

Ohio School Facilities Commission
June 24, 2010
William McKinley Room
1:30 PM

MINUTES

Chair Sabety called the meeting to order at 1:27 PM.

Roll Call

Members present: Chair Sabety, Vice Chair Quill, Sara Spence for Senator Cates, Representative Jordan (arrived at 1:33 PM) and Representative Patten (arrived at 1:35 PM).

Adoption of the May 25, 2010 Meeting Minutes

Vice Chair Quill moved to approve the May 25, 2010 meeting minutes.
Chair Sabety seconded the motion.
Approval: Vote 2-0.

Executive Director's Report

1. Lake Local SD

Director Murray mentioned that a massive destructive tornado did great damage to one of the public school buildings in Lake Township in Wood County in the village of Millbury. Since then, the school district and the superintendent, Jim Whitt, have had much to think about. We don't want to diminish that there were five deaths that day and ultimately six deaths attributed to this tornado. Director Murray commented that he has invited Superintendent Whitt here today to discuss how we can work together. Director Murray mentioned that there are images of the damage on the screen and he also asked Wayne Coleman to hold up an enlarged image of the damage to the school. He commented that he, Erik Roush and Wayne Colman went up to visit the school on Friday June 11 and they met with US Senator Brown, US Representative Latta and State Senator Wagoner and State Representative Gardner and talked about how the community and the state can put their thoughts and programs together to assist the school district in getting back on its feet. Director Murray introduced Superintendent Jim Whitt from Lake Local SD to the Commission and asked him to address the Commission and the public about the damage to the school.

Superintendent Whitt thanked the Commission for the opportunity to address them. He commented that life in the school district and the community has change in the last 18 days. It has changed in a manner that is going to be permanent. He mentioned that they did lose six of their community members due to the storm, and there was a significant amount of damage to the community. In the interim, they district has had a lot of help from a lot of people. They had commencement at Owens Community College, which was scheduled 14 hours after the tornado hit. They also found a space at Owens Community College to house the high school kids for next year. It is a 53,200 square foot building as opposed to the 120,000 square foot

high school. He commented that there are going to be challenges with this facility but they are going to make it work because the kids and the community deserve it. The process has begun of renovating the middle and elementary schools, which sustained a little bit of damage. The district is looking at different options on what is needed to be done to get the high school up and running as soon as possible because the district feels that this is a very unique situation in that a natural disaster devastated the school and the community and that the longer the kids are away from their comfort zone of that campus setting, the more it may affect them in a number of ways. He mentioned that his main reason for being here is to ask the Commission to consider this to be “an urgent necessity” and speed the process up because the district does not feel like it has the necessary time needed to go through the process as it stands currently given the situation. The district has looked into the law and it understands that it does provide for situations like this and he asks that the Commission takes a look at that and gives it some thought. He mentioned that the district has dealt with Wayne Coleman extensively and he has been very informative and the district appreciated all the help he has given. He thanked the Commission for their time.

Chari Sabety commented that on behalf of this administration, they are working very hard to try and bring as much assistance as possible to the school district. This has been a very sudden issue for the district to face. In terms of the OSFC, she knows that Director Murray has been keeping the Commission members updated regularly on his conversations with Superintendent Whitt. Chair Sabety mentioned that she had some questions around the insurance issue; they are awaiting an assessment from the insurance and the role the insurance coverage will play versus other sources of assistance. She asked Superintendent Whitt if he know when he will know more about the insurance situation.

Superintendent Whit commented that he does not have a sense of the situation with the insurance. The district is in the process of hiring a public adjuster to assist with the process. The insurance company still maintains that possibly 30% of the building could be saved, but he does not think that will be the final verdict. However, he does not know when the final decision will be made, and the construction company assured him that this is normal. As soon as that situation is resolved, he will be sure to pass that along to the Commission.

Chair Sabety thanked Superintendent Whit for coming to speak to the Commission. The members understand the extreme circumstances the district is in and they are going to do everything they can to provide assistance to them.

Director Murray mentioned that Wayne Colman is the OSFC’s planning representative for this school district, and he and Superintendent Whit are going to be joined at the hip as they move forward.

Wayne Coleman stated that the Superintendent has covered that territory and effectively what they have done is just provided him the means of OSFC’s programs. There are many things left unanswered right now, so it is going to take time to get all of this put together. The meetings that he and the school district have had discussing the Exceptional Needs Program and Emergency Assistance Program, are all valuable and we just need to know what the next step is, such as the local share and how much insurance pays off. Mr. Coleman assured the

Commission that this community is very effective in coming together and moving forward and they want to take action and it is probably more of a lesson in patience right now.

2. Streetsboro City SD

Director Murray commented that the High School had a fire in the gymnasium; and the OSFC is working with the school district to figure things out. There was extensive damage to the gymnasium, which was the site of the fire. The OSFC is not sure if there is going to be an engineering study to determine the how extensive the structural damage to the gymnasium is. It is clear that there has been some structural damage to part of the gymnasium, how extensive that is will depend upon whether it can be repaired or rebuilt. There also was smoke damage throughout the building, which is also being addressed through filtering and painting.

3. Answers from May -- Eric Bode

Director Murray mentioned that at last month's Commission Meeting, some of the members had questions about the Specialty Contracts and that Eric Bode will address the Commission Members' questions.

Mr. Bode commented that last month he presented the Specialty Contracts for Commission approval. While they were approved, there were some questions from the Commission members regarding a few of the Specialty Contracts. One question was regarding the accuracy of enrollment projections. He commented that there is chart depicting the accuracy of those projections in the members' information packets. The second question had to do with "not to exceed contracts." Director Quill had noticed that a few of the numbers were "round numbers" for the contracts that were for \$100,000 or \$200,000. Mr. Bode mentioned that he explained that the numbers are "round" because they are only paid per assignment rather than the total amount. He commented that there is a chart in the members' information packet the shows all the Specialty Contracts the OSFC has had for the last two years and it also shows how much the OSFC has paid out from them. The third question was regarding contracts with auditing firms and agreed-upon procedure audits for the OSFC's school district partners and whether the auditor of state had approved this or not. They had previously approved this when the OSFC had requested the Auditor to look into it, but this time the OSFC had not actually gone to them and gotten reapproved. The OSFC has since talked to the Auditor of State and received their written approval. Mr. Bode mentioned that the letter is in the Commission members' information packet as well.

4. Furniture Procurement

Director Murray commented that he spoke to the Commission at the last meeting about this issue. In his Director's Report packet, he has a final version of the memo that was sent out to OSFC staff, Constructions Managers and Architectural Design staff about furniture procurement. He mentioned that he met with some of Architectural Design staff several weeks ago and they discussed what their understandings were relative to specification for furniture and the bidding process. Director Murray commented that OSFC would like greater transparency when specifications are designed and one way to do this, is to bring them to Core Meetings. He went on to say that the specifications need to be discussed with the Core Team in order to make sure that OSFC receives the bid tabulation for furniture when the bids are made. OSFC will also take a look at single bids if and when it appears that competition is not operating. OSFC is going to make sure that the specifications for the furniture are not specified

in a way that limits competition or limits the number of vendors who could respond to them. Director Murray mentioned that the OSFC also has said that it will continue to look at loose furnishings for state term pricing. We did not view that as a way to get to hundreds of thousands of dollars of loose furnishing procurement through state term pricing, but there were specialty items and limited amounts of items that we would look. He stated that OSFC views state term purchasing as a legitimate legal method of procurement, but in almost all instances where we have compared state term prices with competitive bidding, competitive bidding has been the better way to go because it has reduced our costs. Lastly, OSFC said it would submit loose furnishing product specifications to site selective and random review by a firm that is disinterested in order to serve as a check and balance for the process. The OSFC is not prepared or equipped to know when these specifications are attempting to limit competition, so this just says to the architects and the interior designers that the OSFC will at times will be looking over your shoulder; OSFC cannot always know if there is any limiting factor here to attempt to sole-source or dictate the outcome of the purchase to a particular type of furniture. Director Murray commented that the Interior Designers led OSFC to a conclusion that we do not think that every vendor is going to be able to bid winner-take-all kinds sized packages. Rather than putting arbitrary dollar figures on them, that certain packages should be limited to \$500,000 or less, they suggest that the types of furnishing should be separated out, such as loose furnishing, kitchen equipment, etc. He mentioned that we are getting some understanding that we want to be sure that there is competition among the bidders, that specifications are not used to limit that competition or pre-ordain the outcome. So OSFC will work forward from now to see if essential agreement and understanding in the community about what OSFC expectations are.

Representative Jordan asked if we have gotten a list of all the single bid projects that have happened in the last two to three years, because he has a few other legislators have request that same information before and he still waiting on getting that information about single source bids.

Erik Roush commented that we do have the list of single source bids and that Rep. Jordan had asked for the actual Interior Designers as well. We are waiting to get that particular piece of information in. He commented that he would be more than happy to send to Rep. Jordan the current list of single source bids and then follow up as a supplemental with the names of those interior designers on those projects. Those have been given to the other legislators at their request, so he was trying to compile all the information for one request for you but he would be more than happy to split it in two.

Representative Jordan commented that as a county commissioner, he always liked to bid out a project and have five, six, seven bids. However, when you get calls a couple days before the bid is accepted and the exact outcome that was predicted comes true, for example that it is going to the 9.9% above the recommended bid price and that is exactly what happens; he believes it is necessary to look at how we bid these out. He mentioned that we need to make sure we get competitive bids because my tax payers' money is at stake as well everyone in the state.

Director Murray commented that what Rep. Jordan discussed is exactly the intent here.

Chair Sabety asked if this is a change in OSFC policy; previously these furniture bids had been done locally, but it never had undergone this level of scrutiny by the Commission.

Director Murray commented that is correct; OSFC was not always sure that it was touching all the bids or that the Commission understood all of the specifications.

Chair Sabety asked in terms of the whole amount of money or dollar volume that OSFC puts out for contracts or procurements, what percentage are furniture procurements.

Director Murray stated that it is three to five percent.

5. Cincinnati Lawsuit Update

Director Murray commented that at the last Commission Meeting, Mr. Eufinger and Ms. Corn talked about a lawsuit in Hamilton County dealing with the issue of Cincinnati Public Schools placing a deed restriction on the use of a school building that they sold.

John Eufinger stated that there are two lawsuits in Cincinnati; one OSFC is a part of and one OSFC is not. As he and Ms. Corn reported at the last meeting, there was a combined motion hearing. The first lawsuit was filed by the Cincinnati Public Schools (CPS) against Dr. Connors and his wife, who were the purchasers of the Roosevelt School at an auction. As a result of that sale and as part of that sale, the deed contained a restriction, placed on it by CPS, that the facilities were not to be used for educational purposes. Subsequent to the closing of that sale, Dr. Connors decided to open a school in that facility and the City of Cincinnati and CPS filed suit to enforce that deed restriction. Following that lawsuit, another lawsuit was filed and the plaintiffs were Dr. Connors as a taxpayer and the Ohio Coalition for Quality Education. They sued CPS and OSFC basically to enjoin CPS to comply with requirements of 3313.41 of the Revised Code relative to the disposition of schools and also to enjoin OSFC to cut off funding to CPS until they would come into compliance with the requirements under 3314.41 ORC. Mr. Eufinger commented that two days after the last Commission Meeting, he and Ms. Corn traveled to Cincinnati and attended a hearing. At the hearing, the judge (who was hearing motions in both cases because they were combined) granted them a motion, saying that the subject deed restriction is void by public policy. So, the judge decided in favor of the defendants and that case is technically done. The question then came up about the second lawsuit and there was also a motion on that case to dismiss the plaintiffs as not having appropriate standing to pursue the matter. The judge ruled against that motion and that case is still active. However, the judge then took the second step of saying in discussion with counsel, that given the fact that he expected an appeal of the first decision in the case, that he was going to basically put the second case, the OSFC case, on the back burner to await the outcome of that appeal. Mr. Eufinger noted that the notice of appeal has been filed along with a motion to stay the clerk's decision. A memorandum in opposition to that request for stay of the court's order has been filed on Dr. Connors. It is his understanding that on July 27, 2010 there will be a telephonic status hearing between counsel in this case, to determine whether the court is going to move forward to see what is going on with the appeal. As it stands, the court has indicated the desire to see the outcome of this appeal before any further steps are taken on the second case.

Representative Jordan mentioned that he has brought up a little prior to the decision of the case saying OSFC needs to look at continued funding for CPS. He commented that you do not reward people for breaking the law and he thinks that we needed to take a look at it if they were indeed not following the law and address that and make some clarifications either in the law or the administrative code that what is considered suitable or useable classroom space. He commented that that is a policy that we should take a look at, in terms of what is suitable or useable classroom space. It was something very straightforward to him when he looked at the law, and while he is not attorney, it seemed very clear when we wrote the law in the Ohio General Assembly, it said that the first option is to offer it to other education facilities or schools in order to use it for classroom space.

Mr. Eufinger noted that it appeared that Cincinnati has taken a very hard line in this matter and basically their decision was that the building was not suitable for use as classroom and he assumes that is what they are hanging their defense on. He commented that it is interesting because Dr. Connors intends to use it for classroom space, but part of the difficulty is that OSFC is not an investigative agency; it is not equipped to go out and make these kinds of determinations. In this particular case, the very question is the one that is before the court and it is his advice for the Director to wait for judicial direction in that matter. Mr. Eufinger stated that if the court holds that they violated the injunction against CPS, they would be enjoined to follow the law in the future. Our problem is that if they are not following the law, then OSFC is not supposed to provide any further funding. However, that is the very center of that lawsuit and it would be inappropriate for us to leap ahead and decide the court's position on that.

Representative Jordan asked if there is a way that we could put out there, through administrative rule, to let the market determine whether it is suitable for an educational purpose. If you are going to bid on a piece of property, intending to use it for educational purposes, then it is suitable for an educational purpose and you should not allow a competitor to determine not to offer it for that use. He commented that they owe it to their taxpayers who built that building and maintained that building for years, to get the best return on that and hopefully keep it for its intended original use.

Mr. Eufinger commented that Roosevelt School was a 2 acre site, 29,566 square feet for two buildings, and they sold it for \$30,000 or \$35,000. One of the things, too, that when he looked at the assessment that had been done of that school as part of OSFC's due diligence and what we do in order to put together a master plan, there was a figure that seems to be about \$700,000 or \$800,000 for hazardous waste removal. He mentioned that is all that is going to be part of what is going to be thrown on the table here in front of the judge. What is suitable for use as classroom space is very much an issue. These types of issues need to be determined at a level before it gets to us and we really are not equipped to investigate that sort of thing.

Chari Sabety stated that she wants to be very clear about the role, if any, of the OSFC. This was a decision taken by the Cincinnati School Board and the OSFC's only here is what; that there is a desire that OSFC no longer funds the project and retribution for the action of the school board?

Mr. Eufinger stated that very specifically our project agreements are governed by 3318.08 of the Revised Code. Under subdivision (U) of that, it says that we must, as the Commission,

include a provision stipulation for continued release of project funds, the school district board shall comply with section 3313.41, of the Revised Code throughout the project and shall notify the Department of Education and the Ohio Community School Association when the board plans to dispose of a facility or sell. One thing to note is that OSFC is not in the last of people to be notified when they are selling. OSFC does not even know about this until presumably something, like this, is brought to our attention.

6. Cleveland School Demo/ Community School Offers

Director Murray stated that this involves a letter that Senator Carey has written on the issue of when school districts dispose of public school building that they no longer use. Senator Carey pointed out a recent article in the Plain Dealer, which talked about the Cleveland Metropolitan School District demolishing 25 of their current school buildings. He commented that it would be his suggestion the OSFC intends to communicate with CMSD and say that OSFC has a role to, if there is an allegation or you improperly dispose or demolish these buildings before following through with your statutory obligations, OSFC would have to take the appropriate action. As partners here, let us work together to make sure that does not happen and so we know that we are on the same page. He mentioned that they have a due process mechanism to decide when they are going to demolish and when they are no longer suitable. They certainly can demolish when they are rebuilding on the same site. But, we will take a look at that and we want to make sure that we get informed after the fact.

7. New Boston

Director Murray commented that Chad Miller is going to discuss the process that we are about to undergo there in several weeks. We are essentially in Design Phase, \$2 million over the design budget and he suggested to Superintendent Staggs in a phone call last week, in which the superintendent was in agreement, that we needed to get all the parties in the room and use one of the OSFC neutral facilitators to attempt to resolve how we get back to budget on this project, at least to understand why we are where we are, why we are over budget. He went on to say that he encouraged Supt. Staggs to bring his school board members to the meeting as well and spend a long day as these issues are figured out.

Chad Miller commented that currently, we are between the DD and CD phase of the project. The design is currently over budget, but we are developing a list of design items that can be evaluated and possibly changed within the design in order to bring the costs down to alleviate the situation.

Director Murray asked Mr. Miller to discuss the process as to who would be in the room and what that process of facilitation might look like.

Mr. Miller stated that we would have the neutral facilitator, the architect, the construction manager and the school district and they would go through the individual issues and try to make some decisions about individual items.

Chair Sabety asked what CD and DD stands for.

Mr. Miller commented that DD is the Design Development Phase, which means the design would be about 50% complete. The CD Phase is when the design process is 100% complete.

Chair Sabety stated that we are partially through the design phase, so there is room to move amongst these people in the room. She asked Mr. Miller if this is an ongoing process that OSFC often or occasionally undertakes as part of the process we use to come to an agreement with districts about their design and the cost of the facilities that we are building.

Mr. Miller stated that is correct; standard construction practice has been completed on all our projects.

Director Murray commented that as we approached the last Commission Meeting, the issue of this district and its project was addressed. We had met with the school district and had reviewed the Stantec study of the location of the floodway and the flood zone. It then went further to the civil engineer for the project, Howerton, who had done an earlier floodway study which was at odds with the FEMA designation of the floodway. Based upon the FEMA data, the design of the building sat in the floodway. There was a process to reconcile the two different floodways, and Howerton presented their data to FEMA and they accepted the Howerton floodway designation, which essentially leaves the building out of the floodway. However, there is still the issue of what Mr. Lutz has identified as moving the building in such a way to put it further from the wall, which would lessen the need for the wall, the height of the wall and, ultimately, lessening the cost. He commented that is still in their consideration to look at his suggestions for segmenting the building to allow it to move away from the existing design of the wall. He went on to say that this is a very difficult site and that when this project started in December of 2008, the staff had concerns about whether or not this was a buildable site and it has taken some time to figure things out. Director Murray read from a May 1, 2009 letter from dck Worldwide that talked about this site and its challenges. In the letter, they talked about two ways to build on this site but were rejected because of the costs and time involvement. They end up by saying, due to the site location, the layout and existing soil conditions, the cost and risk associated with building on this site are substantial. The letter provides the data to allow the school district, the OSFC and the designers to make an informed decision the best solutions to building on the proposed site. It begins by saying that the subsurface investigation by PSI discovered that there had been a small pond lake on the site that had backfilled about 50 years earlier and during the backfilling, and very loose and non-consolidated soils were encountered by the boring options that were done. In short, there are subsurface conditions that we are not fully aware of but we know to some extent that we are going to find soils that are unsuitable to support and therefore we are going to need a support system on that building. He pointed out that back in September, just before he started, the Geotech reports that were underway said that they were unable to give a solid answer as to the nature and the extent to the use of a retaining wall. So it was not until October that we were aware that there were two retaining wall options: one came in at about \$1.7 million and the other was about \$1.4 million. The cost raised issues about whether this site and its design could be reconfigured to lessen those costs. Ultimately, the designers were stuck between a floodway and a hillside; to move the building further into the hillside was very expensive because of the great excavation of dirt and soil and because of reinforcing the hillside to be stable. Director Murray commented that there are many issues with the site but we have essentially agreed to move on. Part of the \$2 million of the project now involves the design with some the expense of building on this site and the need to support this building. The budget estimate back in 2009 was coming in \$2 or \$3 million overestimate. The school district, however, said they would

support some of the costs, but we now know that the school district does not have the resources to support some of the costs; they were LFIs and they it is now beyond the district and its taxpayers ability to support it. He mentioned that we need to get everyone into the room and deal with these matters and come out with good faith efforts to get back to budget and to move forward with the construction phase. This can be done by good faith and a lot of hard work because there are a lot of tough things to resolve, but we continue to have the commitment to move ahead and do this. Director Murray commented there was an article in the Dispatch on Sunday that talked about his presence down there in November. The school board president invited him to the district to discuss what the need for the retaining wall and the costs for it and that we were going to do an independent study, which Burgess and Niple did. He was also there to discuss OSFC policy relative to Project Labor Agreements and tell the school board that it was certainly within in their policy purview and range to determine whether they wanted a PLA or not. He stated that unfortunately, his words were interpreted to mean that he was attempting to trade away the considerable concern over the site for the school district's passage of a PLA. He commented that at the meeting in March, in response to that claim, that was not in his intent and there was no quid pro quo; what he said was, and he was quoted correctly but out of context, that if you pass the PLA, we will make it work- meaning that we would make the PLA work if they chose to go that route. Director Murray commented that it was not his intent to go down there to trade off very considerable concerns of the site and also it was not his intent to go down there and use OSFC's policy to trade off an outcome which was the school board's decision. Within two or three weeks, New Boston will be in neutral facilitations, to which the superintendent is committed and hopes to be successful.

Chair Sabety mentioned that she would like to remind those who come to these meetings on a regular basis, that she believes that Superintendent Staggs was here at the February meeting. At that time a letter had been written with a number of charges regarding this issue. When he was asked point blank by her if he was asserting that these two comments were as he now says they were, he did not answer the questions. His answer was that he is the superintendent of a school district with a very difficult to build site and he was only there to say that he would like the site to be built on. She commented that there is a lot of miscommunication here.

Director Murray commented that to the extent that he may have added to that he apologizes. But, to have his words understood different than the way he intended is disconcerting, but we are moving on.

8. OSD/OSSB – PLA

Director Murray mentioned that the OSD/OSSB project is out to bid. Because there have been questions about the reasons for the PLA, he has included his remarks from the April 22 Commission Meeting in his report. He commented that those remarks discussed all the factors considered into the use of the PLA and that he took those same factors to the superintendents of the OSD/OSSB to ask them for their input. In consultation, they were in agreement with these comments. He pointed that there were a range of issues here; the school and the superintendents were concerned about the safety of the kids on the campus and the PLA included a background check provision, but in no way was that the sole reason for the PLA. The reasons for the PLA are available on the OSFC website for those who would to see the entire range of issues. Director Murray stated that Rep. Jordan has communicated with OSFC that he does not agree with that decision because he concerned with the costs of it, but he

respects Rep. Jordan's concerns. While the project is delayed right now, when we do get under construction it is his hope that we have a coordinated worksite. Contractors and laborers will work together to keep us on schedule and put their best work forward because these are projects that need to last for 40 or 50 years. Director Murray commented that this is a special place and we want the best here, so we want to communicate to workers and contractors of the need and rationale for their best work.

Representative Jordan stated that to add to a letter that he had sent to Director Murray and some of the other Commission members, he has heard from no less than four or five contractors that would be interested in bidding on this project. He thinks that the problem is that OSFC is excluding 80 to 90% of the workforce out there from being able to bid because they do not qualify to bid on PLA contracts. As a county commissioner, he likes to get seven, eight, nine bids, and when you exclude 80-90% of the workforce, you are excluding a lot of people who could help us get lower prices on the overall cost. He commented that he has seen studies that show anywhere between a 10 to 30% increase in cost to do PLAs, and if we can save \$3 million or \$9 million, we need to take a look at that. There is going to be possibly an \$8 billion hole in the next budget, and unless we get more money from Washington, it is going to tough to figure out where to make those cuts.

Representative Patten commented that he would like to applaud the administration and the Director for their guidance on this issue. Following the history of the OSFC, past practice held that if we got a substandard product, it issued a policy change after eight or nine years of prior precedent set by the Commission to set up the Corrective Action Grant process. The CAG process was created due to very substandard products produced in Marietta and other parts of the state where we were holding the school districts hostage. The practice of the Commission at the time was to tell those school districts with poorly built schools, that they need to go back to the voters and pass a levy for the issues that they have with their facilities and then submit the bill to OSFC. He commented that he believes this practice is suicide to a local school district to ask them to go back and pay for something that should have been built correctly the first time. He commented that this is very much a home-rule issue, and he applauds both the administration and the Director for the allowing the districts, if they choose to enter in these agreements, to do so. These are not one-size-fits-all agreements, and he is a proponent for home-rule. For the areas that PLAs make sense, it is good that the decision-makers in these areas to enter into those agreements if they choose. He stated that he has been frustrated to see the quality issues coming in with the same players for nine or ten straight years; they have been allowed to produce substandard products and then come back and ask for more taxpayer dollars to keep producing substandard products.

9. Ferguson Construction

Director Murray noted that this refers to Resolution 10-106 and that he will defer to comment until the General Trade Contracts section of the agenda.

10. Upcoming Meetings and Reports

- a. Quality Construction
- b. 21st Century Design
- c. Community Partnerships
- d. Sustainable Funding

Personal Service Contract Approvals

None

Director Activities

Visits

1. Lake Local SD – 6/11/10

Meetings

1. Conference call w/ Ferguson Construction – 5/27/10
2. Meeting w/ Hardin Houston LSD and Ferguson Construction – 6/1/10
3. New Boston Value Engineering Meeting w/ Legitt & Kingscott – 6/3/10
4. Turner Logistics Presentation – 6/8/10
5. Interior Designers Meeting – 6/9/10
6. Meeting w/ Precision Industrial Services – 6/16/10
7. Conference call w/ Supt. Mike Staggs – 6/17/10

Confidential Personal Information Rule Promulgation

Resolution 10-89

Erik Roush stated that Substitute House Bill 648 (127th General Assembly) required state agencies, boards and commissions to develop administrative rules and related policies on accessing confidential personal information (CPI). After the bill's passage, legal counsel for several agencies, along with the state's chief privacy officer, formed the Interagency Working Group to develop common definitions, guidance and best practices to assist state agencies in implementing the statute. He went on to say that these efforts were also complemented by the Data Protection Subcommittee's efforts to develop privacy and security best practices around access policy development, role and identity management and logging methods that are consistent with the legislation. The Interagency Working Group released the "Model Rules Template" on March 23, 2010, to assist state agencies in the final drafting of administrative rules that outline valid reasons for accessing CPI, catalog confidentiality statutes, establish criteria for giving access to employees, and set procedures for log access and retention. We have been subsequently notified that we should have rules filed with JCARR by the end of this month.

Mr. Roush commented that the resolution before the Commission today authorizes and directs the Executive Director to propose and file these rules with JCARR. A draft copy is included in the Resolution Packet for the Commission's review. The rules the OSFC is proposing are nearly identical to the model rules. The OSFC has included agency specific information per the guidance set forth by the working group (e.g. as they relate to certified payroll), but the OSFC has expanded the scope of our rules to include its agents – namely, its construction managers – who also have access to this information. In order to remain transparent in the OSFC's handling of such confidential personal information, the OSFC felt it necessary to require its agents to adhere to the same standards as its direct employees. Additionally, under the draft rules, the Executive Director is required to develop criteria for accessing CPI as well as how to manage the activity log specified in the rule; upon completion of these criteria and policies, the Director will be required to bring these items back to the Commission for final approval. Mr. Roush commented that he would be happy to address any questions the Commission may have.

Mr. Roush presented Resolution 10-89, Confidential Personal Information Rule Promulgation, for Commission approval.

Vice Chair Quill moved to approve Resolution 10-89.

Chair Sabety seconded the motion.

Approval: Vote 2-0.

Design Manual Update Approval

Resolution 10-90

Mr. Brown discussed the 2010 annual update process:

- OSDM Update Team
- Process formally began in November
- Vendor product presentations
- Meetings with stakeholder agencies
- Analysis of Value-Engineering offerings
- Variance Request Analysis
- Commission Review & Acceptance

Mr. Brown also presented the changes in the Design Manual for the year 2010:

- Silicone Sealants
- Eliminate Light Weight Wall Plate
- Add Provisions for Recycling
- Allow Carpet Tile in Classrooms and Corridors and Remove VCT.
- Add Elastomeric Duct Liner
- Standard Operating Schedule
- Higher Water Quality Standards
- IAQ Testing + Building Flush Out
- Exterior Light Poles (Al, FG, Fe)
- Encourage Sub-Metering
- 480V-3Phz + 208-3Phz (ES)
- Data Switches 10/100 now 10/100/1000
- Add option for A/C to Precision Machining to control humidity
- Added Private Security and Entrepreneurship to the C-T Programs

Franklin Brown presented Resolution 10-90, the 2010 Design Manual update, for Commission approval.

Vice Chair Quill moved to approve Resolution 10-90.

Chair Sabety seconded the motion.

Approval: Vote 2-0.

School Energy Conservation Financing Program Approval

Resolution 10-91

Mark Wantage presented the Adena Local SD (Ross), Bloom-Vernon Local SD (Scioto), Firelands Local SD (Lorain), Liberty Local SD (Trumbull), Mississinawa Village Local SD (Darke), Tri County

Career Center (Athens), Tuscarawas Local SD (Tuscarawas), Twinsburg City SD (Summit) and Warren County JVS (Warren) requests to participate in the Energy Conservation Financing Program.

Adena Local School District (Ross)

Total Project Cost: \$1,987,575

Interest Rate (Included in the Total Project Cost): 4.5% (*QSCB Applied*)

Totaled Annual Savings: \$139,521

O&M Savings (Maximum Limit of 30%): \$41,936

O&M Savings is Percentage of Total Savings: 30.0%

Payback Period (Maximum 15 Years): 14.2 years

Number of Buildings: 1

Vendor: Sabo/Limbach

Scope of Work:

- Building Automation Upgrade
- Lighting Retrofit
- Window System Upgrades
- Pond Aeration via PV
- Kitchen Hood Control

Bloom-Vernon Local School District (Scioto)

Total Project Cost: \$1,474,352

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

Totaled Annual Savings: \$149,674

O&M Savings (Maximum Limit of 30%): \$21,680

O&M Savings is Percentage of Total Savings: 14.5%

Payback Period (Maximum 15 Years): 9.85 years

Number of Buildings: 2

Vendor: Vista

Scope of Work:

- Building Automation Upgrade (2)
- Lighting Retrofit (2)
- Parking Lot Lighting Retrofit (2)
- Gym Lighting Retrofit (2)
- Window System Upgrades (2)
- 19KW Photo Voltaic Array (1)
- Solar Domestic Water Heater (2)
- Replacement of Door Seals (2)
- Boiler Replacement (1)
- Chiller Upgrades (2)

Firelands Local School District (Lorain)

Total Project Cost: \$1,061,034

Interest Rate (Included in the Total Project Cost): 0.0% (*QSCB Applied*)

Totaled Annual Savings: \$70,902

O&M Savings (Maximum Limit of 30%): \$15,150

O&M Savings is Percentage of Total Savings: 21.4 %

Payback Period (Maximum 15 Years): 14.96 years

Number of Buildings: 2
Vendor: CCG Energy Solutions
Scope of Work:

- Building Automation Upgrade (2)
- Lighting Retrofit (2)
- Gym Lighting Retrofit (2)
- Window System Upgrades (2)
- Boiler Replacement (2)

Liberty Local School District (Trumbull)

Total Project Cost: \$2,684,235
Interest Rate (Included in the Total Project Cost): 2.172% (*Applied for QSCB*)
Totalled Annual Savings: \$192,575
O&M Savings (Maximum Limit of 30%): \$25,342
O&M Savings is Percentage of Total Savings: 13.2%
Payback Period (Maximum 15 Years): 13.9 years
Number of Buildings: 3

Vendor: Tremco

Scope of Work:

- Building Automation Upgrade (3)
- Lighting Retrofit (3)
- Window System Upgrades (2)
- Boiler Replacement (2)
- Replace Unit Ventilators (2)
- New VFDs (1)
- Demand Control Ventilation (1)
- Dishwasher Booster Heater Electric to Gas Retrofit (2)
- Building Envelope Sealing (1)

Mississinawa Valley Local School District (Darke)

Total Project Cost: \$432,571
Interest Rate (Included in the Total Project Cost): 4.0%
Totalled Annual Savings: \$34,589
O&M Savings (Maximum Limit of 30%): \$3,812
O&M Savings is Percentage of Total Savings: 11.0 %
Payback Period (Maximum 15 Years): 12.5 years
Number of Buildings: 2

Vendor: Four Seasons, Inc.

Scope of Work:

- Mechanical Upgrades (2)
- Lighting Retrofit (2)
- Gym Lighting Retrofit (2)
- Chiller Replacement (1)

Tri County Career Center (Athens)

(Res 08-104)

Total Project Cost: \$1,179,426 (\$ 1,133,635)

Interest Rate (Included in the Total Project Cost): 0.0% (0.0%)

Totaled Annual Savings: \$115,357 (\$ 115,357)

O&M Savings (Maximum Limit of 30%): 0.0% (0.0 %)

O&M Savings is Percentage of Total Savings: \$0 (\$0)

Payback Period (Maximum 15 Years): 10.2 years (9.8 years)

Number of Buildings: 2

Vendor: Aleron Inc.

Scope of Work:

Revision:

- Add to the previously approved project the replacement of four heat pumps

[Building Controls Upgrade (2)]

[Lighting Retrofit (2)]

[Demand Control Ventilation (2)]

[New VFDs (2)]

[Boiler Replacement (2)]

[Dishwasher Replacement (2)]

Tuscarawas Local School District (Tuscarawas)

Total Project Cost: \$644,361 (QSCB Applied)

Interest Rate (Included in the Total Project Cost): 5.25%

Totaled Annual Savings: 55,847

O&M Savings (Maximum Limit of 30%): \$2,112

O&M Savings is Percentage of Total Savings: 3.8 %

Payback Period (Maximum 15 Years): 11.5 years

Number of Buildings: 5

Vendor: Honeywell

Scope of Work:

- Building Automation Upgrade (1)

- Lighting Retrofit (3)

- Gym Lighting Retrofit (2)

- Boiler Replacement (2)

- Air Handler Replacement (1)

Twinsburg City School District (Summit)

Total Project Cost: \$3,497,153

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

Totaled Annual Savings: \$246,144

O&M Savings (Maximum Limit of 30%): \$19,500

O&M Savings is Percentage of Total Savings: 7.9%

Payback Period (Maximum 15 Years): 14.2 years

Number of Buildings: 1

Vendor: CCG Energy Solutions

Scope of Work:

- Building Automation Upgrade

- Lighting Retrofit

- Gym Lighting Retrofit

- Boiler Replacement

Warren County JVS (Warren)

Total Project Cost: \$998,250

Interest Rate (Included in the Total Project Cost): 3.4% (*Applied for QSCB*)

Totaled Annual Savings: \$73,469

O&M Savings (Maximum Limit of 30%): \$21,770

O&M Savings is Percentage of Total Savings: 29.6 %

Payback Period (Maximum 15 Years): 13.6 years

Number of Buildings: 1

Vendor: Johnson Controls

Scope of Work:

- Lighting Retrofit
- High Bay Lighting Retrofit
- New Air handlers

Vice Chair Quill moved to approve Resolution 10-91.

Chair Sabety seconded the motion.

Approval: Vote 2-0.

ELPP Master Facilities Plan Amendments and Agreement Amendments Approval

Resolution 10-92

This is the first amendment to the Master Facilities Plan (MFP) for Heath City SD of Licking County for their participation in the Expedited Program. This amendment revises the scope to align with the preferences of the district's constituency. The original MFP provides for a new high school and the renovation of the existing high school to serve the middle school population. This amendment provides for the renovation of the existing high school to serve the high school population and a 90,000 square foot addition to serve the middle school population. This amendment reduces the budget by \$1.7 million, a 5% decrease.

The companion amendment to the Expedited Project Agreement for Heath City SD will change the project scope to delete the new high school and provide for the renovation and additions to the existing high school to serve grades six through twelve. The amendment also adds partial renovation work at two elementary schools and the demolition of the middle school. The discrete portion of the budget is increased by \$820,000 and the total projected credit is now \$20.8 million.

For the Mason City SD of Warren County, there is the first amendment to the MFP for their participation in the Expedited Program in the year 2002. This amendment adjusts for an increase in the projected enrollment; reconfigures the grades assigned to the buildings; updates the cost set from 2002 to 2004; and deletes the renovation and addition to the Mason Middle School and removes that building from the plan. This amendment reduces the budget by \$14.4 million, a 9.7% decrease.

For the Mason City SD, the Expedited Agreement is amended to allow the district to undertake additional projects to meet their ongoing facilities needs. This change includes adding one new elementary school; adding the renovation of and partial addition to the intermediate school; adding the partial renovation of the old high school to serve the middle school population; and it reconciles the

credit amount for the previously completed high school. The discrete portion of the budget is increased by \$20.6 million and the total projected ELPP credit is \$86.4 million.

Steve Lutz presented Resolution 10-92, amendments to the Master Facilities Plan for the school districts listed below; and

School District (County)	Change in Scope	Decrease to the Project Budget	
Heath City SD (Licking)	Change from building a new high school to renovations/addition at the existing Heath HS school; The master plan has incorporated enhanced environmental findings into the renovation dollars for buildings slated for renovation.	-\$272,941	State Share
		-\$1,432,941	Local Share
		-\$1,705,882	TOTAL
Mason City SD (Warren)	Update OSDM cost set from 2002 to 2004; Increase in enrollment and update projected enrollment year; Combine Mason IS and original Mason MS addition to form the Combined Mason IS; Executed ELPP Credit amount of \$48,088,415 for new Mason HS facility built as a Retro project.	-\$3,685,613	State Share
		-\$10,767,869	Local Share
		-\$14,453,482	TOTAL

Mr. Lutz also presented the amendments to the agreements for the discrete portion of the Master Facilities Plan for the school districts listed below, for Commission approval.

School District	Amendment Type	Project Scope Change	Total Amendment Cost Change	Total Revised Project Budget
Heath City SD (Licking)	Part 2 – 1st	Partial building addition 5,750 sf and partial building renovations at Garfield ES to house grades K-2; Partial building addition 4,180 sf and partial building renovations at Stevenson ES to house grades 3-5; Full building addition 90,238 sf and partial building renovations at Heath HS to house grades 6-12; Remove “build new HS” project scope from agreement; Abatement/ Demolition of Fulton MS 49,296 sf.	\$820,361	\$20,877,732
Mason City SD (Warren)	Part 2 – 2nd	New HS project closed out and final credit established; Build 172,611 sf (99.54%) of full 173,400 sf new ES for 1,500 students in grades PK-1; Build 60,863 sf (98.82%) of full 61,588 sf addition and partial building renovations to combine Mason IS and original Mason MS to house 2,869 students in grades 4-6; Partial building renovations at William Mason HS to convert to a MS to house 2,019 students in grades 7 and 8.	\$20,665,780	\$86,415,771

Vice Chair Quill moved to approve Resolution 10-92.
 Chair Sabety seconded the motion.
 Approval: Vote 2-0.

Master Facilities Plan Amendments Approval
Resolution 10-93

This is the first amendment to the MFP for Fayetteville Perry LSD of Brown County for their 2005 participation as a 1990 Look Back district. This amendment provides a budget adjustment of \$566,000, a 3% increase. This will fund market conditions at project bid; additional sitework and interior repairs for the renovation of the elementary school; and an increase of the 1,500 square feet to the size of the high school/middle school due to the unusable central boiler plant.

Mr. Lutz also presented Resolution 10-93, Master Facilities Plan Amendment, with the school district listed below to construct a discrete portion of their Master Plan, in the amount listed below, for Commission approval.

School District (County)	Recommended Modifications to the Master Facilities Plan	Increase to the Project Budget	
Fayetteville Perry Local SD (Brown)	Fund market conditions experienced at the project bid; Fund additional sitework and interior repairs required for the Elementary School renovation project; Fund the addition of 1,500 sf. to the new High School/Middle School due to unusable central boiler plant	\$475,818	State Share
		\$90,633	Local Share
		\$566,451	TOTAL

Vice Chair Quill moved to approve Resolution 10-93.

Chair Sabety seconded the motion.

Approval: Vote 2-0.

Accelerated Urban School Building Assistance Program Update and Approval

Ms. Drerup commented that in January 2010, the OSFC provided an overview of changes to the Cleveland program and sought Commission approval for changes to the other five Urban districts. At that time Cleveland was just completing their extensive master planning process and presenting that plan to their community. Due to the timing the Board was unable to take official action to make changes to the building program until recently. After completing their master planning and community engagement effort, Cleveland has acted on the updates to their plan.

For Cleveland Metropolitan schools, the Commission approved a Master Facilities Plan in 2002 for \$1.51 billion divided into nine segments for 111 buildings to house 72,500 students. The Commission has approved five segments to date. The Commission amended a Master Facilities Plan in 2006 for 41,000 students. The projected enrollment has since decreased by 5,000 students for a revised total of 36,000 students. The estimated projected total cost for the project is \$1.16 billion. The cost of the program reflects an increase of 1%, although the district enrollment has declined. Much of the change in the cost can be attributed to the fact we did not build inflation into the original master plan. In 2002, the entire master plan for 72,500 students was calculated with the 2002 cost set. In 2006 the original master plan was updated and we applied the 2006 cost set to future work. Today we have updated the work to be completed with the 2010 cost update. Another factor impacting cost is the change in scope from renovation to new construction. Another contributing factor is market conditions. Many projects in the first 4 segments came in over budget. However, with the change in the economy and the bidding environments, the bids have improved. In 2009, the Cleveland projects that bid were on average just 0.8% over budget.

Resolution 10-94

Ms. Drerup stated that the previously amended Segment 1 agreement provided \$244.3 million for seven buildings. The proposed amendment shifts the allowance for warm, safe and dry to future segments. Also, the Cleveland Segment 1 budget is decreased by \$20.3 million for an updated budget of \$223.9 million.

Melanie Drerup presented Resolution 10-94, adopting an amendment to the Segment No. 1 Project Agreement for the Cleveland Metropolitan School District Project in the Accelerated Urban School Building Assistance Program, for Commission approval.

Vice Chair Quill moved to approve Resolution 10-94.

Chair Sabety seconded the motion.

Approval: Vote 2-0.

Resolution 10-95

Ms. Drerup stated that the previously amended Segment 2 agreement provided \$103.6 million for eight buildings. The proposed amendment increases the budget for seven buildings due to market conditions; moves one building to later segment; decreases allowance for abatement and demolition of schools; adds allowance for warm, safe & and dry to four buildings; and adds allowance for expended soft costs for four buildings. The Cleveland Segment 2 budget is reduced by \$3.2 million for an updated budget of \$100.4 million.

Ms. Drerup also presented Resolution 10-95, adopting an amendment to the Segment No. 2 Project Agreement for the Cleveland Metropolitan School District Project in the Accelerated Urban School Building Assistance Program, for Commission approval.

Vice Chair Quill moved to approve Resolution 10-95.

Chair Sabety seconded the motion.

Approval: Vote 2-0.

Resolution 10-96

Ms. Drerup stated that the previously approved Segment 3 agreement provided \$148.2 million for ten buildings. The proposed amendment increases the budget for nine buildings due to market conditions; moves one building to later segment; deletes one building due to reduced enrollment; moves one building into this segment; and decreases the allowance for abatement and demolition of schools. The Cleveland Segment 3 budget is reduced by \$14.5 million for an updated budget of \$133.6 million.

Ms. Drerup also presented Resolution 10-96, adopting an amendment to the Segment No. 3 Project Agreement for the Cleveland Metropolitan School District Project in the Accelerated Urban School Building Assistance Program, for Commission approval.

Vice Chair Quill moved to approve Resolution 10-96.

Chair Sabety seconded the motion.

Approval: Vote 2-0.

Resolution 10-97

Ms Drerup stated that there are two amendments for Segment 4. The previously approved Segment 4 agreement provided \$145.3 million for 11 buildings. The proposed amendments modify the enrollment planned at three buildings (Increase 2, Decrease 1); provide a LEED allowance at one building; delete two buildings due to reduced enrollment; increase allowance for swing space; and decrease the allowance for abatement and demolition of schools. The Cleveland Segment 4 budget is reduced by \$24.1 million for an updated budget of \$121.1 million.

Ms. Drerup also presented Resolution 10-97, adopting an amendment to the Segment No. 4 Project Agreement for the Cleveland Metropolitan School District Project in the Accelerated Urban School Building Assistance Program, for Commission approval.

Vice Chair Quill moved to approve Resolution 10-97.
Chair Sabety seconded the motion.
Approval: Vote 2-0.

Resolution 10-98

Ms. Drerup also presented Resolution 10-98, adopting an amendment to the Segment No. 4 Project Agreement for the Cleveland Metropolitan School District Project in the Accelerated Urban School Building Assistance Program, for Commission approval.

Vice Chair Quill moved to approve Resolution 10-98.
Chair Sabety seconded the motion.
Approval: Vote 2-0.

Resolution 10-99

Ms. Drerup stated that the previously approved Segment 5 agreement provided \$230.6 million for 11 buildings. The proposed amendment deletes two buildings due to reduced enrollment; increases the allowance for swing space; and increases the allowance for abatement and demolition of schools. The Cleveland Segment 5 budget is reduced by \$26.7 million for an updated budget of \$203.8 million.

Ms. Drerup also presented Resolution 10-99, adopting an amendment to the Segment No. 5 Project Agreement for the Cleveland Metropolitan School District Project in the Accelerated Urban School Building Assistance Program, for Commission approval.

Vice Chair Quill moved to approve Resolution 10-99.
Chair Sabety seconded the motion.
Approval: Vote 2-0.

Recertification of Fiscal Year 2010 Projects Approval

Resolution 10-100

Eric Bode presented Resolution 10-100, providing conditional reapproval and funding for a Classroom Facilities Assistance Program project and a Vocational Facilities Assistance Program project, for Commission approval.

School District	County	State Share	Local Share	Total Budget
Lawrence County JVSD	Lawrence	\$15,395,339	\$5,131,780	\$20,527,119
Northwestern LSD	Clark	\$23,105,545	\$28,240,110	\$51,345,655

Vice Chair Quill moved to approve Resolution 10-100.

Chair Sabety seconded the motion.

Approval: Vote 2-0.

Architectural Agreements and Amendments Approval

Resolution 10-101

Steve Berezansky presented Resolution 10-101, Architectural Agreements and Amendments, for Commission approval:

Agreements:

School District	Project	Architect	Agreement Amount
Columbus City SD - Segment 2C	Warm, safe and dry	Abbot Studio & Tanner Stone Hollinger Dongles Architects	\$274,030.00
Bellevue City SD	Build one new elementary school and one new middle school; renovate Bellevue High School	Fanning/Howey Associates, Inc.	\$2,134,785.41

Amendments:

School District	Project	Architect	Fees to Date	Amendment Amount	Total
Cincinnati City SD - Segment 3b	New Robert A. Taft High School and New Aiken High School - decrease in budget due to Master Plan changes	Voorhis Slone Welsh Crossland Architects	\$2,358,888.00	-\$198,233.00	\$2,160,655.00
Cincinnati City SD Segment 3b	Mt. Washington Elementary School - LEED and Master Plan changes	Moody Nolan , Inc.	\$2,607,003.00	\$112,807.00	\$2,719,810.00
Cincinnati City SD - Segment 3b	Rothenberg Preparatory Academy Renovation - LEED and Master Plan changes	WA, Inc.	\$779,010.00	\$334,553.00	\$1,113,563.00
Cincinnati City SD - Segment 3b	LEED and Master Plan changes	DH Architects, Inc.	\$1,524,032.00	\$690,735.00	\$2,214,767.00
Columbus City SD - Segment 2	Additional on site construction administration	Stilson & Associates, Inc.	\$858,496.64	\$57,101.60	\$915,598.24
Butler Technology and Career Development Schools	Additional site work required	McGill Smith Punshon, Inc.	\$1,230,000.00	\$53,010.00	\$1,283,010.00

Locally Funded Initiative:

School District	Project	Architect	LFI Amount
Cincinnati City SD - Segment 3b	New Robert A. Taft High School and New Aiken High School land acquisitions and design enhancements	Voorhis Slone Welsh Crossland Architects	\$1,273,721.00
Cincinnati City SD - Segment 3b	Mt. Washington Elementary School additional site costs	Moody Nolan , Inc.	\$292,176.00

Cincinnati City SD - Segment 3b	Rothenberg Preparatory Academy Renovation additional site costs	WA, Inc.	\$600,325.00
Cincinnati City SD - Segment 3b	New Hoffman/Parnham and New Taft Elementary Schools additional square feet	DH Architects, Inc.	\$230,916.00
Clay Local SD	Additional square feet and design enhancements	Tanner Stone Holsinger Donges & Company	\$37,180.00
Columbus City SD - Segment 2C	Design enhancements	Abbot Studio & Tanner Stone Holsinger Donges Architects	\$294,810.00
Columbus City SD - Segment 2C	Additional design services for locally funded scope	Abbot Studio & Tanner Stone Holsinger Donges Architects	\$519,940.00

Vice Chair Quill moved to approve Resolution 10-101.

Chair Sabety seconded the motion.

Approval: Vote 2-0.

Resolution 10-102

Steve Berezansky presented Resolution 10-102 for the following Construction Manager agreement for Commission approval:

School District	County	CM Firm	Total CM Compensation
Cedar Cliff Local SD	Greene	Shook Touchstone LLC	\$1,123,061
Garfield Heights City SD	Greene	Project and Construction Service, Inc.	\$1,001,877
Euclid City SD	Cuyahoga	Project and Construction Service, Inc.	\$3,118,008
Midview Local SD - Interim 1	Lorain	Resource International, Inc.	\$292,079
Pickerington Local SD	Fairfield	Gilbane Building Company	\$2,749,661

Vice Chair Quill moved to approve Resolution 10-102.

Chair Sabety seconded the motion.

Approval: Vote 2-0.

Resolution 10-103

Mr. Berezansky also presented Resolution 10-103 for the following Construction Manager amendment to an agreement for Commission approval:

School District	County	Construction Manager	Amount
Union Local SD	Belmont	The Ruhlin Company	\$7,071
Akron City SD - Segment 2	Summit	The Ruhlin Company	\$1,155,049
Gibsonburg Local EVSD	Sandusky	Gilbane Building Company	\$106,435

Vice Chair Quill moved to approve Resolution 10-103.

Chair Sabety seconded the motion.

Approval: Vote 2-0.

Resolution 10-104

Mr. Berezansky also presented Resolution 10-104, Construction Manager amendments for a Locally Funded Initiative, for Commission approval:

School District	County	Construction Manager	Amount
Columbus Grove Local SD	Putnam	Richard L. Bowen + Associates, Inc.	\$128,663
Ottawa Glandorf Local SD	Putnam	Richard L. Bowen + Associates, Inc.	\$28,649

Chair Sabety moved to approve Resolution 10-104.

Vice Chair Quill seconded the motion.

Approval: Vote 2-0.

Trade Construction Contracts Approval

Resolution 10-105

Tom Brannon presented Resolution 10-104, Trade Construction Contracts, for Commission approval.

	Contracting Entity	School District	Building Type	Scope of Work	\$ Amount
1	Environmental Demolition Group	Adams County/ Ohio Valley LSD	ES	Demolition	\$393,460.00
2	Cox Paving, Inc.	Adams County/Ohio Valley LSD	ES	Demolition	\$595,866.00
3	Brown County Construction	Adams County/Ohio Valley LSD	2 HS , Ohio Valley Career and Technical Center	Pavement Repair	\$728,450.00
4	Cavanaugh Building*	Barberton CSD	Barberton West ES	Site Work	\$1,148,000.00
5	Continental Office Furniture Corporation	Cincinnati CSD	Hartwell ES	Loose Furnishings	\$146,925.00
6	Environmental Demolition Group	Cincinnati CSD	Schwab School	Asbestos Abatement	\$110,000.00
7	Continental Office Furniture Corporation	Cincinnati CSD	College Hill ES	Loose Furnishings	\$192,791.00
8	LVI Environmental Services, Inc.	Cincinnati CSD	Mt. Washington ES	Asbestos Abatement	\$63,490.00
9	School Specialty, Inc.	Cincinnati CSD	Sands Montessori School	Loose Furnishings	\$207,488.66
10	Simplex Grinnell, LP	Cincinnati CSD	Woodford Paideia	Fire Protection	\$114,900.00
11	Petty Group, LLC	Cleveland MSD	Mount Auburn and Alexander Hamilton	Temporary Fencing	\$24,479.50
12	Netech Corporation**	Clyde-Green Springs EVSD	District Wide	Technology Equipment	\$774,838.75
13	Lepi Enterprises, Inc.	Columbus CSD	Linden McKinley STEM Academy	Abatement	\$192,998.00
14	Colvin Gravel Company, Inc.	Columbus CSD	Linden McKinley STEM Academy	Demolition	\$723,750.00
15	Tom Sexton & Associates**	Columbus CSD	Fort Hayes Construction Arts and Auto Technology	Shop Equipment	\$55,925.90
16	Baumann Enterprises, Inc.	Crestline EVSD	Crestline MS	Abatement & Demolition	\$722,000.00

17	School Specialties Furniture & Equipment	Crestview LSD	K - 12	Loose Furnishings	\$117,849.98
18	ACI Construction Co., Inc.	Crestview LSD	K - 12	Site Improvement	\$565,800.00
19	Continental Office Environments	Elyria CSD	Elyria HS	Loose Furnishings	\$1,843,164.57
20	Baumann Enterprises, Inc.	Elyria CSD	Elyria HS	Demolition	\$717,300.00
21	Richardson Glass Service, Inc.	Fairfield Union LSD	MS	Aluminum & Glass	\$282,650.00
22	NorCom, Inc.	Franklin Monroe	K - 12	Technology	\$1,039,950.00
23	Farnham Equipment Co.	Franklin Monroe LSD	K - 12	Casework	\$345,625.00
24	C.R.M., Inc.	Fremont CSD	MS	Roofing	\$716,000.00
25	Louis R. Polster Co.**	Fremont CSD	MS	Food Service	\$416,500.00
26	Telamon Construction	Fremont CSD	MS	General Trades	\$11,197,300.00
27	Central Fire Protection Co., Inc.	Fremont CSD	MS	Fire Suppression	\$269,470.00
28	Warner Mechanical Corporation	Fremont CSD	MS	Plumbing	\$959,444.00
29	Zenith Systems, LLC	Geneva Area CSD	Geneva MS and Platt R. Spencer ES	Technology	\$642,606.00
30	Spectra Contract Flooring	Geneva Area CSD	Geneva MS	Rubber Floor	\$300,975.00
31	Continental Office Furniture	Geneva Area CSD	Geneva MS and Platt R. Spencer ES	Loose Furnishings	\$811,278.40
32	Hank's Plumbing & Heating Co.	Gibsonburg CSD	School District	Sanitary Improvements	\$552,427.00
33	Beacon Electric Company	Hamilton CSD	Hamilton HS	Electrical/Technology	\$4,406,000.00
34	T P Mechanical Contractors	Hamilton CSD	Hamilton HS	Plumbing and HVAC	\$2,628,600.00
35	G/C Contracting Corporation	Hamilton CSD	Hamilton HS	General Trades	\$9,520,639.00
36	PAC-VAN, Inc.	Hamilton CSD	Hamilton HS	Modular Classrooms	\$204,490.00
37	AAF-McQuay, Inc dba McQuay International**	Hamilton CSD	HS	Air Handling Unit	\$133,069.00
38	Concord Fire Protection	Hamilton CSD	Hamilton HS	Fire Protection	\$290,800.00
39	AAF-McQuay, Inc dba McQuay International**	Hamilton CSD	HS	Chillers	\$293,300.00
40	Settle Muter Electric, Ltd***	Higland LSD	HS, MS, ES	Data Network	\$402,300.00
41	Quality Asbestos and Demolition Services, LLC	Hubbard EVSD	Hubbard HS	Abatement	\$244,300.00
42	Ellet Neon Sales and Service, Inc.	Hubbard EVSD	Hubbard K - 12	Sinage Package	\$56,817.00
43	Continental Office Furniture	Hubbard EVSD	Hubbard K - 12	Furniture	\$2,003,872.78
44	Zenith Systems, LLC	Hubbard EVSD	K - 12	Technology	\$1,017,581.00

45	Claggett & Sons, Inc.	Huber Heights CSD	Valley Forge ES	General Trades	\$6,346,000.00
46	Reece-Campbell, Inc.	Huber Heights CSD	Kitty Hawk ES	General Trades	\$6,569,000.00
47	T P Mechancial Contractors	Huber Heights CSD	Kitty Hawk ES	HVAC & Plumbing	\$1,630,000.00
48	Simplex Grinnell LP	Huber Heights CSD	Kitty Hawk ES	Fire Protection	\$116,500.00
49	Simplex Grinnell LP	Huber Heights CSD	Valley Forge ES	Fire Protection	\$120,000.00
50	Feldkamp Enterprises, Inc.	Huber Heights CSD	Valley Forge ES	Plumbing	\$456,000.00
51	Slagle Mechanical Contractors, Inc.	Huber Heights CSD	Valley Forge ES	HVAC	\$1,133,000.00
52	Beacon Electrical Company	Huber Heights CSD	Kitty Hawk ES	Electrical	\$1,216,000.00
53	Saturn Electric Company	Huber Heights CSD	ES	Electrical	\$1,241,500.00
54	Best Restaurant Equipment Supply	Jonathan Alder Local	Plain City ES and Canaan MS	Food Service	\$367,000.00
55	International Masonry, Inc.*	Jonathan Alder Local	Plain City ES	Masonry	\$1,609,056.00
56	Thomas & Marker Construction Co.	Jonathan Alder Local	Plain City HS	General Trades	\$5,056,900.00
57	S. A. Comunale	Jonathan Alder Local	Plain City ES and Canaan MS	Fire Protection	\$399,700.00
58	Gutridge Plumbing	Jonathan Alder Local	Plain City ES and Canaan MS	Plumbing	\$857,344.00
59	Gutridge Plumbing	Jonathan Alder Local	Plain City ES and Canaan MS	HVAC	\$2,474,000.00
60	Claypool Electric	Jonathan Alder Local	Plain City ES and Canaan MS	Electrical	\$2,860,490.00
61	Central Ohio Building, Co.	Jonathan Alder LSD	Canaan MS	General Trades	\$4,385,700.00
62	Slagle Mechanical Contractors, Inc.	Leipsic LSD	K - 12	HVAC/ Controls	\$1,004,900.00
63	Woolace Electric Corp.	Leipsic LSD	K - 12	Electrical/Technology Cabling	\$1,821,000.00
64	Mel Lanzer Company	Leipsic LSD	K - 12	Mel Lanzer Company	\$7,622,000.00
65	Vulcan Enterprises, Inc.	Leipsic LSD	K - 12	Fire Suppression	\$100,100.00
66	Jamison Well Drilling, Inc.	Leipsic LSD	K - 12	Geothermal Wells	\$385,624.00
67	Ohio Plumbing & Electrical, Inc.	Leipsic LSD	K - 12	Plumbing	\$414,000.00
68	Jeffrey Carr Construction	Liberty Union-Thurston LSD	MS	General Trades	\$4,772,800.00
69	X-F Construction Services, Inc.	Liberty Union-Thurston LSD	MS	Electrical	\$869,000.00
70	Breckenridge Kitchen Equipment & Design, Inc.*	Liberty Union-Thurston LSD	MS	Food Service	\$217,350.00
71	Karr Contracting, Inc.*	Liberty Union-Thurston LSD	MS	Fire Protection	\$85,800.00
72	Converse Electric, Inc	Liberty Union-Thurston LSD	HS and MS	Technology	\$1,539,000.00

73	Louis R. Polster	London CSD	MS and HS	Food Services	\$356,700.00
74	Robertson Construction Services*	London CSD	MS and HS	General Trades	\$6,844,000.00
75	Microman, Inc.	London CSD	MS and HS	Security	\$108,688.00
76	Miles McClellan Construction, Co	London CSD	MS and HS	Masonry	\$1,797,000.00
77	Roger Storer & Son, Inc.	London CSD	MS and HS	Plumbing	\$668,400.00
78	Beacon Electric, Co.	London CSD	MS and HS	Electrical	\$2,608,000.00
79	Industrial Communication and Sound	London CSD	MS/HS	Communications	\$619,572.00
80	General Temperature Control, Inc.	London CSD	MS and HS	HVAC	\$2,490,000.00
81	Gutridge Plumbing, Inc.	London CSD	MS and HS	Fire Protection	\$176,300.00
82	Elements IV Interiors*	Madison LSD	PK - 6	Loose Furnishings	\$262,901.56
83	Industrial Communication and Sound	Madison LSD	PK - 6	Video, Sound, Clocks	\$350,781.00
84	Fraley Excavating, Inc.	Madison LSD	PK - 6	General Site Improvements and Landscaping	\$423,683.00
85	LOTH, Inc.	Madison LSD	PK - 6	Loose Furnishings	\$266,270.75
86	Environmental Demolition Group	Madison LSD	Primary and Intermediate	Abatement	\$44,000.00
87	Logos Communications	Madison LSD	PK - 6	Network Electronics and Phones	\$307,085.00
88	Evans Landscaping	Madison LSD	PK - 6	Demolition	\$229,000.00
89	ESI, Inc.	Madison LSD	PK - 6	Technology: Security	\$142,422.00
90	Ferguson Construction Company	Miami East LSD	Miami East HS	Landscaping	\$41,000.00
91	Melvin Asphalt Paving Company	Miami Trace LSD	MS	Site Paving	\$147,629.30
92	Stonecreek Interior Systems, LLC**	Milton-Union EVSD	PK - 12	Casework	\$207,200.00
93	Regal Plumbing & Heating Co.	Milton-Union EVSD	PK - 12	Plumbing	\$1,243,000.00
94	JMC Mechanical, Inc.	Milton-Union EVSD	PK - 12	HVAC	\$3,596,400.00
95	A 1 Sprinkler	Milton-Union EVSD	PK - 12	Fire Protection	\$337,500.00
96	Ohio Valley Intergration Services, Inc.*	Milton-Union EVSD	PK - 12	Technology	\$1,884,450.00
97	Beacon Electric Company	Milton-Union EVSD	PK - 12	Electric	\$2,723,000.00
98	Area Energy and Electric, Inc.*	Milton-Union EVSD	PK - 12	Wind Turbine	\$154,925.00
99	Ferguson Construction Company	Milton-Union EVSD	PK - 12	General Trades	\$20,213,800.00
100	Russ James Contracting, Inc.	Mt. Gilead EVSD	Cherry Street MS	Demolition	\$91,000.00

101	Cardinal Environmental Services, Inc.*	Newark CSD	Newark HS	Asbestos Hazard Abatement	\$189,300.00
102	Gutridge Plumbing, Inc.*	Newark CSD	HS	Plumbing	\$27,300.00
103	Watson General Contracting*	Newark CSD	Newark HS	General Trades	\$538,000.00
104	Claypool Electric, Inc.*	Newark CSD	Newark HS	Electrical/Technology	\$312,000.00
105	Environmental Assurance Company, Inc.*	Newton LSD	K - 12	Asbestos Hazard Abatement	\$109,650.00
106	Evans Landscaping, Inc	Newton LSD	K - 12	Demolition	\$239,850.00
107	ACCEL Fire Systems, Inc.	North Baltimore LSD	EA Powell ES	Fire Protection	\$59,473.00
108	Colgan-Davis, Inc.	North Baltimore LSD	EA Powell ES	Electrical Power/Lighting/Technology Raceways/Cabling	\$825,000.00
109	Clinger Mechanical, Inc.	North Baltimore LSD	EA Powell ES	Plumbing	\$136,820.00
110	Miller Contracting Group, Inc.	North Baltimore LSD	EA Powell ES	General Trades	\$948,800.00
111	VM Systems, Inc.	North Baltimore LSD	EA Powell ES	HVAC	\$878,640.00
112	Quality Environmental Service, Inc.	North Baltimore LSD	EA Powell ES	Asbestos Materials Removal	\$31,079.00
113	Cardinal Environmental Services, Inc.*	Norwayne LSD (North Central)	Sterling ES	Asbestos Abatement	\$131,680.00
114	Ray Bertolini Trucking	Norwayne LSD (North Central)	Burbank/Sterling ES	Demolition	\$188,112.00
115	Cardinal Environmental Services, Inc.*	Norwayne LSD (North Central)	Burbank ES	Asbestos Abatement	\$232,875.00
116	S. A. Comunale Company, Inc.	Ottawa-Glandorf LSD	Glendorf K - 8	Fire Protection	\$105,200.00
117	Slagle Mechanical Contractors, Inc.	Ottawa-Glandorf LSD	Ottawa and Glandorf K - 8	Plumbing/HVAC/Temperature Controls	\$3,866,000.00
118	S. A. Comunale Company, Inc.	Ottawa-Glandorf LSD	Ottawa K - 8	Fire Protection	\$102,700.00
119	Lake Erie Electric of Toledo, Inc.	Ottawa-Glandorf LSD	Ottawa K - 8 and Glandorf K - 8	Electric/Technology	\$2,295,995.00
120	Charles Construction Services, Inc.*	Ottawa-Glandorf LSD	Ottawa and Glandorf K - 8	General Trades	\$12,338,500.00
121	Woolace Electric Corporation	Pettsville LSD	PK - 12	Electrical	\$1,924,900.00
122	Accel Fire Systems, Inc.	Pettsville LSD	PK - 12	Fire Protection	\$168,370.00
123	The Dailey Company	Pettsville LSD	PK - 12	General Trades	\$9,904,600.00
124	Fitzenrider, Inc.	Pettsville LSD	PK - 12	HVAC and Plumbing	\$2,031,700.00
125	Breckenridge Kitchen Equipment and Design	Pettsville LSD	PK - 12	Food Services Equipment	\$247,863.00
126	Lepi Enterprises, Inc.	Pickerington LSD	Pickerington ES	Asbestos Abatement	\$134,569.00
127	Charter Hill Construction	Pickerington LSD	Pickerington ES	Early Site	\$329,000.00

128	Vaughn Industries, LLC	Pickerington LSD	Pickerington ES	Mechanical, Electrical - Network Mechanical Room	\$727,000.00
129	Re-Construction, Inc.	Pickerington LSD	Pickerington ES	General Trades	\$122,629.00
130	R. T. Vernal Pavin Co., Inc.	South Range LSD	K - 12	Site Paving	\$445,450.00
131	T. B. Penick & Sons, Inc.	St. Marys CSD	St. Marys Memorial HS/MS	Concrete Polishing	\$248,188.00
132	D & R Demolition and Removal, LLC	Toledo CSD	Larchmont ES	Site Demolition	\$13,300.00
133	Regent Electric, Inc.	Toledo CSD	Scott HS	Electrical	\$4,867,000.00
134	VM Systems, Inc	Toledo CSD	Scott HS	HVAC	\$6,399,000.00
135	RAM Construction Services of Cleveland	Toledo CSD	Scott HS	Restoration	\$889,610.00
136	Hank's Plumbing and Heating Company	Toledo CSD	Scott HS	Plumbing	\$1,975,000.00
137	Schoen, Inc.	Toledo CSD	Scott HS	Asphalt	\$222,500.00
138	Absolute Fire Protection, Inc.	Toledo CSD	Scott HS	Fire Protection	\$750,000.00
139	Mosser Construction, Inc	Toledo CSD	Scott HS	General Trades	\$6,762,000.00
140	Valley Interior Systems, Inc.	Toledo CSD	Scott HS	Metal Studs and Drywall	\$798,500.00
141	Valley Interior Systems, Inc.	Toledo CSD	Scott HS	Acoustical Ceilings	\$255,000.00
142	Schoen, Inc.	Toledo CSD	Scott HS	Site Work	\$868,000.00
143	Chapel Romanoff Technologies, LLC	Versailles EVSD	K - 12	Technology Equipment	\$926,236.00
144	M. Campbell Contracting, LLC	Wadsworth CSD	Wadsworth HS and Community Campus	Site	\$2,647,647.00
145	Service Supply Ltd, Inc.**	Wapakoneta CSD	Wapakoneta and Criderville ES	Playgrounds	\$274,242.00
146	Weiffenbach Marble & Tile**	Wapakoneta CSD	HS	Carpet Replacement	\$105,820.00
147	Urban Metropolitan Development, LLC	Wapakoneta CSD	District Wide	Asbestos and Hazardous Removal	\$136,000.00
148	C Tucker Cope and Associates, Incorporated*	Warren CSD	Alden, Devon, Emerson, Horace Mann, Secrest and Western Reserve Schools	Demolition	\$1,063,586.00
149	Geiger Brothers, Inc.	Washington Niles LSD	5 - 8 Middle School	General Trades, Mechanical, Plumbing	\$9,890,000.00
150	Central Fire Protection., Inc.	Washington Niles LSD	5 - 8 Middle School	Fire Protection	\$135,577.00
151	West End Electric Co., Inc.	Washington-Nile LSD	5 - 8 MS	Electrical/Technology	\$2,125,000.00
152	Ward Construction Company	Wauseon EVSD	Wauseon HS	Food Service Equipment and Asphalt Paving	\$366,400.00
153	Breckenridge Kitchen Equipment and Design**	Wauseon EVSD	Wauseon HS	Food Service Equipment	\$72,169.00
154	Morocco Electric, Inc.	Western Reserve LSD	K - 12	Security Contractor	\$159,000.00

155	Lepi Enterprises, Inc.	Zanesville CSD	District Wide	Asbestos Hazard Abatement & Related	\$345,336.00
					\$234,068,109.15

- * Lowest Responsible, Second Low Bidder
- ** EDGE Waiver
- *** Second Low, EDGE Waiver

Vice Chair Quill moved to approve Resolution 10-105.
 Chair Sabety seconded the motion.
 Approval: Vote 2-0.

Trade Construction Contracts Approval
Resolution 10-106

Mr. Brannon also presented Resolution 10-106, The Ferguson Construction General Trades and Masonry Contract, for Commission approval.

Contracting Entity	School District	Building Type	Scope of Work	\$ Amount
Ferguson Construction Company	Hardin Houston LSD	Hardin Houston K-12	General Trades & Masonry	\$10,164,600.00

Vice Chair Quill moved to approve Resolution 10-106.
 Chair Sabety seconded the motion.
 Approval: Vote 2-0.

Public Testimony

Bryan C. Williams
ABC of Ohio

Mr. Williams thanked the Commission for the opportunity to address the OSFC. He stated that he is the Director of Government Affairs for the Associated Builders and Contractors of Ohio which is a professional association of merit shop contractors dedicated to the establishment of fair and open competition in the public construction industry. He commented that he is here to express the ABC of Ohio's opposition to Director Murray's emerging pattern of abuse of office which is wasting the public's money by needlessly driving up the cost of public construction in Ohio. He commented that ABC of Ohio strongly opposes the method and manner in which Director Murray arbitrarily announced his attention to engage in a wasteful and unnecessary project labor agreement for \$37 million Ohio School for the Blind and School for the Deaf. He went on to say that he is not here today to argue against the false promises, the grossly wasteful aspects of project labor agreements or how they discriminate against 85% of construction employees. Rather, he is here to admonish Director Murray for violation of his oath of office and that public officials take an oath to serve the constitution and laws of the United States and the State of Ohio. He stated that Director Murray took an oath to serve the interests of all Ohioans- not just his former employers. The Associated Builders and Contractors of Ohio believe Director Murray abused his position when he mandated the use of a

project labor agreement without legitimate public debate and discussion on the issue. Mr. Williams commented that Director Murray's public statements insinuate he had behind the scenes meetings or discussions with people who convinced him of the need for a project labor agreement on this project and that the public has a right to know who whispered in his ear, away from the public's view, that Ohio would be well-served by inviting costly litigation and wasting millions of dollars on this project labor agreement. Mr. Williams asked if Director Murray was told to do so by Governor Strickland, members of this Commission or those who lobbied for the termination of Mr. Shoemaker in favor of his appointment. He commented that just this week, the Columbus Dispatch reported on another troubling example of Director Murray's abuse of office. The Columbus Dispatch reported that he is under investigation for possibly strong-arming local school districts to enter into project labor agreements. Since the OSFC controls the state funding match, when the OSFC director pushes a PLA, its recommendation carries significant pressure. ABC members around the state claim they are being told by school administrators they feel compelled to enter into project labor agreements because they believe it will expedite the approval of their funding and their construction plans. They fear speaking out publicly because they fear reprisal by a director who pursues such tactics. Mr. Williams stated that he remembers quite well when a former OSFC director, Randy Fisher, was terminated because he was accused of being too cozy with general contractors- he accepted several rounds of golf. He commented that Director Murray has proven by his actions that he is too cozy with the union trades that recently employed him and that he cannot discharge his duties in accordance with his oath and the concept that public officials must serve the needs of all Ohioans. Mr. Williams went on to say that he is calling upon Director Murray to recognize his insurmountable bias, his breach of public trust and resign his position as Director of the Ohio School Facilities Commission so that its crucial mission may be implemented in the better tradition of previous directors such as Lynn Readey and Michael Shoemaker. He thanked the Commission for their attention.

Chair Sabety commented that speaking on behalf of the administration, it is the essence American democracy that we are able to exchange our views when we disagree with one another. But, in her opinion, engaging in an *ad hominem* attack and making allegations with absolutely no proof whatsoever, is not an appropriate method to debate the issue that is before us. The Strickland administration has been acting with the highest ethical standard since day one in this office. She stated that you are challenging what is a management decision; this is a policy decision and there is no secret that this administration, since the very first meeting with the OSFC under her leadership, has advocated for high quality bidder standards. We have allowed local school districts, as the Representative pointed out, to make the decisions as is their desire to engage in Project Labor Agreements where they believe, in their opinion, would actually bring the project in at the highest quality within a reasonable budget and with the best value for Ohio's taxpayers. She commented that we are doing nothing different in terms of using a PLA for the schools for the Blind and Deaf, and in this exceptional instance, OSFC is standing in for what is normally a local school board decision because the Schools for the Blind and Deaf are operated by the State of Ohio. For that reason, we made the management and policy decision to pursue the PLA. We would all be happy to discuss with you the merits of that decision. Director Murray has addressed himself quite articulately to her as to the reasons why we took that management decision, but with all due respect to ABC of Ohio, she does not think that it is legitimate grounds for an *ad hominem* attack like this with no direct proof. She thanked Mr. Williams for his comments and she is glad he brought them to the Commission and we now have a very clear position on these matters.

William Koester
Ohio State Association of Plumbers and Pipefitters

Mr. Koester asked if Representative Jordan could go back to his comment regarding the PLA savings and the percentages.

Representative Jordan stated that he has seen multiple studies that PLAs increase the cost of public projects, between 10-20% and some out of state studies that increase it up to 30-35%.

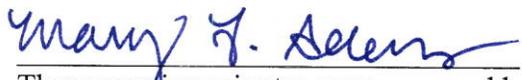
Mr. Koester commented that he would like to be able to see those studies because he has attended 27 construction reform meetings with people from Ohio State and never once has he seen these studies.

John Scheu
Hardin-Houston LSD

Mr. Scheu thanked the Commission for approving Ferguson Construction as the school's general trades contractor. His school district took six attempts to pass its school levy to build a \$23 million K-12 school and it has supported Ferguson from the beginning and they feel comfortable with them. He commented that he understands the different issues at hand, but he is glad that the EDGE issue has been resolved and he thanked the Commission again for the approval.

The meeting was adjourned at 3:48 PM.


J. Pari Sabety, Chair


These meeting minutes were prepared by
Mary F. Adams, Secretary to the Commission