

Ohio School Facilities Commission
February 25, 2010
William McKinley Room 1:30 PM

MINUTES

Vice Chair Quill called the meeting to order at 1:33 PM.

Roll Call

Members present: Chair Sabety (arrived at 1:36), Vice Chair Quill, Dr. Puckett, Sara Spence for Senator Cates, Representative Patten, Sean Chichelli for Representative Jordan and Ursula Barrera for Senator Fedor

Adoption of the January 21, 2010 Meeting Minutes

Dr. Puckett moved to approve the January 21, 2010 meeting minutes.

Vice Chair Quill seconded the motion.

Approval: Vote 2-0.

Executive Director's Report

Director Murray began his report by introducing two new OSFC staff members. John Eufinger, our new Chief Legal Counsel, who had a private practice and was the public prosecutor for Marysville. Mary Adams, Executive Assistant for the Director, was formerly with the staff of State Senator Sue Morano. Director Murray then presented a number of items to the Commission.

EOD Finding: The Director addressed a recent finding by the Equal Opportunity Division of the Department of Administrative Services where OSFC had a deficiency in the EDGE waiver process. A contractor dismissed the EDGE subcontractor without the appropriate waiver and OSFC failed to appropriately follow our process. The Commission staff takes the EDGE program requirements seriously and we are in correction on the finding.

Reynoldsburg: The Director informed the Commission that Reynoldsburg City School District, which is currently in CFAP, has asked what would happen if they essentially vacated the CFAP program. We would be asking back the state portion of the project and if there were contractor terminations, the district would share their share of costs of the contractor costs. This would include all legal and procedural costs. We will hopefully not go that way.

Vaughn: The Director followed-up on information received about Vaughn Industries with concerns about deficiencies at the Ohio State University student union project. Genoa School District is considering a bid by Vaughn. We have let the district know that there are issues here they should consider. The contract award is a local district decision. OSFC will back up whatever

decision the district makes. Mike Mendenhall continues to track back on these issues. With that, we believe we have concluded our due diligence.

Washington-Nile LSD: Director Murray then addressed correspondence received from Washington-Nile school district questioning various aspects of the budget for that project and the re-bid of the general trades package. There are aspects of the design like brick and roof that may be driving some of the costs. This is an area of the state where competition is not as rife as other areas. Those are our conclusions. Superintendent Ciraso was in attendance and Chair Sabety asked if she would like to comment. Superintendent Ciraso then spoke by first giving background on their project. She then shared the history of the budget on this project. The bids came in at 22% over budget where other projects around the state are coming in under budget. They had been assured that they would come in under estimate. She took exception since market conditions in south central Ohio have been known to be extremely high. The superintendent expressed her concern that the district's children are being penalized for where they happen to live. She stated that you will not find a lot of extravagance in the building; we've been asked to take out things – OSFC will walk away and the district will be stuck with the maintenance. The superintendent noted that they are grateful for the project. This is the 8th poorest district in Ohio and she is fighting for this building and trying to provide a 21st century facility. Superintendent Ciraso concluded by saying she could understand if other districts throughout the state were overestimate but she has been told that they are coming in at or below estimates. She believes accommodations should be made for the market conditions over which she has no control. Chair Sabety thanked the superintendent for taking the time to come to speak and pledged the Commission's attention to this. Superintendent Ciraso responded by noting that the Commission will be proud of the building and the educational achievement in the district. Representative Patton thanked Ms Ciraso for speaking. He then asked what was the state share for the project. Superintendent Ciraso stated that it was a 2% local share for the 8th poorest district in the state.

New Boston: At the last meeting we talked about looking for an alternative site. All of the issues point to looking at an alternative site within the three mile boundaries of the district. The planning staff was directed to look at that. Lisa Laney and Steve Lutz have been down there and they met with the mayor of the village of New Boston, who proposed an alternative. The Director then went and looked at the site and talked with the mayor. We are studying whether the alternative site is in the flood way. The alternative site would not require the building of a retaining wall or the relocation of utilities and appears to be a more desirable location to build. We are telling the Commission that there is a process for investigating this alternative site that seems to pose less risk. The Director then stated that Superintendent Mike Staggs from New Boston was in attendance. The Chair acknowledged Superintendent Staggs who then spoke. He stated that OSFC is a tremendous organization. The district started this process two years ago. As a small district with 467 kids, OSFC has been a great help. But the district now has a problem. New Boston is the second poorest school district with a median \$15,600 family income and the district passed the bond issue by 73%. The people in the district now want to know where the building is. The district looked at sites inside and outside New Boston before settling on the site approved by the district. The SD and CD drawings were approved by OSFC.

[Superintendent Staggs passed out copies of the building plans.] Then the project was ready to go to bid. The superintendent then explained that the school was preparing to adopt a PLA. The PLA was up at the November board meeting which the OSFC Executive Director attended. [Superintendent Staggs passed out copies of a newspaper article.] The director was new at the time and the superintendent was impressed that he would attend a meeting at their small school district. One of topics talked about was the project may be \$500,000 over budget. The other item was the need for a retaining wall which, in New Boston, is a given. The superintendent stated that Director Murray spoke at the board meeting in support of the PLA. Superintendent Staggs stated that he thought they met the OSFC's requirement for the retaining wall. It is of deep concern in the district that not adopting the PLA has meant further delay. Chair Sabety asked the superintendent to clarify if he was asserting that the lack of a PLA has led OSFC staff to re-look at underlying assumptions about the site. Superintendent responded that the district is located in a very difficult area and anywhere in the district has similar issues and all the district wants is to do is to move forward. Dr. Puckett asked if the school district is willing to look at alternative sites. Superintendent Staggs responded affirmatively but asked why they should look at a new site and wait another year. Dr. Puckett asked if moving to another site that might be less costly would be a factor for the district in considering alternatives. Superintendent Staggs that budget would absolutely be a factor. Director Murray noted that in October, the CM on the project notified OSFC that this site would cost an additional \$1.7 million and that got our attention and the attention of the president of the school board at the time. So back in October it was clear that we needed to look at the site and the design of the school. The Director pointed out that he was at the November school board meeting at the request of the board president. He clarified that there was never a *quid pro quo* and there was never a connection between the PLA and approval of the site. In fact, the director was at the meeting to question the site. Chair Sabety commented that there is no change in the Commission's policy that it is a local decision if a district wants to adopt a project labor agreement. There are no changes under which staff are re-examining design and construction based on the way in which a school district chooses contracting guidelines. Her second comment was on the retaining wall. Members of the Commission have been faced with engineering assessments that indicate we have to pay for high risk site decisions where we have to repair damage that is the result of building on unsuitable sites. We applaud caution in this case and encourage everyone to work on a solution. Superintendent Staggs understands the concern but believes that the concerns have been addressed by the retaining wall. Representative Patten stated that the resolution allowing PLAs and other criteria was passed only to give districts more choice and hopes that the district appreciates that this is a home rule option. Representative Patten also stated that the Commission has spent a lot of time correcting high-risk situations and the Commission wants to reduce those risk factors and we want to work with you. Jack Rosati from Bricker & Eckler spoke at the request of Superintendent Staggs. Mr. Rosati stated that he is legal counsel for Washington-Nile, New Boston and Clay. With respect to the New Boston issue, OSFC was involved throughout the site selection process and that new site may extend the project by 18 months. If we don't get this project out to bid soon, we may miss a whole year of construction. The district loses another year before they can put their children in the new school. We also need to take into account the additional redesign costs. Additionally, even though there is not a favorable market for

construction services in this area, it will likely be worse when the economy improves. As a final observation, Mr. Rosati stated that the Executive Director has two construction professional options, one from the architect and one from the civil engineer, stating that the retaining wall will work. Superintendent Staggs has requested an option from a construction professional supporting OSFC's concerns. Director Murray stated that he appreciates the comments and it is OSFC's desire is to have a study conducted in a month. The Director has also indicated that the stadium site has to be on the table. We hope to move this quickly but we do have a reservation. It is a best practice to allow the site to settle for at least six months. That is our game plan. Chair Sabety concluded the discussion on this topic by stating that there appears to be good will on all sides and asked that all parties work to come to the best decision that we can, understanding that we need to move forward relatively quickly but with appropriate caution.

In deference to others interested in providing public comment, Chair Sabety called for remaining public testimony at this point in the agenda.

Tony Mantell, Superintendent from Clay Local School District, thanked OSFC for his project but expressed his concern about delays in bidding. The district was ready to go to bid in January. However, after the Washington-Nile bid opening, the CM asked the district to hold off going to bid to allow for a review of the bid estimates based on market conditions. Superintendent Mantell expressed his disappointment that the project did not go out in January and, now after additional value engineering, that the estimate increased based on another district's results. The Superintendent expressed his frustration and requested that the Commission consider a hardship loan if the bids come in over estimate. Superintendent Mantell also expressed his frustration with the bidding situation in Scioto County. Chair Sabety thanked the superintendent and stated that the Commission will be looking for results of the bid opening for Clay and the Commission is aware that there has historically been a difficult market in that area of the state. The public comment ended with Ryan Pendleton, Treasurer, and John Hall, Superintendent, who spoke in support of Commission approval of the trade contracts that were on the agenda for Barberton City Schools. Chair Sabety thanked Mr. Hall and Mr. Pendleton.

Chair Sabety acknowledged that she received Senator Cates letter regarding the testimony heard today from Washington-Niles, New Boston and Clay. She asked the Director to provide background information and stated that she will be responding to the Senator forthwith.

Executive Director Personal Service Contract Approvals: The Director has not approved any contracts using his authority under Resolution 10-22.

Lead Paint: Erik Roush briefed the Commission on EPA regulations that go into effect on April 22, 2010. Briefly, renovations on school buildings built prior to 1978 and that house children age 6 and under will require lead paint abatement.

Energy Generation: The Director informed the Commission that staff met with the Air Quality Development Authority and Department of Development staff to discuss resources for school districts that want to pursue energy generation projects.

CM Regional Meetings: Director Murray noted that the first of three regional meetings with the Construction Managers will be held on

Holgate: There will be a settlement agreement coming to the Commission with the architect on that project as a result of design issues related to air barriers.

Safe Routes to Schools: Melanie Drerup will once again be a judge for ODOT's grant program for school districts encouraging safe routes to schools.

Cincinnati: John Eufinger expressed his excitement for his new role at the Commission. He reported that OSFC has been named as a third-party defendant in a counter claim against Cincinnati Public Schools. The district is being challenged on a provision in a real estate purchase agreement that prohibited a building sold by the district from being used as a school facility. The claim against the Commission is to halt funding for Cincinnati Public Schools.

The Director concluded his report with the announcement that Elaine Barnes will be leaving the OSFC in April. We appreciate her work in building the LEED program for the Commission. Elaine has been a resourceful advocate and brilliant mind in regard to the green schools initiative.

School Energy Conservation Financing Program Approval

Mark Wantage presented the Cincinnati City SD (Hamilton), EHOVE Career Center (Erie), Fredericktown Local SD (Knox), Lakota Local SD (Butler), Polaris Career Center (Cuyahoga), and Wyoming City SD (Hamilton) requests to participate in the Energy Conservation Financing 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 10-30.

Cincinnati City School District (Hamilton County)

Total Project Cost: \$22,294,133

Interest Rate (Included in the Total Project Cost): 1.25%

Totaled Annual Savings: \$1,572,635

O&M Savings (Maximum Limit of 30%): \$27,195

O&M Savings is Percentage of Total Savings: 1.7 %

Payback Period (Maximum 15 Years): 14.9 years

Number of Buildings: 29

Vendor: GBBN

Scope of Work:

- Interior & Gym Lighting Retrofit
- New Lighting Controls
- Exterior Lighting Retrofit
- Building Envelope Improvements
- Windows Upgrades
- Geothermal System
- Building Controls Upgrades

- CO2 Monitoring
- Occupancy Sensors
- Kitchen Improvements

EHOVE Career Center (Erie County)

Total Project Cost: \$1,683,764

Interest Rate (Included in the Total Project Cost): 4.0%

Totalled Annual Savings: \$112,239

O&M Savings (Maximum Limit of 30%): \$0

O&M Savings is Percentage of Total Savings: 0%

Payback Period (Maximum 15 Years): 14.9 years

Number of Buildings : 6

Vendor: CCG Energy Solutions

Scope of Work:

- Building Automation Upgrades (6)
- Parameter Wall Foam Insulation and Calking (6)
- Main Gas and Electric Meter Upgrade
- New Sub Meters (6)
- New Upgraded 2000KVA Main Transformer
- Exterior Lighting Upgrade

Fredricktown School District (Knox County)

Total Project Cost: \$855,078

Interest Rate (Included in the Total Project Cost): 4.45%

Totalled Annual Savings: \$70,245

O&M Savings (Maximum Limit of 30%): \$15,536

O&M Savings is Percentage of Total Savings: 21.1%

Payback Period (Maximum 15 Years): 14.2 years

Number of Buildings : 2

Vendor: HEAT Total Energy Solutions

Scope of Work:

- Lighting Upgrades (2)
- Boiler Replacement (1)
- Building Controls Upgrades and Modifications (2)

Lakota Local School District (Butler County)

Total Project Cost: \$10,109,790

Interest Rate (Included in the Total Project Cost): 3.12 %

Totalled Annual Savings: \$674,017

O&M Savings (Maximum Limit of 30%): \$202,205

O&M Savings is Percentage of Total Savings: 30%

Payback Period (Maximum 15 Years): 14.9 years

Number of Buildings : 24

Vendor: Trane

Scope of Work:

- Interior Lighting Retrofit (21)
- Exterior Lighting Retrofit (22)
- New Boiler (7)

- New Chiller (3)
- New Unit Ventilators (5)
- New Rooftop AHU (5)
- Building Controls Upgrades (12)
- Mechanical Systems Upgrades (5)
- Plumbing Upgrades (12)
- New Pump VFDs (8)

Polaris Career Center (Cuyahoga County)

Total Project Cost: \$4,579,792

Interest Rate (Included in the Total Project Cost): 4.0%

Totaled Annual Savings: \$305,355

O&M Savings (Maximum Limit of 30%): \$57,000

O&M Savings is Percentage of Total Savings: 18.7%

Payback Period (Maximum 15 Years) 14.9 years

Number of Buildings : 1

Vendor: CCG, Inc

Scope of Work:

- New lighting
- Lighting Controls
- New Ceiling Grid
- Exterior Lighting Upgrades
- Occupancy Sensors
- Building Controls Upgrades
- New Boilers with Piping Upgrades
- New Fan Motor VFDs
- Various Mechanical Systems Repairs

Wyoming City School District (Hamilton County)

Total Project Cost: \$1,120,655

Interest Rate (Included in the Total Project Cost): 4.0%

Totaled Annual Savings: \$79,788

O&M Savings (Maximum Limit of 30%): \$21,900

O&M Savings is Percentage of Total Savings: 28.9%

Payback Period (Maximum 15 Years): 14.9 years

Number of Buildings : 4

Vendor: Trane

Scope of Work:

- Lighting Upgrades (4)
- New AHU (1)
- New Rooftop AHU (1)
- Unit Ventilator Replacement (1)
- Building Controls Upgrades (4)
- CO2 Demand Control (1)
- Dynamic Filtration (3)

Vice Chair Quill moved to approve Resolution 10-30.
 Dr. Puckett seconded the motion.
 Approval: Vote 3-0.

Expedited Local Partnership Program Master Facilities Plan and Project Agreement Approval

Steve Lutz presented Resolution 10-31, the Master Facilities Plan for Greene County Career Center (Greene), for Commission consideration.

School District (County)	Master Facilities Plan Scope	Project Budget
Greene County Career Center (Greene)	Renovations to house 11 through 12th grade career technical students.	\$17,462,688

Dr. Puckett moved to approve Resolution 10-31.
 Vice Chair Quill seconded the motion.
 Approval: Vote 3-0.

Mr. Lutz also presented Resolution 10-32, the VFAP ELPP Project Agreement, for Greene County Career Center (Greene) for Commission approval.

School District (County)	Discrete Portion	Project Budget
Greene County Career Center (Greene)	Partial renovations to Greene County Career Center to house 603 career technical students in grades 11 and 12.	\$6,180,410

Dr. Puckett asked how Resolution 10-32 related to Resolution 10-31. Mr. Lutz responded that Resolution 10-32 is for the discrete portion of the project and Resolution 10-31 is for the complete Master Facilities Plan.

Vice Chair Quill moved to approve Resolution 10-32.
 Dr. Puckett seconded the motion.
 Approval: Vote 3-0.

Mr. Lutz presented Resolution 10-33, the ELPP Project Agreement Amendment, for Indian Lake Local (Logan) for Commission approval.

School District (County)	Amendment	Discrete Portion Scope Change	Amendment Cost Change	Revised Project Budget
Indian Lake Local SD (Logan)	3	Addition of Indian Lake Middle School to the project, to replace the roof.	\$1,130,065	\$15,553,775

Vice Chair Quill moved to approve Resolution 10-33.
 Dr. Puckett seconded the motion.
 Approval: Vote 3-0.

Master Facilities Plan Amendments Approval

Steve Lutz presented Resolution 10-34 for amendments to the following Master Facilities Plans:

School District (County)	Previously Approved Scope	Modified Scope	Modified Budget	
Madison Local (Richland)	Segment One: Build one new PK through 8 facility to house grades PK through 8; allowance to abate and demolish Eastview, Madison South, Mifflin and Wooster Heights elementary schools and Madison Junior High School.	Segment One: Build one new elementary/middle school to house grades 5 through 8; allowance to abate and demolish Wooster Heights elementary school and Madison Junior High School.	\$11,126,656	State Share
			\$15,365,382	Local Share
			\$26,492,038	Total Project Budget
Norton City (Summit)	Segment One: Build one new elementary school to house grades PK through 3 and one new middle/high school to house grades 7 through 12 & Career Tech; allowance to abate and demolish Cornerstone and Grill elementary schools, Norton Primary School and Norton High School.	Segment One: Build one new High School to house grades 9 through 12 & Career Tech.	\$11,997,939	State Share
			\$19,575,586	Local Share
			\$31,573,525	Total Project Budget
Shelby City (Richland)	Segment One: Build one new elementary school to house grades K through 5 and one new high school to house grades 9 through 12; allowance to abate and demolish Auburn, Central, and Dowds elementary schools and Shelby Middle School.	Segment One: Build one new high school to house grades 9 through 12 & Career Tech; allowance to abate and demolish Shelby Middle School.	\$11,081,198	State Share
			\$11,081,197	Local Share
			\$22,162,395	Total Project Budget

Dr. Puckett moved to approve Resolution 10-34.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Mr. Lutz also presented Resolution 10-35 for amendments to the following Master Facilities Plan:

School District (County)	Recommended Modifications to the Master Facilities Plan	Modifications to the Project Budget	
Clay Local (Scioto)	<u>Amendment 1</u> Pursuant to Section 385.90 of Am. Sub. HB 1 of the 128th General Assembly, the recalculated percentile of 19% has been applied to the basic project cost to determine the revised local share. The district's original percentage was 20%	\$228,223	State Share
		(-\$228,223)	Local Share
		\$0	TOTAL
Valley Local (Scioto)	<u>Amendment 3</u> The project budget is insufficient for the design and construction work required to replace the high and elementary schools roof to adequate design and building code standards.	\$1,830,545	State Share
		\$447,713	Local Share
		\$2,278,258	TOTAL
Wellston City (Jackson)	<u>Amendment 4</u> The project budget is insufficient to correct masonry problems associated with design and construction work, as well as additional site work. The masonry design had issues with the vertical reinforcement layout, and detailing of joint layout. The main construction issues are missing vertical and horizontal reinforcement and grout.	\$1,146,610	State Share
		\$311,190	Local Share
		\$1,457,800	TOTAL

	Cost recovery from contractors in excess of \$1,100,000 was taken into consideration for Amendment 4 and will cover the local share of Amendments 3 and 4. Additional cost recovery is being pursued with the Architect and Construction Manager.		
Gibsonburg Exempted Village (Sandusky)	Amendment 2 The project budget is insufficient for the design and construction work required to build one new middle/high school to adequate design and building code standards due to sanitary sewer issues.	\$578,742	State Share
		\$135,764	Local Share
		\$714,506	TOTAL

Dr. Puckett moved to approve Resolution 10-35.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Corrective Action Grant Approval

Steve Lutz presented, for Commission approval, Resolution 10-36 for the award of a Corrective Action Grant to the Gibsonburg Exempted Village School District (Sandusky).

School District (County)	Recommended Scope	Grant Award
Gibsonburg Exempted Village (Sandusky)	Corrective Action Grant funding for local share of amendment, for sanitary sewer improvements project	\$135,764

Vice Chair Quill moved to approve Resolution 10-36.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Architectural Agreements and Amendments Approval

Steve Berezansky presented Resolution 10-37, 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
Cleveland Municipal School District - Seg 5	New John Marshall High School	Cleveland Educational Design Alliance	\$2,417,447.01
Cleveland Municipal School District - Seg 5	New Almira K-8 School	Robert P. Madison International, Inc.	\$749,780.28
Cleveland Municipal School District - Seg 5	Louisa May Alcott School	Irie Kynyk Goss Architects, Inc.	\$281,799.27
Cleveland Municipal School District - Seg 5	Cleveland School of the Arts	Moody Nolan, Inc.	\$1,552,536.87
Cleveland Municipal School District - Seg 5	New Miles School	Architectural Vision Group	\$749,780.28
Cleveland Municipal School District - Seg 5	New Paul L. Dunbar and Orchard School of Science	Ralph Tyler Companies	\$1,499,560.56
Columbus City School District - Segment 2c	Africentric Early College K-12	HKI Associates, Inc.	\$1,638,881.00
Columbus City School District - Segment 3	Language Immersion K-8	Machisa Design Services, Inc.	\$1,319,224.00

Findlay City School District	Build two new middle schools and one new career tech school	Garmann/Miller & Associates, Inc.	\$3,193,997.66
Orrville City School District	Renovations/addition/partial demolition to Orrville High School	Balog Steines Hendricks & Manchester Architects	\$1,026,970.57
Vanguard-Sentinel Joint Vocational School District	Renovations/addition to Vanguard Sentinel Joint Vocational School District	Fanning/Howey Associates, Inc.	\$1,904,713.50
Elgin Local School District	Build one new K-12 and abate and demo four existing buildings	Fanning/Howey Associates, Inc.	\$1,931,084.46

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 - Seg 3	Additional design scope	Moody Nolan, Inc.	\$2,079,715.00	\$125,350.00	\$2,205,065.00
Dayton City School District - Seg 3	Additional design scope	Dayton School Design Association, LLC	\$9,005,877.00	\$16,430.00	\$9,022,307.00
Dayton City School District - Seg 3	Demolition design	Dayton School Design Association, LLC	\$8,978,268.00	\$8,976.00	\$8,987,244.00
Mount Healthy City School District	Energy modeling and LEED	SHP Leading Design	\$4,610,911.00	\$162,500.00	\$4,773,411.00
South Range Local School District	Additional design scope	Balog Steines Hendricks & Manchester Architects	\$2,092,520.88	\$18,950.00	\$2,111,470.88

Whereas, the school district board 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
Orrville City School District	Auditorium renovation	Balog Steines Hendricks & Manchester Architects	\$43,940.64
Findlay City School District	Additional square footage, terrazzo, geothermal and metal roof	Garmann/Miller & Associates, Inc.	\$752,075.42
South Range Local School District	Auditorium and selected site improvements	Balog Steines Hendricks & Manchester Architects	\$70,631.00
Columbus City Schools - Seg 3	Athletics fields	Moody Nolan, Inc.	\$220,779.32
Columbus City Schools - Seg 2c	Auditorium and site study allowance	HKI Associates, Inc.	\$329,861.00
Vanguard-Sentinel JT VOC SD	Additional square footage at administration building	Fanning/Howey Associates, Inc.	\$135,185.10
Mount Healthy City School District	Design changes, emergency generator and two classrooms	SHP Leading Design	\$69,120.00

Dr. Puckett moved to approve Resolution 10-37.
 Chair Sabety seconded the motion.
 Approval: Vote 3-0.

Construction Manager Agreements and Amendments Approval

Steve Berezansky presented Resolution 10-38 for the following Construction Manager agreements for Commission approval:

School District	County	CM Firm	Total CM Compensation
Columbus Grove Local School District	Putnam	Richard L. Bowen + Associates Inc.	\$1,391,511

Vice Chair Quill moved to approve Resolution 10-38.
 Dr. Puckett seconded the motion.
 Approval: Vote 3-0.

Mr. Berezansky also presented Resolution 10-39 for the following amendments to the agreements for Construction Management Services:

School District	County	Construction Manager	Amount
Graham Local School District	Champaign	The Quandel Group, Inc.	\$35,836
Cleveland Municipal School District - Seg 4	Cuyahoga	OHG Joint Venture	\$348,570
Painesville City School District	Lake	Scaparotti Construction Company	\$344,241

Dr. Puckett moved to approve Resolution 10-39.
 Vice Chair Quill seconded the motion.
 Approval: Vote 3-0.

Mr. Berezansky also presented Resolution 10-40 for the following Locally Funded Initiative amendments to the agreements for Construction Management Services:

School District	County	Construction Manager	Amount
South Range Local SD	Mahoning	Hammond Construction	\$62,324
Akron City SD - Seg 2	Summit	The Ruhlin Company	\$9,453
Jefferson Area Local SD	Ashtabula	Richard L. Bowen + Associates Inc.	\$152,821

Vice Chair Quill moved to approve Resolution 10-26.
 Dr. Puckett seconded the motion.
 Approval: Vote 3-0.

Trade Construction Contracts Approval

Mike Mendenhall presented Resolution 10-41 to amend a trade contract:

	Contracting Entity	School District	Building	Scope of Work	\$ Amount
1	The K Company, Inc.	Akron CSD	McBright Community Learning Center	Mech/HVAC/Geothermal	\$1,488,000.00
2	RNL Fire Systems, LLC	Akron CSD	McBright Community Learning Center	Sprinkler System	\$89,000.00
3	Duer Construction Co., Inc.	Akron CSD	McBright Community Learning Center	Masonry & Foundations	\$1,078,055.00
4	J. W. Didado Electric, Inc.	Akron CSD	McBright Community Learning Center	Electrical/Fire Alarm/Technology	\$1,339,000.00
5	Feinman Mechanical, Inc.	Akron CSD	McBright Community Learning Center	Plumbing	\$389,637.00
6	Continental Office Furniture Corp.	Akron CSD	McBright Community Learning Center	Classroom/Office/Specialty	\$275,910.02
7	Mr. Excavator, Inc. * * *	Akron CSD	McBright Community Learning Center	Site work	\$673,216.93
8	The Albert M. Higley Company * * *	Barberton CSD	MS	General Trades	\$11,826,500.00
9	Peterson Construction Company	Dayton CSD	Eastmont Park PK-8	General Trades	\$6,184,000.00

10	Hamilton Hunter Builders, Inc.	Edgerton LSD	PK - 8	General Trades	\$4,793,728.00
11	Woolace Electric	Edgerton LSD	PK - 8	Electrical	\$1,073,263.00
12	Stark's Inc.	Edgerton LSD	PK - 8	Plumbing	\$289,600.00
13	Vulcan Enterprises, Inc.	Edgerton LSD	PK - 8	Fire Protection	\$80,308.00
14	Vaughn Industries, LLC	Edgerton LSD	PK - 8	HVAC	\$1,430,000.00
15	Continental Office Environments	Gallipolis CSD	3 ES's	Loose Furnishings	\$59,073.91
16	Easton Leasing, Inc.	Geneva Area CSD	Austinburg ES	Building Pad Site	\$377,900.00
17	Doan/Pyramid	Maple Heights CSD	MS	Electrical	\$2,350,601.00
18	Reliance Mechanical	Maple Heights CSD	MS	HVAC	\$2,996,000.00
19	Reliance Mechanical	Maple Heights CSD	MS	Plumbing	\$981,700.00
20	Giambone Construction, Inc.	Maple Heights CSD	Abraham Lincoln School of Early Learning	Electrical	\$1,042,700.00
21	ABC Piping, Co., Inc.	Maple Heights CSD	Abraham Lincoln School of Early Learning	Fire Protection	\$138,800.00
22	Simplex Grinnell	Maple Heights CSD	MS	Fire Protection	\$270,930.00
23	CRS Metalworx, Inc.	Maple Heights CSD	Abraham Lincoln School of Early Learning	HVAC	\$1,768,000.00
24	The John F. Gallagher Company	Maple Heights CSD	Abraham Lincoln School of Early Learning	Plumbing	\$562,440.00
25	Platform Cement, Inc.	Maple Heights CSD	2ES	Site Work	\$2,574,750.00
26	John F. Gallagher, Co.	Maple Heights CSD	2 ES	Plumbing	\$1,005,940.00
27	The Albert M. Higley, Co.	Maple Heights CSD	MS	General Trades	\$5,471,000.00
28	F. B. Katz, Inc.	Maple Heights CSD	2 ES	HVAC	\$3,303,000.00
29	Zenith Systems, LLC * * *	Maple Heights CSD	2 ES	Electrical	\$2,662,045.00
30	Platform Cement, Inc.	Maple Heights CSD	MS	Site Work	\$1,247,500.00
31	Saturn Electric, Inc.	Milton-Union EVSD	PK - 12	Electrical	\$54,600.00
32	Chapel-Romanoff Technologies, LLC * * *	Newton LSD	K - 12	Video, Sound Systems and Clocks	\$499,415.00
33	SecurCom, Inc.	Newton LSD	K - 12	Security, Intrusion Detection and CCTV	\$97,300.00
34	Timberland Landscaping Inc., dba Stonecreek Landscaping Company	North College Hill CSD	ES	Landscaping	\$24,400.00
35	Beacon Electric Company dba Beacon Technologies	North College Hill CSD	ES, MS/HS	Technology	\$862,100.00
	Lowest Responsible, Second Low Bidder * * *	h College Hill CSD	ES, MS/HS	Academic Furniture Loose Furnishings	\$541,190.00
37	Century Construction, Inc.	North College Hill CSD	ES, MS/HS	Natural Gas Systems	\$41,631.00
38	Loth, Inc.	North College Hill CSD	ES, MS/HS	Student Desk (AD1) Loose Furnishing	\$259,642.00
39	Perkins Carmack Construction	North College Hill CSD	ES	Miscellaneous General Trades	\$540,500.00
40	Continental Office Furniture, Corp.	North College Hill CSD	ES, MS/HS	Furniture	\$521,010.00
41	PK Mechanical, Inc.	Olmsted Falls CSD	MS	HVAC	\$1,171,800.00
42	Miller Contracting Group, Inc.	Ottawa-Glandorf LSD	Ottawa K-8, Glandorf K-8	Early Site Work	\$309,500.00
43	Cardinal Environmental Services, Inc.	Painesville CSD	Old Harvey HS	Abatement	\$376,490.00
44	SoundCom Systems	Painesville CSD	New Harvey HS	Auditorium AV Systems	\$248,880.00
45	Valley Electrical Consolidated, Inc.	Ravenna CSD	Ravenna HS	Network Electronics Instructional Delivery System	\$426,972.00
46	T. B. Penick & Sons	Reynoldsburg CSD	ES, HS	Site Hardscape	\$889,000.00
47	Peabody Landscaping Group	Reynoldsburg CSD	ES, HS	Site Softscope	\$179,000.00
48	Wasserstrom Company	Ross LSD	Elda ES	Freezer/Cooler	\$34,719.00
49	Continental Office Furniture Corp.	Southington LSD	Southington K -12	Furniture, Fixtures, and Equipment	\$645,994.45
50	Woods Construction, Inc.	Toledo CSD	Riverside ES	Flooring	\$156,450.00
51	Big Trees, Inc.	Toledo CSD	Walbridge ES	Landscaping and Grass	\$37,900.00
52	Schoen, Inc.	Toledo CSD	Ottawa River MS	Asphalt	\$78,250.00
53	Woods Construction, Inc.	Toledo CSD	Ottawa River MS	Flooring	\$78,915.00
54	Crestline Paving & Excavating Co., Inc.	Toledo CSD	Ottawa River MS	Landscaping and Grasses	\$23,000.00
55	OCP Contractors, Inc.	Toledo CSD	Walbridge ES	Flooring	\$129,100.00
56	OCP Contractors, Inc.	Toledo CSD	Ottawa River MS	Acoustical Ceilings	\$64,640.00
57	U. S. General, Inc.	Toledo CSD	Riverside ES	Painting	\$81,716.00
58	Crestline Paving & Excavating Co., Inc.	Toledo CSD	Riverside ES	Asphalt	\$99,731.00
59	Stenco Construction Company, LLC	Toledo CSD	Riverside ES	Metal Studs and Drywall	\$165,585.00
60	Stenco Construction Company, LLC	Toledo CSD	Riverside ES	Acoustical Ceilings	\$87,466.00
61	Schoen, Inc.	Toledo CSD	Old Orchard ES	Asphalt	\$63,000.00

62	B. Williams Bucher, Inc.	Toledo CSD	Ottawa River MS	Painting	\$25,989.00
63	Geddis Paving & Excavating, Inc	Toledo CSD	Birmingham K - 8	Asphalt	\$87,117.00
64	OCP Contractors, Inc.	Toledo CSD	Birmingham K - 8	Flooring	\$251,340.00
65	Stenco Construction Company, LLC	Toledo CSD	Birmingham K - 8	Acoustical Ceilings	\$94,915.00
66	Stenco Construction Company, LLC	Toledo CSD	Birmingham K - 8	Metal Studs and Drywall	\$112,900.00
67	Big Trees, Inc.	Toledo CSD	Riverside ES	Landscaping	\$48,600.00
68	Schoen, Inc.	Toledo CSD	Walbridge ES	Asphalt	\$61,150.00
69	Border Fire Protection, Inc.	Toledo CSD	Walbridge ES	Fire Protection	\$74,000.00
70	Laibe Electric, Co.	Toledo CSD	Riverside ES	Technology	\$549,711.00
71	Mr. Excavator	Toledo CSD	Ottawa River MS	Site Work	\$284,000.00
72	Dimech Services, Inc.	Toledo CSD	Birmingham K - 8	HVAC	\$1,330,000.00
73	OCP Contractors, Inc.	Toledo CSD	Old Orchard ES	Acoustical Ceilings	\$57,900.00
74	Transtar Electric	Toledo CSD	Old Orchard ES	Technology	\$484,800.00
75	Accel Fire Systems, Inc.	Toledo CSD	Ottawa River MS 6 - 8	Fire Protection	\$39,495.00
76	V M Systems, Inc.	Toledo CSD	Old Orchard ES	HVAC	\$963,360.00
77	U. S. General, Inc.	Toledo CSD	Walbridge ES	Painting	\$53,000.00
78	Transtar Electric	Toledo CSD	Walbridge ES	Technology	\$444,400.00
79	Transtar Electric	Toledo CSD	Birmingham K - 8	Technology	\$569,000.00
80	S. A. Comunale Company, Inc.	Toledo CSD	Old Orchard ES	Fire Protection	\$69,700.00
81	OCP Contractors, Inc.	Toledo CSD	Old Orchard ES	Painting	\$49,490.00
82	Lakeside Interior Contractors, Inc.	Toledo CSD	Old Orchard ES	Metal Studs and Drywall	\$141,000.00
83	Lakeside Interior Contractors, Inc.	Toledo CSD	Old Orchard ES	Flooring	\$150,760.00
84	Transtar Electric	Toledo CSD	Ottawa River MS	Technology	\$218,000.00
85	Continental Office Furniture Corp.	Wapakoneta CSD	ES, MS, HS	Furniture A Desks/Chairs	\$244,630.00
86	Southeast Security Corporation	Wapakoneta CSD	ES, MS, HS	Network Electronics	\$872,506.00
87	Southeast Security Corporation	Wapakoneta CSD	ES, MS, HS	Telephone System	\$102,421.00
88	NuWave Technology, Inc.	Wapakoneta CSD	ES, MS, HS	Security Camera	\$199,900.00
89	Chapel-Romanoff Technologies	Wapakoneta CSD	ES, MS, HS	Video	\$1,392,000.00
90	STAT Communications * * *	Whitehall CSD	3ES, MS	Technology; Voice & Data	\$1,023,000.00

\$76,607,578.31

Lowest Responsible, Second Low Bidder * * *

Dr. Puckett moved to approve Resolution 10-41.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Settlement Agreement Approval

Jim Rook presented Resolution 10-42 for Commission approval for the following settlement agreement:

District: Youngstown City School District (Mahoning County)
Project Scope: New High School
Architect: Balog, Steines, Hendricks & Manchester Architects
Construction Manager: Heery/AMEC/G. Stephens
Contractor: Valley Electrical Consolidated, Inc.

Summary: Valley was the successful bidder for the electrical work on Youngstown's new East High School. During the course of the project certain delays were claimed by Valley for which it asserted it was entitled to compensation in the amount of approximately \$1,500,000. Although

owners disputed the amount of Valley's claimed damages and asserted a counterclaim for Valley's defective work, the owners did acknowledge that Valley was entitled to some compensation even after allowance for the counterclaim. During the course of litigation, the parties agreed to mediate the dispute and agreed upon \$388,645.00 as the amount to be paid to the Contractor as an equitable adjustment to the contract. In addition, the Contractor will be paid its contract balance of \$74,600, retainage of \$46,111, unpaid field orders of \$72,177.

Vice Chair Quill moved to approve Resolution 10-42.

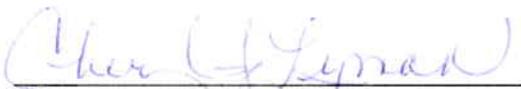
Dr. Puckett seconded the motion.

Approval: Vote 3-0.

The meeting was adjourned at 3:30 PM.



J. Pari Sabety, Chair



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