

*Ohio School Facilities Commission
April 24, 2008
William McKinley Room 1:30 PM*

MINUTES

The meeting was called to order at 1:45 PM.

Roll Call

Members present: Madam Chair Sabety, Vice Chair Hugh Quill, Dr. Steve Puckett, Senator Larry Mumper, Senator Tom Roberts, Representative Clyde Evans and Representative Matt Szollosi.

1. Public Testimony

Al Adams provided testimony to the Commission regarding contractor evaluations. A copy of his testimony is attached to the minutes.

Shane Ostrowski, Director of Government Affairs for the Associated Builders and Contractors of Ohio provided testimony to the Commission regarding certified payroll reports and model responsible requirements. ABC of Ohio represents over 900 merit shop construction companies. Mr. Ostrowski stated merit shop construction companies consider certified payroll reports and what they pay their employees to be trade secrets. If the certified payroll reports will be required, they will be stamped trade secrets and not subject to Ohio Public Records law. We were informed that one construction manager received certified payroll reports and turned them over to another entity without redacting social security numbers, names and addresses. Mr. Ostrowski asked that OSFC and the State of Ohio provide credit protection for these individuals.

2. Executive Director's Report

The Executive Director updated the Commission members on the following: School District Meetings; Project Meetings; Leed Meetings; Speaking Engagements; Construction Managers Meetings; Contractor Issues; Local Workforce Inclusion; Legislative Contacts; District Calls and Greenville Emergency. Director Shoemaker acknowledged Bill Phillis in the audience.

Jon Walden, Attorney General's Office, updated the Commission on the unauthorized worker issue working with both in-house counsel and outside counsel expertise in immigration. The word we received is it is pretty clear that OSFC should not be in the business of enforcement. What we have done to date has been appropriate. We have limited ability to act in enforcement and would recommend that we not pursue that, but we are working on formalizing the policy.

Senator Mumper commented that OSFC does a great job. He noted the prior Director and this Director have both done a great job. We have to realize what a great job we are doing. We can always do better. We have to watch and make sure people are doing what they are supposed to do. Senator Mumper made two suggestions for staff to consider: bid

each and every contract out three different ways: the way we have been doing it, merit shops, union shops, labor contract agreements bid it anyway you want, but allow all kinds of bids and find out which one is the cheapest; and at the appropriate time for a nominal fee have the CM step in with the school board to set down with the board in the planning session. There was general discussion about involving Construction Managers earlier in the process to reduce project changes.

Senator Roberts commented that he shared Senator Mumper's sentiments on the good work that OSFC staff is doing. The Director and others would have been here long enough to know when this came about and why it came about. Each month we have these discussions about the contractor's evaluation or certified payroll procedure. Senator Roberts wondered if it would be appropriate then for us to spend one Commission Meeting to talk about all these issues as opposed to going through a complete agenda of all the other things, but just iron out all these issues because it seems to me a public transparency is important. He suggested that the Commission have this public dialogue so we can go through some of these issues and have a clear understanding.

Chair Sabety responded that these are big management issues and it would be worth it to have extended dialogue about them. She suggested that we establish a special meeting to address these longer-term management issues, address Senator Mumper's suggestion and perhaps charge the staff to bring to us a proposed action plan, which can be discussed in depth. Director Shoemaker responded that OSFC would be very happy to do that to be able to resolve these issues.

Representative Szollosi had two points to share: he agreed with the notion of having OSFC in on the process a little bit sooner. He had a conversation with Director Shoemaker earlier and thought it was going to be increasingly difficult for some of these school districts to pass these levies as we are moving forward because obviously the local share goes up and economic circumstances are difficult to the extent; and the issue of change orders certainly having the CM and the A/E coordinating is important. Selecting the right contractor is also very important when you are talking about change orders.

Representative Szollosi mentioned the LEED update supplied by staff - this is big stuff. Registration is the first step in the process of achieving LEED certification and for the State of Ohio to be at 33 projects thus far, Pennsylvania is second at 21, Florida at 20, California at 14 and Virginia Number 5 at 13, we're more than pacesetters in this regard.

Chair Sabety requested three action items: a proposal on how to include CM's, A/E's and OSFC involvement earlier in the process; Construction Method Discussion to include contract performance (evaluations, certified payrolls, process for identifying sub-standard contractors; and the Bidding Process discussion about how it currently occurs and determine if it has a role in the kinds of change orders that we are looking at later in the process. The only issue is that school districts have typically taken the lead on this and that is an area that OSFC has been very clear about allowing school districts their own ability to competitively bid at a local level.

Chair Sabety said she wanted to adhere to Senator Roberts' suggestion that we do a special meeting. She believed that the focus in this special meeting should not just be to have an open discussion, but in fact to have actionable recommendations in each of these areas on which we would be able to move forward on. She also added that if staff needed to interact with each one of us on an individual basis in order to move that discussion forward, she encouraged them to do so.

Dr. Puckett suggested including in this meeting the process the staff takes on issues and provide the pros and cons based on their experiences.

3. Adoption of the March 27, 2008 Meeting Minutes

Dr. Puckett moved to approve the March 27, 2008 meeting minutes.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

4. Tobacco Securitization Funding Offers Approval – Presented by Eric Bode

Eric Bode presented 28 districts for approval for funding. Late last year the State sold over \$4.1 billion worth of bonds to tobacco securities that were made available to the Ohio School Facilities Commission. We were charged with spending that money in 3 years, which will be by the end of 2010. To translate those dollars into projects we have something of a tidal wave of projects where we were doing approximately 30 a year before this tidal wave. We had 48 projects that Commission approved in 2007. In 2008 we are probably looking at about 70 district projects to approve. Over the past year, we have been working with over 141 school districts on the planning process to get ready for this summer approvals. It looks like out of those districts we may have 50 districts that will be able to go forward, but we recognize we need add more districts into the planning cycle to get them ready in order not just to serve students, but also to meet our goals in spending the tobacco money. We are trying to get some of these districts started for approvals at the end of this calendar year. This resolution adds more districts into our planning cycle to offer funding to districts thru 375 on the equity list and move these districts into planning. Upon approval we will be sending notifications to these districts, inviting them to a presentation on May 6, 2008 explaining what that offer means and starting the planning cycle. Commission staff recommended approval of Resolution 08-49.

Dr. Puckett moved to approve Resolution 08-49.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

5. Consultant Contract Amendments Approval – Presented by Eric Bode

Eric Bode presented three specialty services contract amendments to the Exceptional Needs Program for approval to assess stonework that fell off the building at Greenville City School District in Darke County. It is necessary to amend these contracts in order to do the assessment and so that we have our standardized scoring with them just as we have any other Exceptional Needs Program applicant. Staff recommended approval of Resolution 08-50.

Contractor	Scope of Work	Amount
Dynamix Engineer Ltd	ENP Assessment Services	\$5,400
Gandee & Associates, Inc.	ENP Assessment Services	\$2,000
TGW Consulting, LLC.	ENP Assessment Services	\$3,000

Vice Chair Quill moved to approve Resolution 08-50.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

6. **Master Facilities Plan Agreement Amendments Approval – Presented by Steve Lutz**
 Steve Lutz presented for Commission consideration an amendment to the Master Facilities Plan for the Hardin Northern Local School District in Hardin County, a 2007 CFAP participant. This amendment increases the scope of renovation and additions to the K-12 facility to provide for additional window replacements not called for in the assessment and to adjust for unusable space in the building. The design architects investigation of the facility identified code related barriers to using a space located under the stage. This amendment adds \$131,350 to the original budget of \$12, 512,635. Staff has worked with the architect and the district to confirm the need for these changes. Staff recommended approval of Resolution 08-51.

Dr. Puckett moved to approve Resolution 08-51.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Steve Lutz presented for Commission consideration a second amendment to the Master Facilities Plan for the Indian Valley Local School District in Tuscarawas County for their participation in Classroom Facilities Assistance Program (CFAP). In January this year, the Commission approved a 2% increase to the project budget for market conditions. A clerical error was made in the preparation of that amendment which omitted \$449,000 of the budget overrun. With this Second Amendment the budget increased 1% for a total 3% supplement to the 2004 budget. Staff recommended approval of Resolution 08-52.

Director Quill asked for further explanation of the clerical error. Steve Lutz responded that an overrun figure was interpreted as cash available and was not added to the calculation of the deficit. A negative was mistaken for a positive value.

Vice Chair Quill moved to approve Resolution 08-52.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Steve Lutz presented for Commission consideration a budget adjustment amendment to the Master Facilities Plan for the Reynoldsburg City School District in Franklin County for their 2007 participation in CFAP. Reynoldsburg entered CFAP with a credit established under the Expedited Local Partnership Program (ELPP). In working to align the CFAP Master Facilities Plan with the completed ELPP project, we determined that the district should not be required to pay as a Locally Funded Initiative (LFI) for excess square

footage in the ELPP project. Also discovered was an error in the LFI agreement for the middle school, which is a small part of this budget adjustment. This amendment does not change the scope of the CFAP Master Facilities Plan. The amendment increases the co-funded budget by \$1,608,310. Staff has worked with the district to confirm that maintaining the current grade configuration of their building supports their educational delivery. Staff recommended approval of Resolution 08-53.

Representative Szollosi asked what caused their enrollment projections to be incorrect. Steve Lutz responded a number of years have passed between the enrollment projections under ELPP and those that were prepared for their participation in CFAP and conditions have changed. We have not tried to assign a particular cause to the change in the enrollment projections, we have consistently seen that when you project at one point in time and you project again years later that you get a different number. Chair Sabety asked what percentage is 193 kids of the total amount we were projecting. Melanie Drerup responded that the projection we are building to is now three years beyond the original projection and for a compilation of 7,120 students.

Dr. Puckett moved to approve Resolution 08-53.

Chair Sabety seconded the motion.

Approval: Vote 3-0.

Steve Lutz presented for Commission consideration an amendment to the Master Facilities Plan for the Rittman Exempted Village School District in Wayne County for their 2007 participation in CFAP. This amendment changes the scope of work at their Grade 5 to 12 building from renovation/addition to new construction, provides an allowance for abatement and demolition of the high school facility and for LEED. This change is recommended due to a number of structural defects identified by the design architect. There are two story walls that are bowed out and not tied to the second floor. All walls lack a drainage plane or cavity construction, which makes them susceptible to water infiltration. This amendment increases the project budget by \$5,947,567. OSFC staff and the architect have toured the building and all concur the change to new construction is warranted. Staff recommended approval of Resolution 08-54.

Dr. Puckett asked for further explanation of why this was not found in the original assessment. Steve Lutz responded that he reviewed the original assessment and toured the facility and the structural defects of the bowed walls were not identified in the original assessment report. The design architects initially contacted us about correcting the wall cavity issue and that led to further investigations in which they identified the bowed walls. Upon investigation with the structural engineer we determined that correcting the wall cavity installation, the wall cavity problem would make the walls be punched out and would require rebuilding the walls. Some of these things were harder to detect than what we normally would pick up in the assessment report, but on further investigation by the design architect they were discovered and it led us to conclude that the building should not be renovated. If we originally decided to replace the building we would be where we are today.

Vice Chair Quill moved to approve Resolution 08-54.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Steve Lutz presented for Commission consideration a second amendment to the Master Facilities Plan for the Toledo City School Segment 2. This amendment provides an additional \$5,094,665 to supplement the 2003 budget of \$125,061,394 to address market conditions in the bidding of three elementary schools. Two elementary schools bid in October 2006 and one elementary school bid in May 2007 of which Glendale Elementary School bid 11% over budget, Elmhurst Elementary School bid 14% over budget and Chase Elementary School bid 13% over budget. The national average of construction cost inflation for 2004 was 12%. OSFC staff worked with the district and their design team to contain the cost of these projects and recommended approval of Resolution 08-55. Staff recommended approval of Resolution 08-55.

Representative Szollosi asked if this just deals with the increase and cost to the market force and not an expansion of the master plan. Steve Lutz responded the Representative Szollosi was correct. Dr. Puckett suggested that it would be helpful in the future to have the percentage of increase in the future. Steve Lutz responded this particular increase was approximately 4% and the percentage will be added for future Commission meetings.

Dr. Puckett moved to approve Resolution 08-55.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Steve Lutz presented for Commission consideration an amendment to the Master Facilities Plan for the Barberton City School District in Summit County for their participation in the Expedited Local Partnership Program. This amendment adjusts the size of the building additions at three elementary schools to correct for the assessed size of the buildings and provides an allowance for the abatement and demolition of one elementary school. This is an increase to the project budget of approximately \$143,985. Staff recommended approval of Resolution 08-56.

Vice Chair Quill moved to approve Resolution 08-56.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

7. Expedited Local Partnership Program Agreement Amendment Approval – Presented by Steve Lutz

Steve Lutz presented for Commission consideration the first amendment of the ELPP Part Two Agreements with the Barberton City School District to reconcile the agreement with the work accomplished by the school district. This Amendment deletes the abatement and demolition of the Old Success High School, deletes the partial renovations of the middle school, adjusts the size of the addition at two elementary schools, increases the scope of partial renovations at Barberton High School and adds the abatement & demolition of two elementary schools. The amendment reduces the credit by \$651,153, making the districts

credit \$4,951,336. OSFC staff has worked with the district to finalize their ELPP credit in preparation for their participation in the Classroom Facilities Assistance Program and recommended approval of Resolution 08-57.

Dr. Puckett moved to approve Resolution 08-57.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

8. Architectural Agreements and Amendments Approval – Presented by Steve Berezansky
Steve Berezansky presented design profession agreement and amendments for Commission consideration. The Commission staff reviewed and recommended approval of Resolution 08-58.

Agreements:

School District	Project	Architect	Amount
Crestview LSD	Renovations to Crestview Combination School to house grades K thru 12 & Career Tech students	Garmann/Miller & Associates, Inc.	\$1,004,717.00
Wapakoneta CSD	Build two new elementary schools to house grades PK thru 4; renovations/additions to Wapakoneta Middle School to house grades 5 thru 7; renovations to Wapakoneta High School to house grades 8 thru 12 & Career Tech students	Garmann/Miller & Associates, Inc.	\$2,919,522.75

Amendments:

School District	Project	Architect	Fees to Date	Amount	Total
Fairfield Union LSD	Build two new elementary schools to house grades PK thru 4 and one new high school to house grades 9 thru 12; renovate Fairfield Union Jr/Sr High School	Burgess & Niple, Inc.	\$3,811,899.35	\$201,941.00	\$4,013,840.351
Zanesville CSD	Design services for the abatement and demolition of McIntire Elementary, Wilson elementary, Roosevelt Middle School and Zanesville High School	Stubbs, Addis, Schappa, McDonald Architects, Ltd	\$3,303,031.85	\$92,907.00	\$3,395,938.85

Locally Funded Initiatives:

School District	Project	Architect	Amount
Fairfield Union LSD	Additional square footage Locally Funded Initiative scope associated with renovation was reduced due to Master Facilities Plan change from renovation to new build.	Burgess & Niple, Inc.	(131,231.82)
Wapakoneta CSD	Addition, metal roof, auditorium, dressing rooms, band/vocal room, metal roof, flooring upgrades LEED for High school. Terrazzo for Middle School, additional rooms, geo thermal, metal roof, terrazzo and off site utilities for the Elementary Schools.	Garmann/Miller & Associates, Inc.	\$1,116,807.25

Question arose on the dollar amount of the contract amendment for Burgess & Niple, Inc. Steve Berezansky corrected the amount of the contract amendment.

Vice Chair Quill moved to approve Resolution 08-58 as amended.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

9. Construction Manager Agreements and Amendments Approval – Presented by Steve Berezansky

The following Construction Manager Agreements were presented for approval. The commission staff has reviewed and recommends approval of Resolution 08-59.

CM Firm	District	County	Total CM Compensation
The Ruhlin Company	Akron CSD - Seg 2 Interim	Summit	\$400,000
Bovis Lend Lease	Arcanum Butler LSD	Darke	\$1,322,979
URS Corporation	Crestview LSD	Van Wert	\$615,144
Regency Construction	Elyria City SD	Lorain	\$2,852,741
Bovis Lend Lease	Newton Local SD	Miami	\$903,293
Gilbane Building Company	Wapakoneta City SD	Auglaize	\$2,464,919

Dr. Puckett moved to approve Resolution 08-59.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

The following Construction Manager amendments were presented for approval. The commission staff has reviewed and recommends approval of Resolution 08-60.

School District	Construction Management Company	Amount
Cincinnati CSD- Segment 1	Turner Construction Company	\$444,579
Indian Valley LSD	Regency Construction Services	\$0
Toledo CSD – Segment 1	LGB, LLC	(\$1,028,292)
Toledo CSD - Segment 2	LGB, LLC	\$372,454
Toledo CSD – Segment 3	LGB, LLC	(\$424,261)

Vice Chair Quill moved to approve Resolution 08-60.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

The following Construction Manager amendments for “locally funded initiative” were presented for approval. The commission staff has reviewed and recommends approval of Resolution 08-61.

<u>School District</u>	<u>Construction Manager</u>	<u>Amount</u>
Hamilton LSD	The Quandel Group	\$344,931
Wauseon EVSD	Barton Malow/Rupp Rosebrock, LLC	\$282,327
Waynesfield Goshen LSD	Richard L. Bowen + Associates	\$126,649
Lincolnview LSD	Richard L. Bowen + Associates	\$181,858
Cincinnati CSD Segment 1	Turner Construction	\$52,352

Dr. Puckett moved to approve Resolution 08-61.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

10. Trade Construction Contracts Approval – Presented by Steve Berezansky

All contracts represent the lowest responsible bidder. There is one contract, which represents an award to the second low bidder. That contract is a general trade contract for the Toledo City School District project for Spring Elementary School to the Spieker Company for \$3,740,000. After an extensive review by the Construction Manager and the Architect, they recommended rejecting the apparent low bidder and to award the contract to Spieker Company. The Board of Education passed a resolution supporting this recommendation and the Commission staff supports their decision. The Commission staff reviewed and recommended approval of Resolution 08-62.

<u>School District</u>	<u>Contracting Entity</u>	<u>Scope Of Work</u>	<u>\$ Amount</u>
Akron CSD	S. A. Comunale Company, Inc.	Plumbing	\$404,900.00
Akron CSD	S. A. Comunale Company, Inc.	Sprinkler System	\$127,000.00
Buckeye Central LSD	Mark Schaffer Excavating & Trucking	Site Package	\$1,264,876.00
Cleveland CSD	Great Lakes Crushing	Site Concrete	\$213,400.00
Cleveland CSD	Northeast Ohio Trenching Service	Sitework	\$1,185,000.00
Cleveland CSD	Doan/Pyramid, LLC	Electrical	\$1,326,684.00
Cleveland CSD	Mac Mechanical Corporation	Fire Protection	\$148,300.00
Cleveland CSD	Cold Harbor Building Company	General Trades	\$6,101,000.00
Cleveland CSD	East West Construction Co., Inc.	General Trades	\$6,648,000.00
Cleveland CSD	The John G. Gallagher Company	HVAC	\$1,895,000.00
Clinton-Massie LSD	G C Contracting	General Trades	\$8,377,911.00
Clinton-Massie LSD	Emerald Fire Protection	Fire Protection	\$189,750.00
Clinton-Massie LSD	Reddy Electric Company	Electrical/Technology	\$2,365,800.00
Clinton-Massie LSD	Artic Heating & Air Conditioning, Inc.	HVAC	\$1,988,300.00
Columbus CSD	Tom Sexton and Associates	Loose Furnishings	\$97,000.00
Columbus CSD	Continental Office Environments	Loose Furnishings	\$222,989.86
Dayton CSD	Cox Paving, Inc.	Demolition	\$312,918.00
Dayton CSD	Dayton Demolition	Demolition	\$537,470.00
Dayton CSD	C2 Diversified Services	Asbestos Abatement	\$259,700.00
Dayton CSD	C2 Diversified Services	Asbestos Abatement	\$126,750.00
Dayton CSD	C2 Diversified Services	Asbestos Abatement	\$73,750.00
Eastern LSD	Stephen Gross & Sons, Inc.	General Trades	\$9,601,600.00
Eastern LSD	Emerald Fire Protection	Fire Protection	\$412,000.00
Eastern LSD	ESI, Inc.	Electrical/Technology	\$3,826,700.00
Eastern LSD	Dalmatian Fire, Inc.	Fire Protection	\$85,200.00
Eastern LSD	G C Contracting Corporation	General Trades	\$4,279,863.00

Eastern LSD	Feldkamp Enterprises, Inc.	Plumbing & HVAC	\$1,382,000.00
Eastern LSD	A C Electrical Systems, Inc.	Electrical/Technology	\$1,187,670.00
Fairfield Union LSD	Farnham Equipment Co.	Casework	\$398,000.00
Fairfield Union LSD	Stockmeister Enterprises, Inc.	General Trades	\$7,200,703.00
Fairfield Union LSD	Robertson Construction Services, Inc.	General Trades & Masonry	\$8,852,210.00
Fairfield Union LSD	S. A. Comunale	Fire Protection	\$445,400.00
Fairfield Union LSD	Gutridge Plumbing, Inc.	Fire Protection	\$424,000.00
Fairfield Union LSD	Claypool Electric, Inc.	Electric	\$1,603,100.00
		Electrical and Technology	
Fairfield Union LSD	Claypool Electric, Inc.	Cabling	\$2,170,980.00
Fairfield Union LSD	Calypool Electric, Inc.	Security	\$137,000.00
Fairfield Union LSD	Aggressive Mechanical, Inc.	Plumbing	\$1,029,000.00
Fairfield Union LSD	Microman, Inc.	Telephone System	\$84,559.00
Fairfield Union LSD	Microman, Inc.	Sound System & Clocks	\$287,424.00
Fairfield Union LSD	Stonecreek Interior Systems, Inc.	Casework	\$422,600.00
Fairfield Union LSD	Buckeye Glass & Aluminum, LLC	Aluminum & Glass	\$280,000.00
Fairfield Union LSD	Louis R. Polster Company	Kitchen Equipment	\$318,715.00
Gallia-Jackson-Vinton JVSD	Stockmeister Enterprises	General Trades	\$3,243,370.00
Hamilton CSD	Kings Electric Service	Electrical	\$1,357,350.00
Hamilton CSD	Kings Electric Service	Electrical	\$1,392,520.00
Hamilton CSD	Cincy Fire Protection	Fire Protection	\$167,500.00
Hamilton CSD	F. D. Lawrence Electric Company	Switchboards/Panel Boards	\$351,000.00
Hamilton CSD	Weber - Huff, Inc.	Boiler & Pump	\$258,660.00
Hamilton CSD	Farnham Equipment Company	Casework	\$260,800.00
Hamilton CSD	C & T Design	Kitchen Equipment	\$352,490.00
Hamilton CSD	Stapleton Electric Company	Electrical	\$1,405,790.00
Hamilton CSD	C & T Design	Casework	\$352,490.00
Hamilton CSD	Stephen Gross & Sons, Inc.	General Trades	\$16,467,800.00
Hamilton CSD	Stapleton Electric Company	Electrical	\$1,433,137.00
Hamilton CSD	RPC Mechancial, Inc.	HVAC	\$1,346,000.00
Hamilton CSD	Dalmatian Fire, Inc.	Fire Protection	\$167,000.00
Hamilton CSD	Triton Services, Inc	HVAC	\$1,232,840.00
	Kenneth R. Rogers Plumbing & Heating Co., Inc.	Plumbing	\$680,500.00
	Kenneth R. Rogers Plumbing & Heating Co., Inc.	Plumbing	\$676,637.00
Hamilton CSD	Trane, U. S. Inc.	Air Handling Units & Chiller	\$1,078,000.00
Ironton CSD	B B & E, Inc.	Plumbing & HVAC	\$4,190,460.00
		Electric,	
		Cabling/Infrastructure for	
Ironton CSD	McDaniel Electric, Inc.	Voice, Video & Data	\$3,352,493.00
Ironton CSD	J & H Reinforcing & Structural Erectors, Inc.	Masonry, Structural Steel,	\$10,412,500.00
Ironton CSD	Great Lakes Hotel Supply Company	General Trades	
		Food Service Equipment	\$438,582.00
Ironton CSD	J & H Reinforcing & Structural Erectors, Inc.	Demolition & Site Improvement	\$1,750,000.00
Ironton CSD	Boggs Roofing, Inc.	Roofing	\$946,200.00
		Audio/Video Distribution	
Minerva LSD	Microman, Inc.	Systems	\$310,998.00
Nelsonville-York CSD	Louis R. Polster	Food Service	\$419,627.00
New Knoxville LSD	Parelle Technologies, Inc.	Telephone Systems	\$23,250.00
New Knoxville LSD	SecurCom, Inc.	TV Camera System	\$20,450.00
New Knoxville LSD	Valley Electrical Consolidated, inc.	Video System	\$195,137.00
New Knoxville LSD	Microman, Inc.	Data Networking	\$114,020.00
Painesville City LSD	Nu-Vision Technologies DBA Black Box	Phone Systems	\$288,920.00
Painesville City LSD	U S Communications and Electric, Inc.	Structured Cabling	\$475,432.00
Springfield CSD	Tony Smith Wrecking	Demolition	\$279,000.00
Springfield CSD	AHC , Inc.	Hazardous Materials	\$67,220.00

		Removal	
Toledo CSD	Westfield Electric, Inc.	Electrical	\$676,192.00
Toledo CSD	Tom Sexton and Associates	School Furnishings & Equipment	\$172,949.59
Toledo CSD	McNerney & Son, Inc.	Office Furnishings & Equipment	\$95,722.19
Toledo CSD	Romanoff Electric Co., LLC	Electrical	\$755,000.00
Toledo CSD	GEM, Inc.	Plumbing & HVAC	\$1,596,000.00
Toledo CSD	The Spieker Company * * *	General Trades	\$3,740,000.00
Toledo CSD	McNerney & Son, Inc.	Office Furnishings & Equipment	\$120,703.62
Toledo CSD	McNerney & Son, Inc.	Office Furnishings & Equipment	\$300,294.35
Toledo CSD	Continental aka Continental Education Environments aka Contintnetal Office Furniture & Supply Corp.	School Furniture & Equipment	\$711,885.86
Toledo CSD	Border Fire Protection, Inc.	Fire Protection	\$104,260.00
Toledo CSD	Taylor Excavating, Inc	Site	\$492,570.00
Toledo CSD	Willson Builders, Inc.	General Trades	\$4,059,300.00
Toledo CSD	Schoen, Inc.	Site	\$414,850.00
Toledo CSD	S. A. Comunale Company, Inc.	Fire Protection	\$116,400.00
Toledo CSD	Warner Mechancial Corporation	HVAC	\$1,252,745.00
Toledo CSD	Continental aka Continental Education Environments aka Continental Office Furniture & Supply Corp.	School Furniture & Equipment	\$170,211.40
Toledo CSD	Mondo Mechanical, Inc.	Plumbing	\$344,900.00
Youngstown CSD	Krueger International, Inc.	Furniture, Fixtures and Equipment	\$318,320.48
Youngstown CSD	Krueger International, Inc.	Furniture, Fixtures and Equipment	\$268,876.00
	Lowest Responsible Second Low Bidder * * *	TOTAL	\$149,514,576.35

Dr. Puckett moved to approve Resolution 08-62.
Vice Chair Quill seconded the motion.
Approval: Vote 3-0.

11. Settlement Agreement Approval – Presented by Jerry Kasai

Exterior Systems installed the roof at Junction City Elementary as a sub-contractor to Wayne. Subsequent to occupancy, issues were discovered with the roof over the gym. Through negotiations, roof replacement was performed at no cost to the District. Additionally, the surety for Wayne agreed to pay a number of the expenses incurred by the owners during the process. Commission is requested to approve the release of defendants Wayne Builders and its surety as part of the settlement agreement entered into by the District. The Commission Staff recommended approval of Resolution 08-63.

Vice Chair Quill asked what the cost was that was associated with a new roof. Jerry Kasai responded that it was installed it for free, but the value would be between \$3000,000 and \$500,000.00. Vice Chair Quill wanted to confirm that the \$48,000 was the hard cost for the process. Jerry Kasai confirmed that was what our extra costs were. Representative Szollosi asked if Wayne self performed the roof installation or did they have a sub-contractor do it. Jerry Kasai responded that Wayne had a sub-contractor, Exterior Systems, out of Plain City that actually installed the roof. Representative Szollosi asked in the event that Exterior Systems were to bid or sub-contract to a General Contractor on future projects is there something in place that would trigger a red flag and were they pursued at all with

respect to the legal process. Jerry Kasai responded this legal fact would be noted. Exterior Systems installed the new roof in conjunction with the surety, and with Jen Flex the manufacturer of the membrane. They did participate in the settlement Here we have a situation where everybody made up for their mistakes. They did make a mistake, however they did make good on the work that was defective. I certainly think that it is a factual situation and will be addressed as a factual situation.

Senator Roberts asked regarding demolition and asbestos abatement who would do the remediation needed for soil and things of soil. Steve Lutz responded the abatement of the building prior to demolition every attempt is made to identify hazardous materials within and outside a building. In crawl spaces and utility tunnels where asbestos insulation has contaminated the soil the removal of contaminated soil is part of the abatement process.

Dr. Puckett moved to approve Resolution 08-63.
Vice Chair Quill seconded the motion.
Approval: Vote 3-0.

The meeting was adjourned at 3:25 PM.



~~J. Pari Sabety, Chair~~ *Hugh Quill, Vice Chair*

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

Ohio School Facilities Commission Meeting

Witness Form

Name: Alon Adams Title: Citizen

School District/Company: _____

Address: 5312 Elaine Dr. City/State/Zip: Toledo, OH

Phone: 419-350-5700 Fax: _____

Testimony Subject:

Contractor EVALUATIONS

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.*****

I am here today to talk about the first time ever I addressed this Commission. The first presentation I made to the OSFC on Thurs. November 18, 2004 was regarding contractor evaluations. I know that Jerry Kasai, Eric Bode, and Senator Mumper were all here that day. The point I had attempted to make that day was that the Construction Managers hired by the OSFC were neglecting to evaluate the contractors on projects and, that the contractor evaluations seemed to be the only form that is required but not used. Jerry Kasai and I have had several conversations regarding this in the past few years. I asked him the same question that Ms Sabety seemed to paraphrase at last months meeting when she asked "You mean we pay those people (CM's) millions of dollars a year and they dont do what we direct them to do?" Unfortunately, for the school districts that would hope to use contractor evaluations as a tool this is truly the case. Here are the new numbers as of March 31 2008. On the OSFC CM website ,Bill Taylor, has an XL spread sheet that identifies every contract entered into by the OSFC. There are currently **11,244 entries**. I realize that these are not strictly contracts with contractors, but also CM's, consultants, architects and facilitators. You see the contracts each month and It would be safe to say that there are at least **10,000** that are for contractors. Allowing for the projects that are not closed out I think you could safely say that there are **8,000** that should have contractor evaluations. If what Steve Berezansky and Jerry Kasai said last month that contractor evaluations were an effective tool used to determine contractor qualifications was factual there should be **8,000** contractor evaluations on the OSFC website. There were, as of March 31 **1440 Contractor evaluations posted on the OSFC website for School Districts to use**. Approximately 80% of the contracts were not evaluated What I am asking again today is why are the CM's not doing contractor evaluations? Does this Commission view this omission as a problem for the school districts in making a wise decision?

Comments regarding the contractor evaluations on file with the OSFC.

Of the 38 Construction Managers listed 4 had contractor evaluations on file 34 had none. (see attached list)

Apex MP

GM Mechanical

Schnippel Construction

Stockmeister Enterprises

All have at least 10 OSFC contracts that total over \$25,000,000.00
And have never had a contractor evaluation filed.

In the OSFC contractor evaluation file there are 353 contractor evaluations. They cover approximately 130 contracts.

The only source I have to know the number of OSFC contracts is the 104 page report produced by the OSFC 7/14/2004. It contains approximately 3650 contracts. Assuming that 1/3 of the contracts are now closed that would lead me to believe that there should be approximately 1200 contractor evaluations on file.

If the Construction Managers are not completing the required paperwork such as form 26 and contractor evaluations what are they doing to earn their fees? (As construction managers they only do paperwork.)

CM with no contractor evaluations on file

BBL Maescher
Bovis Lend Lease
Bowen Washington Regency
Carbone
Hammond Ozanne
Heery
Heery Amec G Stephens
OBK Turner Cleveland CTE Loncoleman
O'Brien Kreitzberg Michalak
Ozanne Hammond Gilbane Regency
Panzica Quandel
Quandel (1) no evaluations on Frontier Schools
Quandel Danis
R P Carbone Kitchell Resource
Regency Bowen Stephens
Regency Middough
Resource
Richard Bowen Washington Group
Ruhlin
Ruhlin Kenmore
Rupp Rosebrock Tuttle Barton Malow
Ruscilli (2)
Ruscilli Danis Quandel Miles McClellan
Ruscilli Kapp
Ruscilli Quandel Stevens
Smoot
Smoot Elford Resource
Turner Cincinnati DAG TYS
Turner Columbus
Turner Megen
Turner Wise
Tuttle Barton Malow LLC
Tuttle Bostleman
URS

CM with evaluations on file

AVG
Gilbane
PCS Regency
Fanning & Howey

Ohio School Facilities Commission Meeting

Witness Form

Name: Shane Ostrowski Title: Director of Government Affairs

School District/Company: Associated Builders and Contractors of Ohio

Address: 2222 Wilson Rd City/State/Zip: Columbus, OH 43228

Phone: 614-529-4321 Fax: 614-529-8220

Testimony Subject:

Certified Payroll Reports, Model Responsible Bidder
Requirements → s/b classified as
trade secrets

Will you be providing handouts/materials? no

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