

Ohio School Facilities Commission Meeting

Witness Form

Name: Alan Adams Title: _____

School District/Company: OHIO CONSTRUCTION COALITION

Address: 5312 Elgine City/State/Zip: Toledo, OH

Phone: 419-350-5700 Fax: _____

Testimony Subject:

CONTRACT AWARDED @ CANTON

HARTFORD MIDDLE SCHOOL

Will you be providing handouts/materials? yes

*****Please return the Witness Form and ten (10) copies of your testimony and materials to the Committee Secretary prior to testifying.*****

My name is Alan Adams, and I live in Toledo, OH. I have addressed this Commission on several occasions, regarding topics such as the lack of Form 26 enforcement that documents who actually is working on OSFC projects. The lack of Contractor Evaluations, that document the quality and timeliness in which contractors perform on OSFC projects. The poor quality of work performed at Frontier Local School District, Gibsonburg School District, and other related topics.

Today I would like to address an issue that is probably the most important of all, which is the issue of local control and responsible contracting. Through the review of the documents made public it is obvious that the local school board had reached a decision, based on factual evidence, that an apparent low bidder was not qualified to do the HVAC work on a project at Hartford Middle School in Canton OH. The school board reviewed the documentation and voted not to accept the low bidder. After that, the OSFC Project Administrator addressed the school board and told them that the OSFC actually had the final say and that their insistence on a competent contractor rather than the low bidder would cause them to lose funding for the project. This is what has happened to so many school districts that have accepted OSFC money; they have been forced to accept substandard quality buildings in order to keep their funding. The documents I have provided today will show just how blatantly this Commission has ignored the local officials and been willing to buy strictly on price without regard to quality.

The school board did its homework prior to the contract award of the HVAC contract at Canton Hartford Middle School and studied the due diligence provided by Ruhlin Co., the Construction Manager appointed by the OSFC. Much of the documentation stated that, according to prior project contacts, the low HVAC bidder would be seriously challenged to successfully complete the Hartford Middle School project. On April 14, 2003 the school board voted to accept 5 bids on the Hartford Middle School project, rejecting all others. On June 9, 2003 the school board voted 3-2 to reject the low HVAC bidder. On June 23 the school board voted again on the low HVAC bidder and was undecided. On July 14, 2003 the Canton school board voted 4 to 1 to accept the low HVAC bidder. At that time, Jeff Tuckerman, the OSFC Project Administrator stated to them that "If the board choose not to approve the lowest responsible bidder, it put the Hartford project at risk for delays. The OSFC staff will not recommend another bidder in this particular case to its governing body and payment will not be made"

I have also provided for your viewing a newspaper report from the Canton Repository that describes the conditions at the newly built Hartford Middle School. As you will probably be able to conclude, had the local school board been able to make the proper decision based on criteria other than just the lowest price, they would most likely not be experiencing the major HVAC problems that now plague this building.

Now is the time for this Commission to not only allow local school districts to define responsible contractors, but should be actively partnering with the school districts to insure that quality and not just price is the main component in the decision to award contracts. This is what the taxpayers of this State deserve.

Monday, April 14, 2003

14

William Paulk, From: Custodian; To: Custodian Fireman, step 3, 260 day term, e. March 31, 2003

Mark Riley, From: Custodian; To: Custodian Fireman, step 3, 260 day term, e. March 31, 2003

Carmen Settles, Bus Driver, From: 7.75 hours per day; To: 8 hours per day, e. March 31, 2003

Roll call: Ayes; McIlwain, Baughman, Milligan, Alecusan and Harold.
Motion carried.

- 03-130 Upon the recommendation of Dianne Talarico, Superintendent, Mr. Milligan moved, seconded by Mr. Alecusan that the Board of Education approve the following support staff employee to receive a stipend, e. 2002-2003 contract year
Sue Rossetti, \$866.10, Ohio Reads Grant

Roll call: Ayes; McIlwain, Baughman, Milligan, Alecusan and Harold.
Motion carried.

- 03-131 Upon the recommendation of Dianne Talarico, Superintendent, Mr. Alecusan moved, seconded by Mr. Baughman that the Board of Education does approve the Lease Agreement with Melchizedek Ministries for rental of Fawcett Stadium for the National Day of Prayer as on file in the Business Manager's Office.

Roll call: Ayes; Baughman, Milligan, Alecusan and Harold.
Abstain; McIlwain.
Motion carried.

- 03-132 Upon the recommendation of Dianne Talarico, Superintendent, Mrs. McIlwain moved, seconded by Mr. Baughman that the Board of Education does authorize the Supervisor of Food Services to prepare specifications and advertise for bids for the following food service items for the 2003-2004 school year:

Bakery Products
Dairy Products

Roll call: Ayes; McIlwain, Baughman, Milligan, Alecusan and Harold.
Motion carried.

- 03-133 Upon the recommendation of Dianne Talarico, Superintendent, Mr. Baughman moved, seconded by Mr. Milligan that the Board of Education does accept the base bid of \$31,181.00 and linear foot unit cost submitted by Seneca Systems, Inc. for the abatement of the former warehouse as part of the Technology Academy Project, as on file in the Business Manager's Office.

Be It Resolved that this Board of Education does reject the square foot unit cost submitted by Seneca Systems, Inc. and all other bids submitted.

Roll call: Ayes; McIlwain, Baughman, Milligan, Alecusan and Harold.
Motion carried.

- 03-134 Upon the recommendation of Dianne Talarico, Superintendent, Mr. Milligan moved, seconded by Mr. Alecusan that the Board of Education does accept the base bids and alternates for the construction packages submitted by the contractors listed below for the renovation of Hartford Middle School, as on file in the Business Manager's Office.

W. G. Fairfield Co.	\$2,058,625.00
Komar Plumbing Co., Inc.	\$199,062.00
S. A. Comunale	\$131,350.00
Sander Electric	\$1,079,204.00
ASCC	<u>\$139,145.00</u>

Total contracts awarded \$3,607,386.00

Be It Resolved that this Board of Education does reject all other bids submitted.

Roll call: Ayes; McIlwain, Baughman, Milligan, Alecusan and Harold.
Motion carried.

- 03-135 Upon the recommendation of Dianne Talarico, Superintendent, Mr. Alecusan moved, seconded by Mrs. McIlwain that the Board of Education does accept the base bid and unit pricing submitted by the contractors listed below for the abatement and demolition of the former Worley Elementary School, as on file in the Business Manager's Office



Monday, June 9, 2003

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03-199 Upon the recommendation of Dianne Talarico, Superintendent, Mrs. McIlwain moved, seconded by Mr. Milligan that the Board of Education does approve the Program of Requirements for McKinley Senior High School Design for the Future project as on file in the Business Manager's Office.

Roll call: Ayes; McIlwain, Milligan, Alecusan and Harold.
Motion carried.

At this time President Harold expressed his concerns about the reduction of the physical activity center and Risaliti Field on the Timken Campus.

03-200 Upon the recommendation of Dianne Talarico, Superintendent, Mrs. McIlwain moved, seconded by Mr. Milligan that the Board of Education does exercise the option to extend by one year, the present contract with Preferred Meal Systems of Rolling Meadows, Illinois, for providing pre-plated school lunch meals. Price for the 2003 - 2004 school year is in the amount of \$1.10 per meal.

That this Board of Education does accept the quotation of Nickles Bakery, Inc. of Navarre, Ohio for supplying bakery products for the 2003 - 2004 school year, as on file in the Business Manager's Office.

That this Board of Education does accept the quotation of Reiter Dairy, Inc. of Akron, Ohio for providing dairy products for Canton City Schools for the 2003 - 2004 school year, as on file in the Business Manager's Office.

Roll call: Ayes; McIlwain, Milligan, Alecusan and Harold.
Motion carried.

03-201 Upon the recommendation of Dianne Talarico, Superintendent, Mr. Milligan moved, seconded by Mr. Alecusan that the Board of Education does accept the bid of Abell Elevator for the Elevator project at Hartford Middle School in the amount of \$42,840 for the Design for the Future project, as on file in the Business Manager's Office.

Be It Further Resolved that this Board of Education does reject all other bids.

That this Board of Education does accept the bid submitted by Joseph Jeffries Co., Inc. in the amount of \$219,510.00 for the site work for the Timken Campus Commons/Physical Education Building, as on file in the Business Manager's Office;

Be It Further Resolved that this Board of Education does reject all other bids submitted.

That this Board of Education does accept the bid submitted by Abbott Electric, Inc. as listed below for the replacement of the fire alarm systems at Baxter, Dueber and Mason Elementary Schools, as on file in the Business Manager's Office;

Baxter Elementary School	\$29,300.00
Dueber Elementary	\$23,500.00
Mason Elementary	\$19,000.00

Be It Further Resolved that this Board of Education does reject all other bids submitted.

Roll call: Ayes; McIlwain, Milligan, Alecusan and Harold.
Motion carried.

03-202 Upon the recommendation of Dianne Talarico, Superintendent, Mr. Alecusan moved, seconded by Mrs. McIlwain that the Board remove from the table at the April 14, 2003 regular meeting a resolution accepting the bid of Gene's Refrigeration, Inc. in the amount of \$1,375,000.00 for Hartford Middle School. X

At this time Mr. Chiappini spoke regarding Gene's Refrigeration. He noted that the construction manager thoroughly researched the contractor and noted that several sub-contractors have been switched.

Roll call: Ayes; Milligan and Alecusan.
Nays; McIlwain and Harold.
Motion failed.

03-203 Mrs. McIlwain moved, seconded by Mr. Milligan that the schedule of regular board meetings be changed from September 2003 through December 2003 to a special/study session for the first meeting of each month and that the attached schedule of meetings be approved at the January 2004 organization meeting.

Monday, June 23, 2003

14

That the Board of Education does approve extended time, as needed, for the following Support Staff
 Tamsen Kissenberger Penelope Reese
 Peggy Murphy

Carol Newport, From: Lunchroom Manager; To: Building Assets and Character Coach, step 1, 6 hours per day, 186 day term, e. August 25, 2003

Roll call: Ayes; Baughman, Milligan, Alecusan and Harold.
 Motion carried.

03-229 Upon the recommendation of Dianne Talarico, Superintendent, Mr. Baughman moved, seconded by Mr. Milligan that the Board remove from the table at the June 9, 2003 regular meeting a resolution accepting the bid of Gene's Refrigeration, Inc. in the amount of \$1,375,000.00 for Hartford Middle School. X

Roll call: Ayes; Baughman, Milligan, Alecusan and Harold.
 Motion carried.

03-230 Upon the recommendation of Dianne Talarico, Superintendent, Mr. Milligan moved, seconded by Mr. Alecusan that the Board of Education does accept the bid of Gene's Refrigeration for the Mechanical/HVAC portion of the Additions and Renovations project at Hartford Middle School Design for the Future project in the amount of \$1,375,000.00 as on file in the Business Manager's Office; X

Be It Further Resolved that all other bids are rejected.

Roll call: Ayes; Milligan and Alecusan.
 Nays; Baughman and Harold.
 Motion undecided.

At this time Mr. Baughman gave the Legislative Report which included:

- State budget
- Pledge of Allegiance time in school
- HB 205

03-231 There being no further business to come before the Board, Mr. Baughman moved, seconded by Mr. Milligan, that the meeting be adjourned.

Roll call: Ayes; Baughman, Milligan, Alecusan and Harold.
 Motion carried. The meeting adjourned at 8:52 p.m.


 Frederick C. Harold, President


 James A. Reinhard, Treasurer

Monday, July 14, 2003

7

- 03-254 Upon the recommendation of Dianne Talarico, Superintendent, Mr. Alecusan moved, seconded by Mrs. McIlwain that the following item be approved:

WHEREAS, McKinley Senior High School has experienced the complete failure of water heating equipment and storage tanks and is in need of immediate and substantial renovations to accommodate the students and staff for the start of the school year 2003-2004; and

WHEREAS, compliance with the procedures for the advertisement of bids prescribed by RC 3313.46 would delay the commencement of the needed renovations for an excessive period and could result in the continued loss of hot water service for the students and personnel of McKinley Senior High School;

BE IT RESOLVED by this Board of Education that:

Section 1. It is found and determined pursuant to RC 3313.36 that there is an urgent necessity for the replacement of the hot water tanks and storage tanks at McKinley Senior High School.

Section 2. It is further found and determined that compliance with the procedures for the advertisements for bids prescribed by RC 3313.46 would delay commencement of the needed renovations for an excessive period and pose a potential undue threat to the welfare of the students and personnel of McKinley Senior High School.

Section 3. The Business Manager is hereby authorized to enter into a contract for the necessary repair without competitive bids.

Roll call: Ayes; McIlwain, Baughman, Milligan, Alecusan and Harold.
Motion carried.

- 03-255 Upon the recommendation of Dianne Talarico, Superintendent, Mr. Milligan moved, seconded by Mr. Alecusan that the Board of Education does accept the bid of Gene's Refrigeration, Inc. in the amount of \$1,375,000.00 for Hartford Middle School for the Design for the Future project. 

At this time Jeff Tuckerman of the Ohio School Facilities Commission was asked to explain the state's position regarding awarding bids. He explained that the agreement with Canton City Schools and the Ohio School Facilities Commission defines the process to determine a responsible bidder. If the Board should choose not to approve the lowest responsible bidder, it puts the Hartford project at risk for delays. The OSFC staff will not recommend another bidder in this particular case to its governing body and payment would not be made.

At this time questions and comments from the Board followed.

Roll call: Ayes; McIlwain, Baughman, Milligan and Alecusan.
Nay; Harold.
Motion carried.

- 03-256 Upon the recommendation of Dianne Talarico, Superintendent, Mr. Milligan moved, seconded by Mr. Alecusan that the following items be approved:

RETIREMENT/RESIGNATIONS:

Brenda Flitro, Lunchroom Assistant, personal, e. July 9, 2003

APPOINTMENTS:

Operations Personnel:

Crew Chief, as needed, e. July 1, 2003
Ken Inman

ADJUSTMENTS:

Maria Destefano, From: Middle School Assistant; To: Attendance Officer, step 2, 7 hours, per day, 191 day term, e. August 21, 2003

That this Board of Education does approve extended time, as needed, for the following Support Staff
Mary Grimsley, e. July 1, 2003 through June 30, 2004

Contractor Reference Checklist

Contractor: GENE'S REF. Package No. 15B
School Project: HALTFOLD MIDDLE SCHOOL
Reference Company: WESTERVILLE SCHOOLS Project Name: PHASE II - WS
Contact Person: FRED RAY
Phone Number: 614-797-5996 Date: 16 MAY 03

How were the submittals / shop drawings: Good Fair Poor

Comments: NOT COMPLETE
MANUALS STILL NOT COMPLETE OVER 1 YR

Quality / Control of Sub-Contractors Good Fair Poor

Comments: NOT SATISFIED
PROBLEMS W/ WARRANTY

Was the schedule maintained? Yes No

Comments: SCHEDULE TO THE WIRE - LIFE SAFETY PROGRAM
WAS DELAYED BY GENE'S

How was the paperwork? Good Fair Poor

Comments: NO COORDINATION WITH TRADE

Did the company provide adequate supervision? Good Fair Poor

Comments: NOT GOOD
COLUMBUS NOT GUARANTEED APPROX 15

Were the CO's submitted in a fair and reasonable manner? Good Fair Poor

Comments: LOT OF C.O. NOT JUSTIFIED

Would you use this company again? Yes No

Comments: ASKED TO WITHDRAW BID
PHASE III - (4TH LOW) KEITH TOWNER

Reference form filled out by: (SON IN LAW WAS FRIENDLY)

Contractor Reference Checklist

Contractor: GENE'S REF. Package No. 15B
School Project: HARTFORD MIDDLE
Reference Company: MAROUS BROTHERS Project Name: WEST TECH
Contact Person: DAVE GUTFANSKI
Phone Number: 1-440-951-3904 Date: 8MAY03

NOT FOR RECORD! FEARS A LAWSUIT. JEOPARDIES 2YR RELATIONSHIP

How were the submittals / shop drawings: Good Fair Poor

Comments: OVER THEIR HEADS ON THIS ONE.

Quality / Control of Sub-Contractors Good Fair Poor

Comments: _____

Was the schedule maintained? Yes No

Comments: _____

How was the paperwork? Good Fair Poor

Comments: _____

Did the company provide adequate supervision? Good Fair Poor

Comments: _____

Were the CO's submitted in a fair and reasonable manner? Good Fair Poor

Comments: _____

Would you use this company again? Yes No

Comments: _____

Reference form filled out by: BRIAN SNYDER

Subj: Gene's Evaluation
Date: 5/2/2003 4:00:04 PM Eastern Standard Time
From: "Fred Ray" <RayF@westerville.k12.oh.us>
To: <rusthu33@aol.com>
Sent from the Internet ([Details](#))

Mr. Oakes,

Westerville City Schools has not had a very satisfactory experience with Gene's Mechanical on our Phase 2 projects. This work included eight of ten buildings that were renovated with additions this past summer (2002). Gene's installed a total of 13 rooftop units and several smaller split-DX systems. To date we have not had complete startups, the air balances are in question, and the operation of the units has been sporadic. The majority of the construction work was loaded towards the end and became very chaotic in large part from the lack of coordination with other trades. Gene's has been very unresponsive and we are still completing punchlist items for a job that was to have been substantially complete 8/15/02.

We are also doing work with them on Phase 3 of our Construction Bond that includes two buildings with a total of 20 rooftop units. It appears that we getting better construction, but it requires close supervision.

I have been told that the Gene's office in the Cleveland area is more responsive than the Columbus office. However, based on the support they have provided to the Columbus office since school opened I could not unreservedly recommend them to another school district.

I hope this addresses your concerns.

Fred Ray, P.E.
Director of Facilities - WCS
816 County Line Rd.
Westerville, OH 43081-1003
614-797-5996 (O), 614-774-9505 (cell)

LAMWCB 1/14/03
LAMWCB

Contractor Reference Checklist

Contractor: GENE'S REF. INC. Package No. 15B
School Project: HARTFORD MIDDLE SCHOOL

Reference Company: QUANDEL GROUP Project Name: WESTERVILLE #2
Contact Person: JILL HOOPER PM: ERIC BULL
Phone Number: 614-899-2244 Date: 2/14/03

How were the submittals / shop drawings: Good Fair Poor
Comments: _____

DEVELOPMENT ON COORDINATION WAS PROBLEM

Quality / Control of Sub-Contractors Good Fair Poor
Comments: CONTROL - DISTRICT CONTRACTOR NOT AN ISSUE

Was the schedule maintained? Yes No
Comments: DID NOT GOO GREAT

How was the paperwork? Good Fair Poor
Comments: CURRENTLY BETTER / PHASE II WAS POOR

Did the company provide adequate supervision? Good Fair Poor
Comments: CURRENT IS GOOD PHASE

Were the CO's submitted in a fair and reasonable manner? Good Fair Poor
Comments: MOST OF TIME 'OK'

Would you use this company again? Yes No
Comments: DEPENDS ON PROJECT PORTION OF
GREY NOE SLOPE.

Reference form filled out by: BRIAN SNYDER

BID EVALUATION? NO Yes By ARCHITECT.

Contractor Reference Checklist

Contractor: GENE'S REF. Package No. 15B
School Project: HARTFORD MIDDLE SCHOOL
Reference Company: MEDINA COUNTY Project Name: County Buildings
Contact Person: THOMAS MANNIN
Phone Number: 330-722-9226 Date: FEBRUARY 3

How were the submittals / shop drawings: Good Fair Poor

Comments: _____

Quality / Control of Sub-Contractors Good Fair Poor

Comments: Any?

SKILLED TRINE

Was the schedule maintained? Yes No

Comments: ASKED FOR EXTENSION - WHY?

ISSUES WITH ARCHITECT - NOT WITH TOTAL PROJECT

How was the paperwork? Good Fair Poor

Comments: INVOICING - ACCURATE?

Did the company provide adequate supervision? Good Fair Poor

Comments: OK -

Were the CO's submitted in a fair and reasonable manner? Good Fair Poor

Comments: YES!

Would you use this company again? Yes No

Comments: _____

COOPERATIVE!!

Reference form filled out by: _____

CALL ON Friday.

CALL BACK @ 1:00

Contractor Reference Checklist

Contractor: GENE'S REF. INC. Package No. 15B
School Project: HARTFORD MIDDLE SCHOOL

Reference Company: HEERY INT'L Project Name: BUCKEYE SCHOOL
Contact Person: JASON MCLEOD P.M.
Phone Number: 330-722-8996 Date: MAY 1, 03
8735

How were the submittals / shop drawings: Good Fair Poor

Comments: _____

Quality / Control of Sub-Contractors Good Fair Poor

Comments: STRENGTHENED.
INSULATORS "OK"

Was the schedule maintained? Yes No POOR

Comments: COORDINATION WAS AN ISSUE
OK ON MAIN FLOOR

How was the paperwork? Good Fair Poor

Comments: SO GOOD

Did the company provide adequate supervision? Good Fair Poor

Comments: HAND AT START
HIGH MAINTENANCE

Were the CO's submitted in a fair and reasonable manner? Good Fair Poor

Comments: NOTHING

Would you use this company again? Yes No

Comments: REMAINS TO BE SEEN HOW THEY FINISH
HIGH MAINTENANCE

Reference form filled out by: BRIAN SNEYD

Contractor Reference Checklist

Contractor: GENE'S REFRIGERATION Package No. 15B - HVAC
School Project: HARTFORD MS

Reference Company: URS CORP. - CM Project Name: CONNELT H.S.
Contact Person: REGINA SCHREIBER - PROJECT ADMINISTRATOR
Phone Number: (440) 593-5040 Date: 4-10-03
4364

ARCHITECT: GPD ASSOC.
MARK SALOPEK (330) 572-2112

How were the submittals / shop drawings: Good Fair Poor

Comments: JUST GETTING STARTED - PLEASURE TO WORK WITH THIS FAR. / WORKING ON COORDINATION DUES.

Quality / Control of Sub-Contractors Good Fair Poor

Comments: UNKNOWN YET.

Was the schedule maintained? Yes No

Comments: NO WORK YET

How was the paperwork? Good Fair Poor

Comments: GOOD.

Did the company provide adequate supervision? Good Fair Poor

Comments: _____

Were the CO's submitted in a fair and reasonable manner? Good Fair Poor

Comments: _____

Would you use this company again? Yes No

Comments: SO FAR SO GOOD.

Reference form filled out by: _____

Contractor Reference Checklist

Contractor: Gene's Refrigeration Package No. 15 B
School Project: Hartford Middle School

Reference Company: Cloverleaf Sch. Project Name: Cloverleaf Sch. Dist.
Contact Person: Terry Thress
Phone Number: 330-721-3511 Date: _____

How were the submittals / shop drawings: Good Fair Poor

Comments: n/a

Quality / Control of Sub-Contractors Good Fair Poor

Comments: n/a

Was the schedule maintained? Yes No

Comments: problems not really there

How was the paperwork? Good Fair Poor

Comments: _____

Did the company provide adequate supervision? Good Fair Poor

Comments: Not enough supervision - weakest area

Were the CO's submitted in a fair and reasonable manner? Good Fair Poor

Comments: _____

Would you use this company again? Yes No

Comments: Have used again

Right hand didn't always know what left had was doing

Reference form filled out by: _____

Went out of way to fix things not their fault.

Contractor Reference Checklist

Contractor: GENE'S REF. Package No. 15B
School Project: HARTFORD MIDDLE SCHOOL

Reference Company: THE RULLIN CO Project Name: WASSWORTH PUBLIC
Contact Person: ELEN GIFFIN LIBRARY
Phone Number: 330-335-0261 Date: _____

How were the submittals / shop drawings: Good Fair Poor

Comments: NEED TO IMPROVE. REQUIRED MULTI-CALL TO GET SUBMITTAL IN.

Quality / Control of Sub-Contractors Good Fair Poor

Comments: MANAGEMENT OF SUBS WAS NOT GOOD, BUT SUBS WERE OK - INSPECTION IS REQUIRED

Was the schedule maintained? Yes No

Comments: WE STAYED ON TOP OF THIS ISSUE.

How was the paperwork? Good Fair Poor

Comments: NONE VERY RESPONSIVE TO PRICING C.O. - NEED WORK ON THIS

Did the company provide adequate supervision? Good Fair Poor

Comments: ONCE SHE GOT THEIR ATTENTION - THEY IMPROVED

Were the CO's submitted in a fair and reasonable manner? Good Fair Poor

Comments: REQUIRE EXTENSIVE REVIEW FOR ACCURACY

Would you use this company again? Yes No

Comments: I DON'T HAVE LUXURY TO CHOOSE CONTRACTORS

Reference form filled out by: BRIAN SNYDER



Medina County Building Maintenance

Administration Building • 144 N. Broadway • Medina, Ohio 44256
(330) 722-9226 • (330) 225-7100 • (330) 336-6657 • Fax: (330) 722-9206

THOMAS R. MAUPIN, JR.
Superintendent

DATE: APRIL 5, 2002
TO: JOHN STRICKER, COUNTY ADMINISTRATOR
FROM: THOMAS MAUPIN, COUNTY MAINTENANCE SUPERINTENDENT
RE: CONTRACTOR RECOMMENDATION

Per our conversation on Thursday April 4, 2002 a recommendation was requested regarding Gene's refrigeration. The Medina County Board of Commissioners awarded a contract to Gene's refrigeration for HVAC replacement at 4 County building locations on Monday October 22, 2001 with substantial completion being the end of December 2001. Gene's had asked for a formal extension until February which the County did not give, and as of today these projects still have not been finalized. Please find listed concerns that I have with our current HVAC project from last year.

*Why did they
NEED an extension*

The Transit Air rotation unit has been installed but no one can show me how to correctly operate this piece of equipment as the maintenance manuals were never sent — through or were lost during shipping. Items such as loose unions on the gas line assembly, outside air damper adjustments, proper staging control of the heating system, sheet metal screws used to fasten electrical panels instead of using the proper fastening devices that came with the panel, and the smoke detector in this unit still has not been hooked up to the main building fire system. I also called the County Building Department to check on the status of whether or not the building permits had been finalized for this job, and they had not been.

The Community Center HVAC package unit has been installed and I believe that it is operating correctly. During this project problems such as the exterior pad for the HVAC unit sank to one side, contractor shimmed up unit using red brick, gas line leaks, exterior duct work having ponding water sitting on it, interior center supply duct appeared to be dropped or bent or just not installed straight. I also called the City building department to check on status of building permit for this project and it has not yet been finalized.

The County Human Service Center VAV box replacement project, problems ranged from the boxes not being hung using metal strap, debris left above ceilings such as metal duct connectors and misc. pieces of debris from the old VAV boxes, numerous broken ceiling tiles, vents out of place, and insulation left stuck to the ceiling tiles. I also called the City Building Department regarding building permit being finalized and was informed that this was not completed yet.

The Medina County Board Elections HVAC package unit had its share of problems such as the condenser intake and exhaust ductwork problems, outside makeup air that was not supposed to be there, under sizing of the exhaust ductwork for condenser, and the major problem with the heat coil which was not shipped until some time after. I called the City Building Department regarding the permit for this job and to no surprise it also has not been finalized either.

Just to bring you more up to date, the Architect, Engineer, and I have spent numerous hours going through with Gene's to correct all of the problems that I have mentioned, they have made a good effort to correct problems but some problems still remain. There overall performance such as the quality of workmanship and how things were left before some of our walk throughs would indicate to me that some of their workers don't take a lot of pride in the work that they do. Therefore I would recommend that the County not award any future contract to Gene's as I do not feel they can complete things on a timely basis which could jeopardize substantial completion dates for projects in question.

Thank you.

Thomas Maupin
County Maintenance Superintendent

Hartford battling with construction problems

BY MELISSA GRIFFY SEETON

CANTON

John Shepard knows all about cold fronts and heat waves, though he's no meteorologist.

The chief custodian at Hartford Middle School tries to manage both extremes in his renovated building — a product of the Ohio School Facilities Commission.

From the school's "sauna" (a classroom where temperatures soar past 90 degrees) to the bag of parts — never installed — left sitting inside the heating unit in the boys bathroom to the sewage smell coming from the sinks in science class, the problems at Hartford mean administrators spend a lot of time worrying about the building instead of the education taking place there.

"This has been two years now — enough is enough," said Stephanie Patrick, Hartford's principal. "We try to be instructional leaders, but have to deal with operational things."

School districts across the state participating in the \$5.6 billion — and growing — School Facilities Commission program have found problems with its new buildings. Major structural deficiencies have shown up in new schools from Marietta to Dayton to Cleveland.

Locally, a dozen school districts have commission-funded building programs underway or proposed. Many, like Canton City's, are projects to renovate or replace every aging building in a district.

But problems with construction — evident shortly after new schools open — have raised the question: Where are the inspectors?

INSPECTIONS CATCH LITTLE

The School Facilities Commission has completed about 500 schools with another 300 under construction. Despite the scope of the projects it funds, the commission has no inspectors of its own.

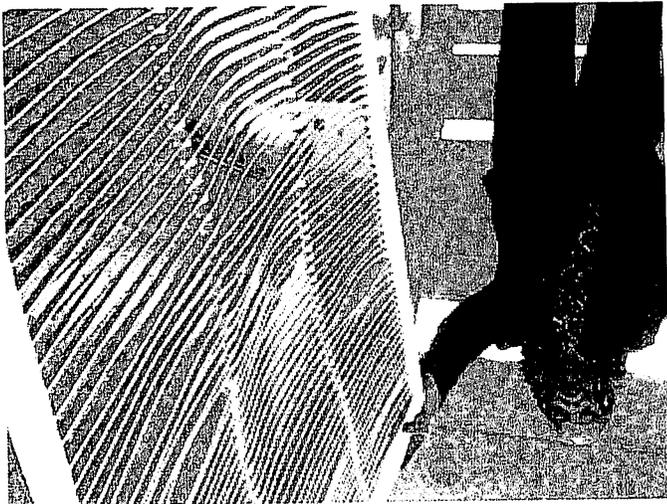
Rick Savors, a spokesman for the commission, said the program relies on state and local code inspectors to do that work. Walk-through inspections take place before a building opens and 11 months after opening in an effort to catch problems.

"That's why you have the walk-throughs in order to find those things," Savors said.

But at Hartford, and in other schools across the state, the walk-throughs didn't catch some of the most severe problems — from leaking roofs to lack of masonry-wall reinforcement.

John Labriola, the City of Canton's chief building inspector, said his inspectors wouldn't find the problems most school districts face.

"We wouldn't catch," for example, Hartford's major problems with its heating and cooling system, including negative air pressure, he said, because that's a performance issue.



"Performance standards aren't regulated," Labriola said. "Our job is to make sure they meet the minimum code standards, and code is not performance."

Another example, he said, five electrical outlets might be placed on one circuit causing it to trip when those outlets are in use. This isn't something a code inspector would discover.

So "you depend upon the architects and engineers that they have done their work," Labriola said.

He added the 11-month walk-through Savors referred to is "the magical walk-through" because it doesn't catch much, either.

Labriola described a typical walk-through as a group of about a dozen certified building, code enforcement employees and fire prevention officials walking room to room, inspecting visually. It takes about an hour. There is no checklist. And the assumption is that all the mechanics are in place.

Though Labriola didn't hold the office of chief building official when schools like Hartford were renovated, he described Hartford's problems as severe and said they need to be fixed before they get worse.

The city, he offered, will work with the school to help get issues resolved with contractors and engineers.

"We have children in the school system, too," Labriola said. "We certainly do not want to turn our backs."

RELYING ON CONTRACTORS

Even with the limitations on city inspections, Labriola contended they're better than what many rural areas get. That's because those areas often have no building departments and must rely on state inspectors.

City inspectors get to building sites roughly once a week. State inspectors rely on the contractors doing the work to call them.

"It is contractors' responsibility to say, 'Hey, we poured the foundation and we are ready for that inspection,'" said Matt Mullins, a spokesman for the Ohio Department of Commerce's Office of Industrial Compliance.

And if the contractor doesn't call? State inspectors do make "periodic stops," but Mullins couldn't say how often checks are made.

The state handles inspections in roughly 34 of Ohio's 88 counties.

DEALING WITH THE FINAL PRODUCT

Patrick is trying to deal with Hartford's problems. Known as a principal who can keep a school, prone to discipline problems, under control, she's finding a newfound flexibility — but not by choice.

"I am going to let kids wear their coats when one room is 40 degrees and another is 90," said Patrick, though that violates the school's dress code.

Other problems at Hartford include air leaks in ventilators, exhaust registers with no ventilation ductwork behind it and mold growth on ceiling tiles. Incorrectly installed speakers meant neighbors could hear Patrick's announcements outside. And the phone lines sometimes block outgoing calls.

The school district has put together a group that is trying to address the problems, but Assistant Principal Christopher Stone acknowledged, "it is not happening as quickly as we would have liked."

"All of us are taxpayers also. It bothers us as much as it bothers others, especially when they see a window open on a freezing day," Stone said. "We are very appreciative of our facility, but you want to make sure you get what you paid for."

"If I was building a house — I wouldn't accept this as my final product."

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A sampling of Hartford MIDDLE SCHOOL'S RENOVATION problems

-- Heating and air-conditioning systems are uneven, with some room temperatures topping 90 degrees and others being uncomfortably cool.

-- Power problems with cameras and speaker systems. (It took the contractor, ASCC of Pittsburgh, nine months after students occupied the building to get the technology straightened out.)

-- Some of the 38-unit ventilators Gene's Refrigeration of Medina installed had to be replaced because of air leaks. Gene's

Refrigeration could not be reached for comment.

-- Mold grows through ceiling tiles in counselor's offices on the school's first floor and has been removed from rooms where students are.

-- Air-conditioning and heat are on at the same time.

-- The sink does not drain properly in the science room, creating a stagnant, sewer smell.

-- Exhaust registers in the boys' bathroom had no ventilation ductwork behind it.

-- Emergency lights were not anchored in the gymnasium ceiling, resulting in one crashing to the floor.

Source: Canton City Schools

ON THE CHEAP Stephanie Patrick, Hartford Middle School principal, stands next to an air intake cover removed from the school's gymnasium. Whenever children playing in the gym or a bouncing ball would hit the cover, the cover would bend and dent. The Ohio School Facilities Commission's rulebook, the Ohio School Design Manual, outlines what kind of materials schools must use in construction and renovation. But school officials said this one posed a safety risk and replaced it with a cover of heavy-gauge steel.

THE SAUNA

The temperature soars past 90 degrees in

Hartford Middle School's "sauna," Room 124. School officials said

they limit the classroom's use

to two times a week. When it is

in use, windows must be open — even on blustery winter days.

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Cheap construction is not good enough

Can you work cheaply? That seems to have been the prime qualification for a contractor to get a job building Ohio's new public schools. The result is a trail of leaks and malfunctions across the state. The result, in human terms, is that a principal such as Stephanie Patrick at Hartford Middle School in Canton has to worry more about whether children are freezing in class than whether they are learning.

The Repository's Melissa Griffy Seeton has been on this story for a number of months. Her latest story Sunday focused on the shoddy workmanship at Hartford, a school that was not built from scratch but renovated under state's building program.

In the past, Seeton has told the story of leaks at the new Worley and Allen schools, lack of furnishings for new Summit School, and downsizing of McGregor School's space. Canton City is not the only district in Stark County to encounter problems. For example, a poorly built wall collapsed during construction in the Northwest Local district. Moisture under the floors in a gym and cafeteria caused floor tiles to lift. An air conditioning unit was improperly grounded.

Other school districts in Stark County await their chance to participate in the school rebuilding program. What will they get for the money? Taxpayers need to insist on better buildings and better workmanship.

Under new Gov. Ted Strickland, the Ohio School Facilities Commission has a new director, two new voting members and two new nonvoting members. It has a new approach toward selecting contractors, too. School boards have the authority to adopt contractor qualifications when selecting contractors for such projects, a step toward something better than cheapest bidder. A new Strickland appointee to the commission, state Rep. Matthew Szollosi, called these qualifications "a huge step forward." Let's hope so. The Strickland administration needs to insist on better performance in this area. Ohio taxpayers are supposed to be investing in schools for several generations to come. Are the schools good enough to become old?

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