called for the roll.

Vice Chairman Drake moved to approve Resolution 06-309.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

C. Meigs Local School District

The Meigs Local School District, with Commission approval, entered into a trade contract in 2002 with Riverside Masonry LLC dba C&R Masonry of Michigan to perform masonry work for a new elementary school at the School District. C&R abandoned the work on the Project and the co-owners engaged a replacement contractor to perform the remaining masonry work and a suit was filed against C&R, its surety, Greenwich Insurance, and other parties, entitled *Meigs Local School District, et al v. Riverside Masonry LLC, dba C&R Masonry of Michigan, et al*, to recover the additional costs incurred as a result of C&R's abandonment and workmanship and through mediation, the parties have reached a settlement with the defendants paying the School District \$1 million. Recommend approval of Resolution 06-310. With no further discussion, Chairman Keen called for the roll.

Dr. Puckett moved to approve Resolution 06-310.

Vice Chairman Drake seconded the motion.

Approval: Vote 3-0.

D. Alexander Local School District

The Alexander Local School District, with Commission approval, entered into a trade contract with RW Setterlin to perform general trades work for renovations and additions to an existing high school and a new PK-12 school complex at the School District. Subsequent to completion, portions of the concrete sidewalks began to spall and otherwise deteriorate and through agreement, the parties have reached a settlement to share in the cost of replacement of the damaged areas of concrete with Setterlin. Recommend approval of Resolution 06-311.

Chairman Keen asked if Setterlin would do the work or pay to have the work done. Jerry Kasai replied that Setterlin will not do the work, but their sub-contractor will. With no further discussion, Chairman Keen called for the roll.

Vice Chairman Drake moved to approve Resolution 06-311.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

14. Executive Director's Report

Lisa Laney, Planning Manager, reported on the Federal Emergency Repair Program. The Ohio School Facilities Commission, through the Ohio Department of Education, was awarded a grant in the amount of \$27.9 million from the United States Department of Education for emergency repair and renovation projects. The Local Education Agencies that were eligible to submit applications included public school districts, Joint Vocational

Schools, Community Schools, Education Service Centers and some private schools that met the high poverty criteria. The OSFC conducted two rounds of application intake and awarded grants on a competitive basis utilizing four federally mandated criteria:

- 1) The percentage of poor students enrolled in the LEA,
- 2) The need for repairs and renovations,
- 3) The fiscal capacity of an LEA to meet repair needs, and
- 4) The likelihood that an LEA would properly maintain the repaired school facilities.

The maximum award an LEA could receive was \$500,000 unless the application had a project that demonstrated sufficient hazardous conditions that OSFC felt it was in the best interest of the health and safety of the students to waive the \$500,000 cap.

The federal guidelines dictated that the funds be disbursed to LEAs in three categories; 1) High Poverty, 2) Rural, and 3) Others. The following chart shows the amounts disbursed within each category:

Category	Applications	Awards	Projects	Total Award
High Poverty (42%)	67	47	136	\$11,990,385.08
Rural (23%)	112	35	49	\$8,486,870.48
Other (35%)	73	24	48	\$7,004,077.78
Grant Total	252	104	233	\$27,481,333.34

The specific types of LEAs that received FERP grant funds were:

LEA Type	Applications	Projects	Disbursed Amount
School Districts	67	124	\$20,260,680.17
Community Schools	31	68	\$5,701,601.97
Education Service Centers	5	12	\$1,019,051.20
Joint Vocational Schools	1	1	\$500,000.00
Private Schools	2	2	(Included with SD total)
Grant Totals	104 (+2)	205	\$27,481,333.34

This was the first federal grant program administered by the Ohio School Facilities Commission. We were successful in obtaining several extensions to the grant period in order to allow us to utilize the funds to their fullest potential. This program was selected by the State Auditor's Office to be a major federal program to audit. We are very proud of the fact that the program has received no audit findings with only one management comment. The Local Education Agencies have been very appreciative of the opportunity to make repairs and renovations to their facilities. The majority of the repairs and renovations could not have happened at these school facilities without the federal funds. The OSFC is very appreciative of the coordination between the Ohio Department of Education, Office of Budget and Management and the U.S. Department of Education. On behalf of the staff, I would like to thank the OSFC Commission Members for the support that has been shown throughout the life of the program.

Vice Chairman Drake asked if there was a possibility of receiving additional funds. Lisa Laney replied that at this time there were no additional funds, but we do keep in contact for additional future funds.

Director Hickman shared the gift giving and ethical conduct memo that was sent to all professional service contractors doing business with OSFC. This memo was also shared with the Superintendents of all current school districts.

Director Hickman provided an update on the dedications and groundbreakings for the remainder of December and January.

Director Hickman pointed out the OSFC Financial Report Disbursements for FY07 through November 30, 2006 included in the supplemental materials. Since the beginning of the program OSFC has disbursed \$4.8 billion and for FY07 OSFC has disbursed \$216 million.

Director Hickman shared with the Commission the OSFC Resource Guide that has been developed to brief new members of the Commission and to use for employee orientation.

Meeting was adjourned at 2:13 PM.


Chair

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