

Ohio School Facilities Commission
November 19, 2009
William McKinley Room 1:30 PM

MINUTES

Chair Sabety called the meeting to order at 1:35 PM.

Roll Call

Members present: Chair Sabety, Vice Chair Quill, Dr. Puckett, Senator Cates, Senator Fedor, Representative Patten and Sean Chichelli for Representative Kris Jordan

Adoption of the October 22, 2009 Meeting Minutes

Vice Chair Quill moved to approve the July 23, 2009 meeting minutes.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Executive Director's Report

Executive Director Murray discussed the upcoming report on 21st Century Learning Environments and that the December meeting will be about an hour to hour and a half total to go over the report and recommendations. He thanked Dr. Puckett and Superintendent Delisle for attending the workshop on learning environments and for Superintendent Delisle's remarks. Representative Patton attended the workshop Thursday of the week before on the building quality discussions and Anthony Perry attended all three workshops on behalf of the Chair. We were pleased with all three workshops: we invited a small group of people together - between 8 and 15 superintendents and others at each workshop – and they gave us their thoughts and experiences and gave us a lot to think about, gave us a lot to think about as being proactive in the future with what we do. The brief report is that we had successful days, we had a lot of good experiences and a lot of folks gave us their thoughts and will help us be better and I think we will have especially with the proactive piece of having some checklist around what schools need to think about in the planning process as they go about planning their schools one of the 21st century learning environment and what that should be. The group did an excellent job of taking about 40 items to think about in the planning process to come up with thoughts about how your school should be designed. Obviously community engagement is a large part of the program. We will report in greater detail in December.

The Director announced that Erik Roush is the new Legislative Liaison for the agency. Erik works in the Governor's office on educational policy and he worked for Senator Fedor. With his legislative knowledge and educational policy knowledge, he will do a great job for us. The Director stated his intention to be more proactive with legislators and all the districts where we have work going on and Erik can do that.

The Director then recognized Project Administrator Fred Ahlborn, who will be retiring. He asked

Steve Berezansky to memorialize his departure. Steve Berezansky noted that Mr. Ahlborn came to us in 2003 and he came from DYS, Department for Youth Services. He has been with us for 6 years. Fred has worked on 7 districts for us and there is some staggering numbers here that Mr. Ahlborn has racked up in the last 6 years or so. He has been responsible for over 70 buildings with the Commission; that has touched 45,000 students in the State of Ohio in the last 6 years. His projects totaled over \$1.25 billion dollars in the last 6 years and I just think that is amazing and is part of what goes on with our program. Some notable things with Fred, he is very proud of two things in particular is the largest high school in Ohio, Springfield. Mr. Berezansky thanked him for his service and wished him the best in retirement.

The Director noted that Jerry Kasai has left the agency and we are in the process of interviewing for general counsel. In the interim assistant Attorney Generals Jon Walden and Jim Rook are helping us with day to day matters and we thank them for that help.

The Director then followed up on topics mentioned at the November meeting regarding matters on jobsites including independent contractors and criminal background. He has been meeting with contractor associations and school official associations and superintendents to talk about those issues. He then reported on site issues on the New Boston, Scioto County, project.

School Energy Conservation Financing Program Approval

Mark Wantage presented three School Districts requesting participation in the Energy Conservation Financing Program. In this program districts identify energy saving facility improvements. Projects must pay for themselves through the result and reduction of energy consumption within a fifteen-year period. School districts are required to prepare and submit project proposals for review and approval by the Commission. Commission approval allows the school district to obtain financing and proceed with their program. The projects have been reviewed by the Ohio Department of Development/Office of Energy Efficiency and the staff of the OSFC. The Commission staff recommended approval of Resolution 09-133 for the following districts:

Alexander Local School District (Athens)
Milton-Union Exempted Village School District (Miami)
West Carrollton City School District

Dr. Puckett moved to approve Resolution 09-133.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Priority Order of District Funding Update

Eric Bode presented on update on the Priority Order of Funding. The is a housekeeping matter with no change in policy. The Commission approved guidelines and priority order in April 2009 and there are some priority order revisions to remove districts with approved projects (from July)

and add 4 districts to CFAP list based on cash flow, including current cash, projected spending on approved projects, and anticipated funding in the capital bill. There are also additions based on HB 1 changes: for priority order, ELPP districts considered at “locked in” place, rather than current equity list place. There are 24 districts added to “CFAP lapsed” list - these have lapsed in the past year. There are no additional VFAP projects and no ENP districts which have separate process for their consideration. Staff recommended approval of Resolution 09-134 updating the Priority Order of Assistance Listing.

Chair Sabety asked about the impact on lapsed districts. Mr. Bode explained that lapsed districts are still first priority.

Vice Chair Quill moved to approve Resolution 09-134.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Master Facilities Plan Amendments Approval

Steve Lutz presented amendments to the Master Facilities Plan for the school districts listed below.

School District (County)	Recommended Modifications to the Master Facilities Plan	Increase to the Project Budget	
Mount Gilead EVSD (Morrow) CFAP - 2006 FY '07	<u>First Amendment</u> Middle/High School: This facility was originally assessed at 103,749 sf, requiring an addition of 29,628 sf for a total sf of 133,377. Due to reassessment of the kitchen and oversized mezzanine, the building recalculated at 97,457 sf, requiring an addition of 39,485 sf for a total sf of 136,942 sf; the project budget is insufficient for the design and construction work required to renovate and add to this facility to adequate design and building code standards due to roofing (including decking), utility relocation, plumbing, abatement & site issues; an allowance to abate and demolish the 1964 kitchen has been added to the scope of work. <u>ELPP Credit Change</u> This budget change includes an increase to the ELPP credit in the amount of \$228,634 for a total ELPP credit of \$10,921,818.	\$1,085,214	State Share
		\$693,826	Local Share
		\$1,779,040 TOTAL	
Teays Valley Local School District (Pickaway) CFAP - 2006 FY '07	<u>First Amendment</u> South Bloomfield Elementary: The project budget has been increased to include allowances for USGBC LEED for Schools (US Green Building Council) and site. East Middle: Due primarily to market conditions, the project budget for this facility must be increased for the design and construction work required to meet minimum Design Manual standards. West Middle: Due primarily to market conditions, the project budget for this facility must be increased for the design and construction work required to meet minimum Design Manual standards; the project budget must also be increased to include an allowance for site. Teays Valley High: The project budget is insufficient for the design and construction work required to renovate and add to this facility to adequate design and building code standards due to structural issues and finishing.	\$1,235,433	State Share
		\$725,572	Local Share
		\$1,961,005 TOTAL	

Staff recommended approval of Resolution 09-135.

Dr. Puckett moved to approve Resolution 09-135.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Corrective Action Grant Approval

Tom Brannon presented for Commission approval Resolution 09-136 for the award of a Corrective Action Grant to the Trimble Local School District, as set forth below:

School District (County)	Recommended Scope	Grant Award
Trimble LSD (Athens)	High School and Elementary/Middle School: Roof replacement, ceiling tile replacement, sidewalk replacement and correction of hillside erosion.	\$663,509

Chair Sabety asked if the staff reviewed this project according to the program guidelines and Tom Brannon confirmed that the project meets the requirements. Director Murray stated that we are being aggressive with this but the project meets the guidelines and is the right thing to do.

Vice Chair Quill moved to approve Resolution 09-136.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Architectural Agreements and Amendments Approval

Steve Berezansky presented Resolution 09-137, Architectural Agreements and Amendments, for Commission approval.

WHEREAS, contracts for professional design services are awarded by school district boards pursuant to ORC 153.65 et seq., rather than through competitive bidding, for the below listed school districts:

School District	Project	Architect	Agreement Amount
Columbus Grove Local School District	Renovations/addition to all additions of existing PK thru 12 except 1986 addition	Fanning/Howey Associates, Inc.	\$1,554,693.21
Columbus City School District (Segment 3)	Clinton Elementary School	Schooley Caldwell & Associates	\$715,787.00
Columbus City School District (Segment 3)	Starling PK-8	Balog Steines Hendricks & Manchester, Inc.	\$969,752.69
Columbus City School District (Segment 3)	Georgian Heights Elementary School	M+A Architects, Inc.	\$820,067.29
Columbus City School District (Segment 3)	Liberty Elementary School	Feinknopf Macioce Schappa Architects	\$802,735.43
Columbus City School District (Segment 3)	Cedarwood Elementary School	SHP Leading Design	\$825,453.61
Columbus City School District (Segment 3)	Old Orchard Elementary School	Braun & Steidl Architects, Inc.	\$824,658.94
Greeneview Local School District	Build one new elementary/middle school and renovations to Greeneview High School	Ruetchle Architects	\$1,087,128.00

Greeneview Local School District	Build one new elementary/middle school and renovations to Greeneview High School	Ruetchle Architects	\$1,087,128.00
Mid-East Career and Technology Center	Renovate/partial abate and demolition to Mid East Career & Technology Center	ASM Partners, LLC	\$1,998,706.56

WHEREAS, the Agreement for Professional Design Services provides for amendments to adjust the compensation of the Architect in certain circumstances involving design work in excess of that which was originally negotiated for the school districts as listed below:

School District	Project	Architect	Fees to Date	Amendment Amount	Total
Columbus City School District (Segment 1)	Additional onsite construction administration services due to extended schedule	Hardlines Design Company	\$82,748.00	\$20,686.00	\$103,434.00
Gallipolis City School District	Additional design services due to master plan changes	SHP Leading Design	\$2,083,584.00	\$119,911.43	\$2,203,495.43
Indian Valley Local School District	Addition of water softening to the Midvale ES, Indian Valley MS and Indian Valley HS.	McDonald, Cassell & Bassett, Inc.	\$2,332,783.00	\$12,000.00	\$2,344,783.00
North College Hill City School District	LEED design services	SFA Architects, Inc.	\$2,101,404.16	\$114,200.00	\$2,235,004.16

WHEREAS, the school district boards listed below have elected to add a "Locally Funded Initiative" to the scope of their Project as listed below:

School District	Project	Architect	LFI Amount
Columbus Grove Local School District	Additional square feet and material enhancements	Fanning/Howey Associates, Inc.	\$192,460.67
Columbus City School District (Segment 3)	Design enhancements	Schooley Caldwell & Associates	\$32,641.00
Highland Local School District	Auditorium seating and terrazzo flooring at high school and design enhancements above the master plan	Michael Schuster Associates	\$114,340.24
Mid East Career and Technology Center	Additional square footage and design enhancements	ASM Partners, LLC	\$598,057.45
North College Hill City School District	Photovoltaic system design	SFA Architects, Inc.	\$19,400

Dr. Puckett moved to approve Resolution 09-137.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Construction Manager Agreements and Amendments Approval

Steve Berezansky presented Resolution 09-138 for the following Construction Manager agreements for Commission approval:

School District	County	CM Firm	Total CM Compensation
Cincinnati City School District (Seg 3b Interim)	Hamilton	Turner Construction Company	\$1,375,223
Toledo City School District (Segment 5)	Lucas	LGB LLC	\$6,905,393
Greeneview Local School District	Greene	The Quandel Group, Inc.	\$900,586
Wadsworth City School District	Medina	Resource International, Inc.	\$5,310,100
Ohio School for the Deaf and the Ohio State School for the Blind	Franklin	Bovis Lend Lease, Inc.	\$1,933,013

Mr. Berezansky noted that this is the last segment for Toledo.

Vice Chair Quill moved to approve Resolution 09-138.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Steve Berezansky presented Resolution 09-139 for the following amendments to the agreements for Construction Management Services:

School District	County	Construction Manager	Amount
Hamilton Local School District	Franklin	The Quandel Group, Inc.	\$0
South Point Local School District	Lawrence	Bovis Lend Lease, Inc.	\$84,500

Dr. Puckett moved to approve Resolution 09-139.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Steve Berezansky presented Resolution 09-140 for the following **Locally Funded Initiative** amendments to the agreements for Construction Management Services:

School District	County	Construction Manager	Amount
Greeneview Local School District	Greene	The Quandel Group, Inc.	\$5,408
Toledo City School District (Segment 5)	Lucas	LGB LLC.	\$302,963
Wadsworth City School District	Medina	Resource International, Inc.	\$2,054,837

Vice Chair Quill moved to approve Resolution 09-140.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Trade Construction Contracts Approval

Steve Berezansky presented Resolution 09-141 for the following trade contracts for Commission approval:

	Contracting Entity	School District	Building Type	Scope Of Work	\$ Amount
1	The K Company, Inc.	Akron CSD	Schumacher Community Learning Center	Mech/HVAC/Geothermal	\$1,454,000.00
2	The K Company, Inc.	Akron CSD	Windemere Community Learning Center	Mech/HVAC/Geothermal	\$1,452,000.00
3	Intec Building Systems, Inc.	Akron CSD	Windemere Community Learning Center	General Trades	\$2,807,007.00
4	Continental Office Furniture, Inc.	Akron CSD	Windemere Community Learning Center	Loose Furniture	\$350,500.01
5	Doerschuk Plumbing & Heating, Inc.	Akron CSD	Windemere Community Learning Center	Plumbing	\$363,687.00
6	C. T. Taylor Company, Inc.	Akron CSD	Windemere Community Learning Center	Masonry & Foundations	\$1,434,000.00
7	Speelman Electric, Inc.	Akron CSD	Schumacher Community Learning Center	Electrical/Technology	\$1,444,047.00
8	S. A. Comunale Company, Inc.	Akron CSD	Schumacher Community Learning Center	Sprinkler System	\$87,682.00
9	Mr. Excavator, Inc.	Akron CSD	Windemere Community Learning Center	Site Work	\$1,015,300.00
10	The Knoch Corp	Akron CSD	Schumacher Community Learning Center	General Trades	\$4,530,900.00
11	Oakland Plumbing Company, Inc.	Akron CSD	HYRE Community Learning Center	Plumbing	\$737,018.00
12	Feinman Mechanical, Inc.	Akron CSD	Schumacher Community Learning Center	Plumbing	\$365,989.00
13	Continental Office Furniture, Inc.	Akron CSD	Schumacher Community Learning Center	Loose Furniture	\$360,411.55
14	Soehnlén Piping Company, Inc.	Akron CSD	HYRE Community Learning Center	Mech/HVAC	\$2,274,000.00
15	S. A. Comunale Company, Inc. * * *	Akron CSD	HYRE Community Learning Center	Sprinkler System	\$224,600.00
16	Mr. Excavator, Inc.	Akron CSD	HYRE Community Learning Center	Site Work	\$1,434,200.00
17	Mike Coates Construction Co., Inc.	Akron CSD	HYRE Community Learning Center	General Trades/Masonry	\$10,293,611.00
18	Continental Office Furniture	Akron CSD	HYRE Community Learning Center	Loose Furnishings	\$836,818.75
19	Mr. Excavator, Inc.	Akron CSD	Schumacher Community Learning Center	Site Work	\$956,500.00
20	Montecalvo Electric, Inc.	Akron CSD	HYRE Community Learning Center	Electric/Technology	\$2,814,012.00
21	S. A. Comunale Company, Inc.	Akron CSD	Windemere Community Learning Center	Sprinkler System	\$104,242.00
22	Coon Restoration & Sealants	Akron CSD	NIHOF Center for STEM Learning	Sail Repair	\$157,557.00
23	Mike Coates Construction Company, Inc.	Ashtabula Area CSD	ES Campus	General Trades	\$23,317,182.00
24	Detrick Industrial Piping Company	Ashtabula Area CSD	ES	HVAC	\$5,680,000.00
25	Reliance Mechanical, LLC	Ashtabula Area CSD	ES Campus	Plumbing	\$1,660,000.00
26	Fire Foe Corporation	Ashtabula Area CSD	ES Campus	Fire Protection	\$539,950.00
27	Enertech Electrical, Inc.	Ashtabula Area CSD	ES Campus	Electrical	\$6,598,000.00
28	S. A. Comunale Company, Inc. * * *	Barberton CSD	Barberton MS	Fire Protection	\$211,200.00
29	Environmental Assurance Company, Inc. * * *	Buckeye Central LSD	2 ES, HS	Asbestos Hazard Abatement and Related Work	\$346,600.00
30	Cardinal Environmental Services, Inc.	Bucyrus CSD	3 ES	Asbestos Hazard Abatement and Related Work	\$167,920.00
31	The Wasserstrom Company	Butler Technology and Career Development Cincinnati CSD	Butler Technology and Career Development Campus	Kitchen Equipment	\$667,946.00
32	Westside Paving & Excavating	Cincinnati CSD	Sayler Park Swing Space	Site Work	\$484,300.00
33	Pac-Van, Inc.	Cincinnati CSD	Sayler Park Swing Space	Modular Trailers	\$1,345,495.00
34	Glenwood Electric, Inc.	Cincinnati CSD	Sayler Park Swing Space	Site Electric	\$40,269.00
35	Simplex Grinnell, LP	Cleveland MSD	Anton Grdina K - 8	Fire Protection	\$168,130.00
36	Continental Office Furniture	Cleveland MSD	4 K - 8's	Furniture, Fixture and Equipment	\$72,895.15
37	Great Lakes Crushing, Ltd	Cleveland MSD	Anton Grdina K - 8	Landscaping	\$95,000.00
38	Licursi Company, Inc.	Cleveland MSD	Anton Grdina K - 8	Site Concrete Flatwork	\$178,500.00
39	Miller Plumbing & Heating, Company	Cleveland MSD	Anton Grdina K - 8	Plumbing	\$707,900.00
40	South Shore Electric, Inc.	Cleveland MSD	Anton Grdina K - 8	Electrical	\$1,070,000.00
41	E. B. Katz, Inc.	Cleveland MSD	Anton Grdina K - 8	HVAC/Geothermal	\$2,698,000.00
42	Cold Harbor Building Company	Cleveland MSD	Anton Grdina K - 8	General Trades	\$6,097,000.00
43	S. A. Comunale Company, Inc.	Cleveland MSD	Charles Dickens PK - 8	Fire Protection	\$158,611.00
44	Mr. Excavator, Inc.	Cleveland MSD	Anton Grdina K - 8	Site Work	\$1,875,000.00
45	Feldkamp Enterprises, Inc.	Clinton-Massie LSD	ES	HVAC	\$22,850.00
46	Sidewinder Electric, Inc.	Clinton-Massie LSD	ES	Electrical/Technology	\$25,600.00

46	Sidewinder Electric, Inc.	Clinton-Massie LSD	ES	Electrical/Technology	\$25,600.00
47	Cincinnati Floor Company	Clinton-Massie LSD	6 - 8 MS	Gymnasium Floor Replacement	\$85,250.00
48	Colvin Gravel Company, Inc.	Columbus CSD	Old Watkins ES	Demolition	\$100,000.00
49	Precision Piping, Inc.	Dayton CSD	Belmont HS	Plumbing	\$874,000.00
50	Mutual Electric	Dayton CSD	David H. Ponitz Career Technology Center Cosmetology/ Engineering Lab	Electrical	\$96,771.00
51	Environmental Demolition Group	Dayton CSD	Wilbur Wright PK - 8	Asbestos Abatement	\$251,000.00
52	Chapel Electric Co., LLC	Dayton CSD	Montessori PK - 8	Electrical	\$2,179,153.00
53	Griffith Sheet Metal, Inc.	Dayton CSD	Belmont HS	HVAC	\$2,360,000.00
54	Monarch Construction Company	Dayton CSD	Montessori PK - 8	General Trades	\$7,306,100.00
55	G. M. Mechanical, Inc.	Dayton CSD	Montessori PK - 8	Plumbing	\$604,000.00
56	Dalmatian Fire, Inc.	Dayton CSD	Montessori PK - 8	Fire Protection	\$159,327.00
57	R. L. Fender Construction	Dayton CSD	David H. Ponitz Career Technology Center Cosmetology/ Engineering Lab	General Trades	\$290,651.00
58	S. A. Comunale	Dayton CSD	Charity Adams Earley Girls Academy	Fire Protection	\$222,700.00
59	Peterson Construction Company	Dayton CSD	Belmont HS	General Trades	\$11,781,000.00
60	G. M. Mechanical, Inc.	Dayton CSD	David H. Ponitz Career Technology Center Cosmetology/ Engineering Lab	HVAC/Plumbing	\$99,890.00
61	Feldkamp Enterprises, Inc.	Dayton CSD	Montessori PK - 8	HVAC	\$1,536,000.00
62	Ferguson Construction Company	Dayton CSD	Charity Adams Earley Girls Academy	General Trades	\$4,140,200.00
63	Gutridge Plumbing, Inc.	Dayton CSD	Charity Adams Earley Girls Academy	HVAC	\$1,236,000.00
64	Starco, Inc.	Dayton CSD	Charity Adams Earley Girls Academy	Plumbing	\$465,000.00
65	ESI, Inc.	Dayton CSD	Charity Adams Earley Girls Academy	Electrical	\$1,610,175.00
66	Parks/Ohio Valley Electric Joint Venture	Dayton CSD	Dayton Boys Academy, 2 HS, 5 PK - 8 's	Security	\$1,135,400.00
67	S.A. Comunale Company, Inc.	Dayton CSD	Belmont HS	Fire Protection	\$423,400.00
68	Beacon Electric Company	Dayton CSD	Belmont HS	Electrical	\$2,055,000.00
69	Claggett & Sons, Inc.	Fairfield Union LSD	MS	General Trades	\$4,327,000.00
70	Pezzo Construction, Inc.	Fairfield Union LSD	MS	Masonry	\$1,838,500.00
71	S. A. Comunale Company, Inc.	Fairfield Union LSD	MS	Fire Protection	\$176,800.00
72	Beacon Electric Co.	Fairfield Union LSD	MS	Electrical	\$1,470,000.00
73	Gutridge Plumbing, Inc.	Fairfield Union LSD	MS	Plumbing	\$588,849.00
74	General Temperature Control	Fairfield Union LSD	MS	HVAC	\$1,285,000.00
75	Best Restaurant Equipment & Design, Inc.	Fairfield Union LSD	MS	Kitchen Equipment	\$224,717.00
76	Farnham Equipment Co.	Fairfield Union LSD	MS	Casework	\$268,500.00
77	D & M Excavating, Inc. * * *	Franklin Monroe LSD	K - 12	Early Site	\$878,844.00
78	Reddy Electric Company	Gallipolis CSD	Washington ES	Electric & Technology	\$1,595,500.00
79	Trimat Construction, Inc	Gallipolis CSD	Washington ES	General Trades	\$2,815,311.00
80	Miller Bros. Const. Inc.	Genoa Area LSD	ES	Site	\$849,000.00
81	WESCO Distribution	Hamilton CSD	HS, MS	Switchgear & Panel Boards	\$79,950.00
82	Cummins-Bridgeway, LLC	Hamilton CSD	HS, MS	Generator & ATS	\$50,820.00
83	VTF Excavation, LLC	Hardin Houston LSD	K - 12	Early Site	\$661,000.00
84	Settle Muter Electric, Ltd	Highland LSD	HS, MS, ES	Electrical	\$4,399,000.00
85	Stonecreek Interior Systems, LLC	Highland LSD	K - 12	Casework	\$769,300.00
86	Breckenridge Kitchen Equipment & Design, Inc.	Highland LSD	HS, MS, ES	Food Service	\$1,058,109.00
87	Adena Corporation	Highland LSD	HS, MS, ES	General Trades	\$14,173,000.00
88	LoopMaster International, Inc.	Highland LSD	HS, MS, ES	Geo-Thermal	\$1,325,244.00
89	T. P. Mechancial Contractors, Inc.	Highland LSD	K - 12	Fire Protection, Plumbing, HVAC	\$8,079,396.00
90	Mid-West Telephone Service, Inc.	Hubbard EVSD	Hubbard K - 12	Technology	\$598,000.00
91	Kelchner, Inc.	Huber Heights CSD	ES	Sitework	\$395,525.00
92	Accurate Electric Construction, Inc.	Ironton CSD	District Wide	Network	\$790,000.00
93	Newtech Systems, Inc. * * *	Ironton CSD	District Wide	Electronics/Telephone System Video Distribution and Media Management	\$858,000.00
94	Penniman Brothers Landscaping, Inc.	Jefferson Area LSD	Jefferson JR/SR HS	Landscaping	\$21,210.00
95	Southway Fence Company	Minerva LSD	Minerva ES	Fencing	\$45,950.00
96	Robertson Construction Services, Inc.	Northmor LSD	Northmor K - 12	Concrete	\$1,153,000.00
97	Guenther Mechanical, Inc.	Northmor LSD	Northmor K - 12	Plumbing/HVAC	\$3,516,000.00
98	Settle Muter Electric, Ltd	Northmor LSD	Northmor K - 12	Electrical	\$2,077,000.00
99	Lake Erie Electric, Inc.	Olmstead Falls CSD	MS	Electrical	\$1,077,000.00
100	The John F. Gallagher Company	Olmstead Falls CSD	MS	Plumbing	\$512,980.00

101	Fire Protection, Inc.	Olmstead Falls CSD	MS	Fire Protection	\$68,000.00
102	R W Setterlin Building Company	Pickaway-Ross County JVSD	Pickaway-Ross Career and Technology	Door Replacement	\$124,710.00
103	R. F. Scurlock Company	Switzerland of Ohio LSD	HS and K - 8	Sitework	\$816,923.00
104	R. F. Scurlock Company	Switzerland of Ohio LSD	New Beallsville PK - 12	Sitework	\$509,094.00
105	Continental Office AKA Continental Education Environments AKA Continental Office Furniture & Supply Corp	Toledo CSD	Hawkins ES	Office Furnishings and Equipment	\$104,864.13
106	The Knoch Corporation	Wadsworth CSD	Wadsworth HS and Community Campus	Temporary Electric	\$138,200.00
107	KMU Trucking and Excavating	Wadsworth CSD	Wadsworth HS and Community Campus	Construction Site Access	\$109,655.00
108	Fechko Excavating, Inc.	Wadsworth CSD	Wadsworth HS and Community Campus	Grading and SWPPP	\$359,321.34
109	The Knoch Corporation	Wayne County JVSD	Career Center	General Trades	\$5,484,950.00
110	Guenther Mechanical, Inc.	Wayne County JVSD	Career Center	Plumbing & HVAC	\$5,058,600.00
111	Accurate Electric Construction, Inc.	Wayne County JVSD	Career Center	Electrical	\$2,839,650.00
112	Echo 24, Inc.	Wayne County JVSD	Career Center	Technology	\$1,169,354.00
113	Middleton Geothermal Services, LLC	Western Reserve LSD	K - 12	Geothermal Well Field	\$904,409.00
114	Siegel Excavating, LLC	Youngstown CSD	John White ES	Demolition	\$35,900.00
Lowest Responsible, Second Low Bidder * * *					\$204,419,582.93

Dr. Puckett moved to approve Resolution 09-141.
Vice Chair Quill seconded the motion.
Approval: Vote 3-0.

Request to Initiate Litigation

Jon Walden, Assistant Attorney General, presented Resolution 09-142 for Commission approval to Initiate litigation for the following project:

District:	Jackson City School District (Jackson County)
Project Scope:	The Jackson City SD project consisted of one new high school, one reno/add middle school (from the old high school) and three new elementary schools.
Master Facilities Plan Budget:	Original plus amendments \$65,976,789
Architect:	MCB, Inc.
Construction Manager:	BBL/Bovis Lend Lease, Inc.
Contractor:	Spectrum Control Systems
OSFC Consultants:	HEAT TFS, STAN Engineering
Background:	The new Jackson High School occupied in August 2004; the Jackson Middle School occupied in December 2005; the Southview Elementary occupied August 2003; the Westview Elementary occupied in April 2004; and the Northview Elementary occupied in May 2007.
Summary:	Subsequent to Spectrum Control Systems claiming it was finished with its work, commissioning on the HVAC and control systems was done, which identified that Spectrum had not completed its work and/or work was deficient. The Co-owners promptly notified Spectrum, which did not return and defaulted on its contract. The Co-owners subsequently notified Spectrum's surety, Traverlers Insurance, and have attempted to work with Travelers, but to no avail, as Travelers merely seeks to delay resolution.
Cost to Fix:	Remedial work for Spectrum's work is likely in excess of \$250,000.

Vice Chair Quill moved to approve Resolution 09-142.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Settlement Agreement Approval

Jon Walden, Assistant Attorney General, presented Resolution 09-143 for Commission approval for the following settlement agreement:

District:	Wellston City School District (Jackson County)
Project Scope:	Build one new middle school and high school; renovations/additions to Bundy Elementary School., abate and demolish Coalton and Wellston JH schools.
Master Facilities Plan Budget:	Original plus amendments \$37,661,443.00
Architect:	Triad Architects
Construction Manager:	BBLMaesher/DAG LLC
Contractor:	R.F. Scurlock Company
Summary:	R. F. Scurlock Company ("Scurlock") had issues completing portions of its site work contract and other portions of that work appeared defective and required remediation. Scurlock refused to address the concerns and the co-owners issued a deduct change order in the amount of the contract balance and retainage totaling \$93,884.11. Scurlock sued for the remaining contract balance and the OSFC countersued for defective work. Scurlock claimed that any deviation from the plans and specifications were the result of direction given by the owner's agents.

In advance of trial, negotiations occurred whereby Scurlock agreed to waive any right to the contract balance in exchange for the release of any further non-latent defects.

Dr. Puckett moved to approve Resolution 09-143.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Public Testimony

Mr. Al Adams presented information about change order over-pricing. Mr. Adams had requested a public record search at Ottawa school in 2002. Mr. Adams provided the details of inappropriate change order pricing on that project by a contractor. Based on the documents provided, the Construction Manager gave a tutorial for this contractor that tells him what exactly he can and cannot charge for a change order and in 2002 he found it out. That contractor is at Crestview Schools in Van Wert Ohio and Mr. Adams indicated that there is the same change order pricing pricing. Mr. Adams wanted to bring this issue to the attention of the Commission.

The Director responded that we will certainly take a look at this and thanked Mr. Adams for bringing this to our attention. This is an item that we will look into with our general counsel.

Chair Sabety asked Mr. Adams for clarification and asked Mr. Adams if we should be watchful of this practice. Mr. Adams stated that we have the forms right here and somebody has to look at this and say, your wage rate is \$54.77 an hour, verify that. Somebody has to sign off on this. The school district does, the project administrator does. There are forms here that people should be reviewing this.

Senator Fedor asked if we were to do a search on this individual and find out how many change orders they have been approved and then add that to the cost of their bid, would that be a comparison of what we are actually paying. The Director responded that there could be a legitimate change based on design or other factors. We have to know the nature of the change - it could have been a change because of the amount of time for designs or specified and it could be that circumstance. Steve Berezansky added that it depends what the change is, is it a change order for a design clarification or for unsuitable soils and, in other words, would anybody have gotten that change order. You have to look at it and what was the nature of the change that was requested.

The meeting was adjourned at 2:34 PM.



J. Pari Sabety, Chair



These meeting minutes were prepared by
Cheryl J. Lyman, Secretary to the Commission