

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

MINUTES

Chair Sabety called the meeting to order at 1:28 PM.

Roll Call

Members present: Chair J. Pari Sabety, Vice Chair Hugh Quill, Mr. Francis Pompey, Sara Spence for Senator Gary Cates (arrived at 1:30 PM), Senator Teresa Fedor, and Tony Gutowski for Representative Matt Patten.

Adoption of the August 26, 2010 Meeting Minutes

Vice Chair Quill moved to approve the August 26, 2010 meeting minutes.
Mr. Pompey seconded the motion.
Approval: Vote 3-0.

Executive Director's Report

I. Topics

1. OSSB /OSD Update

Director Murray commented that at the last meeting he talked about the bids for the Ohio School for the Deaf and Ohio State School for the Blind project. He had asked the Commission to reject all bids because they were more than ten per cent over the budget, which is in accordance with the Ohio Revised Code. We had a discussion on what the next steps would be. After we had met with the schools, the architect, and the construction manager, we proposed that the dormitory package go back out to bid without the PLA and we will receive bids back on October 28th. In consultation with the Central Ohio Building Trades, the PLA requirements have been taken off the bid for the dormitory package, so, essentially with minor changes, we are going back out with the same bid package. While there will be no PLA, the dormitory package still is a prevailing wage project. We should get back from these bids a comparison of the contribution of the PLA and other factors to the bid. The Director went on to say that we trust that we will receive bids no greater than ten per cent over estimate because we want to be able to move forward with this project. Director Murray commented that at the last Commission meeting, we had talked about all options being on the table and that we are prepared to go back out to bid: first with the critical needs of the dormitories and then move on to the next step of looking at value engineering the academic buildings. We will have some sense again of what the market is bidding and believe there is a very favorable bidding market out there for us. Director Murray said that we hope this will allow for a bid award in the fall.

2. Review of Furniture Specs – RFQ

Director Murray commented that we talked about one aspect of furniture review and the question of whether the specifications for loose furnishings in bid packages for our districts were fairly drawn specifications. We said that we would look at an independent audit or review of those specifications, and we talked about putting out a request for qualifications (RFQ) at the last meeting. We were able to have the RFQ out and we will receive all responders for RFQ sometime today. Director Murray asked Mr. Roush to talk about the RFQ further.

Mr. Roush commented that part of this is a forensic review that referenced part of the Director's memorandum dated June 16th. The other part of it is post-bid review, particularly when there is a single bid to examine whether or not we do in fact have compliance with Commission policy and procedures. We also have the ability to engage the consultants as it relates to Design Manual updates and to review projects as assigned to look at value engineering on furniture bid packages if necessary. We have received several responses thus far, but we should hopefully have a nice range of responses to review and then proceed with interviews and award.

3. New Boston Update

Director Murray commented that in the Commission members' packets, there is a New Boston update section. That update shows that there has been significant cooperation in Value Engineering and bringing this project's current phase to within \$25,000 of the Design Development (DD) estimated budget. The architect has been instructed to move forward with the construction drawings, and we have agreed to put out an early site package. That bid goes out on October 15, 2010, with bid opening on the 29th. On December 31, 2010, the advertised bidding packages for the school itself will go out with bids to come in on February 4, 2011, and a construction start date of March 4, 2011. Director Murray commented that he hopes construction will be underway in the spring.

4. OSFC/ ODE/ eTech Roundtable

Director Murray informed the Commission that an OSFC/ Ohio Department of Education/ eTech Roundtable discussion will take place on October 20th. The purpose of this meeting is to bring all parties together around the table in order to discuss technology as it relates to OSFC projects, to discuss OSFC's, ODE's and eTech's roles, and to see if there is a better or new way to do things and possibly to see if there is a "baton" to hand off to another agency. Director Murray commented that OSFC has always been a "bricks and sticks" agency and some things can simply get beyond us; technology is certainly one of them. He went on to say that we do not pretend to be the most knowledgeable regarding technology, but we have the resources to be knowledgeable. If there is a better way to do it and other parties out there can show us that way, we are prepared to pass that baton.

Mr. Pompey commented that this is a great opportunity to work collaboratively and to get a better understanding of technology as it exists now and into the future. This roundtable involves collaboration between OSFC, eTech and the Department of Education. Mr. Pompey asked Director Murray if the second bidding for the Ohio School for the Deaf and the Ohio State School for the Blind will give us a better understanding of the cost and how much the overage is due to overdesign or due to the Project Labor Agreement.

Director Murray commented that it should give the Commission some sense. He informed the Commission that the dormitory portion of the project is similar to building a single story, single family home. It will give us a look at pricing of labor and material, but the academic structures are much more complicated and involved. He went on to say that we will use our construction professionals, architects and construction managers to tell us how much we actually have, once we see the bids and once we evaluate how much we actually have learned and how much we can extrapolate to the academic portion of the project. Director Murray commented that he is not over-selling this in terms of if it is going to tell us everything we want and would like to know about the project.

II. Personal Service Contract Approvals

None

III. Director Activities

Visits

1. STEM/NIHF Dedication – 9/2/10
2. Community Care Day – 9/14/10

Meetings

1. Harris Masonry/ Elyria CSD Appeal to Commission – 8/31/10
2. Senator Niehaus – 9/10/10

School Energy Conservation Financing Program Approval

Resolution 10-134

Mark Wantage presented Resolution 10-134, the Canton City SD (Stark), Galion City SD (Crawford), Scioto Valley SD (Pike) and Springfield City SD (Clark) requests to participate in the Energy Conservation Financing Program.

Canton City School District (<i>Stark</i>)	Resolution 10-68	Revised
Total Project Cost	\$13,585,125	\$7,817,400
Interest Rate (Included in the Total Project Cost)	4.907 %	1.94%
Totaled Annual Savings	\$937,352	\$765,918
O&M Savings (Maximum Limit of 30%)	\$185,300	\$101,918
O&M Savings is Percentage of Total Saving	19.8 %	13.3%
Payback Period (Maximum 15 Years)	14.5 years	10.2 years
Number of Buildings	21	
Vendor	Tremco, Inc	
Scope of Work	<ul style="list-style-type: none"> • Lighting Retrofit (Remove Parking lot LEDs) • Gym lighting Retrofit • Building Controls Calibration • Vending Machine Controls • Rooftop Air handler Replacement 	Remove: <ul style="list-style-type: none"> • Boiler Replacement • Heat Wheel Repair • Cooling Tower Retrofit • Roof Replacement • 200KW Solar Array

Galion City School District (<i>Crawford</i>)	Resolution 10-125	Revised
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Total Project Cost	\$1,673,040	\$957,344
Interest Rate (Included in the Total Project Cost)	0 %	0%
Totaled Annual Savings	\$120,585	\$68,358
O&M Savings (Maximum Limit of 30%)	\$36,204	\$3,153
O&M Savings is Percentage of Total Saving	30%	4.6%
Payback Period (Maximum 15 Years)	13.9 years	14.0 years
Number of Buildings	4	4
Vendor	Brewer-Garrett	
Scope of Work	<ul style="list-style-type: none"> • Lighting Retrofit (4) • Thin Client Computing (4) • Metering and Load Shedding (4) 	Remove: <ul style="list-style-type: none"> • Thin Client Computing • Parking Lot LED Lighting

Springfield City School District (Clark)	
Total Project Cost	\$1,368,798
Interest Rate (Included in the Total Project Cost)	0% (Self Funded)
Totaled Annual Savings	\$248,600
O&M Savings (Maximum Limit of 30%)	\$71,387
O&M Savings is Percentage of Total Saving	29 %
Payback Period (Maximum 15 Years)	5.8 years
Number of Buildings	1
Vendor	Sabo/ Limbach
Scope of Work	<ul style="list-style-type: none"> • Gym Lighting Retrofit • Boiler Replacement w/ Roof top Air-handler Units
Note: This is a standalone project added to the 2009 Commission approved H.B. 264 project for the district. Prior Resolution #09-93	
Springfield City School District (Clark)	
Total Project Cost	\$1,222,437
Interest Rate (Included in the Total Project Cost)	4.0%
Totaled Annual Savings	\$105,300
O&M Savings (Maximum Limit of 30%)	\$30,810
O&M Savings is Percentage of Total Saving	29.3%
Payback Period (Maximum 15 Years)	11.6 years
Number of Buildings	4
Vendor	Waibel Energy Systems
Scope of Work	<ul style="list-style-type: none"> • Lighting Retrofit (4) • Building Automation Upgrades (4) • New VFDs on Chillers (2)
Note: This is a standalone project added to the 2008 Commission approved H.B. 264 project for the district. Prior Resolution #08-104	

Vice Chair Quill moved to approve Resolution 10-134.

Mr. Pompey seconded the motion.

Approval: Vote 3-0.

MFP Project Agreement Amendments Approval

Resolution 10-135

Steve Lutz informed the Commission he is presenting for their approval amendments to the Master Facilities Plans (MFPs) for four districts participating in one of OSFC's co-funded programs. We have a first amendment to the MFP for Gallipolis City School District of Gallia County for their 2007 participation in the Classroom Facilities Assistance Program (CFAP). This amendment changes the scope of the Washington Elementary School project from renovation with an addition to a renovation only. Also, the project budget is increased \$1.5 million, a 5.7 per cent increase. The budget increase is due to market conditions and unsuitable soils. Mr. Lutz noted that the Commission materials do not reflect the scope change at Washington Elementary and the revised sheet for Gallipolis is attached to the Resolution.

He commented that we have the first amendment to the MFP for the Indian Creek Local School District in Jefferson County for their 2008 participation in the Exceptional Needs Program (ENP). The project budget is increased \$887 thousand, a 5.5 per cent increase. This increase is due to market conditions.

Mr. Lutz also presented the first Amendment to the MFP for the Pioneer Career and Technology Center of Richland County for their 2007 participation in the Vocational Facilities Assistance Program (VFAP). This amendment provides for additional renovation including the structural repair of the walls, replacement of roof, drains and insulation and green house and kitchen equipment. This requires the addition of \$3.4 million to the budget, a 13 per cent increase.

Mr. Lutz also presented an amendment to the MFP for the South Range Local School District of Mahoning County for their participation in the CFAP. This project has saved \$2.4 million at bid. Normally, finds that are not required to complete a project are returned to the school district and to the state during financial close-out following completion of the work. The district would like to access a portion of its share of the bid savings at this time in order to fund Locally Funded Initiative (LFI) work concurrent with the project. This amendment reduces the project budget by just over \$1 million, a 2.6 per cent reduction. The balance of the bid savings will remain in the project until close-out as contingency for unforeseen obligations of the project.

Mr. Lutz presented Resolution 10-135, providing approval of school district MFP amendments, for Commission approval.

School District (County)	Program Type	Recommended Modifications to the Master Facilities Plan	Increase to the Project Budget	
Gallipolis City SD (Gallia)	CFAP	• Washington Elementary: The scope to renovate and add to this facility to house 397 PK-5 students has been changed to renovate this facility to house 397 PK-5	\$988,627	State Share
			\$509,293	Local Share

		<ul style="list-style-type: none"> students; Due primarily to market conditions and unsuitable soil conditions, the project budget must be increased for the design and construction work required to renovate this elementary school to adequate design and building code standards; Green & Rio Grande elementary schools: due primarily to market conditions, unsuitable soil conditions & demolition, the project budgets for these facilities must be increased for the design and construction work required to build two new and demolish the existing elementary schools to meet minimum Design Manual standards. 	\$1,497,920	TOTAL
Indian Creek Local SD (Jefferson)	ENP	<ul style="list-style-type: none"> Due primarily to market conditions, the project budget must be increased for the design and construction work required to build one new middle school to meet minimum Design Manual standards. 	\$280,912	State Share
			\$596,937	Local Share
			\$877,849	TOTAL
Pioneer Career and Technology Center (Richland)	VFAP	<ul style="list-style-type: none"> The project budget is insufficient for the design and construction work required to renovate the existing Pioneer Career Technical facility to house 887 career tech students to adequate design and building code standards due to structural, masonry veneer, kitchen equipment, roof (drains & insulation) and greenhouse replacement. 	\$2,569,988	State Share
			\$856,663	Local Share
			\$3,426,651	TOTAL
South Range Local SD (Mahoning)	CFAP	<ul style="list-style-type: none"> Bid savings allow the district to complete the project under budget and achieve LEED certification, without the need for the originally budgeted LEED allowance in the amount of \$1,078,631 The district acknowledges that it will be responsible for the local share of any future budget adjustment if additional funds are required for any reason to complete the project. 	(\$560,888)	State Share
			(\$517,743)	Local Share
			(\$1,078,631)	TOTAL

Mr. Pompey moved to approve Resolution 10-135.
Vice Chair Quill seconded the motion.
Approval: Vote 3-0.

Resolution 10-136

Mr. Lutz also presented amendments to the MFPs and the project agreements for six districts for Commission approval. These districts established an estimated ELPP credit at the time they entered into a co-funded project with the Commission. The districts have since completed a final accounting of their ELPP credit and these amendments reflect the adjustment from the estimated credit to the final credit amount. The reconciliation impacts the total MFP budget and the state and local share of the co-funded project.

The first amendment is got the Fredericktown Local School District in Knox County. The reconciled credit is \$49,317 less than the estimate at the time the district entered into their ENP project. The local share of the ENP is decreased by \$14,302 and the local share of ENP is decreased by \$35,015.

The next amendment is for the Graham Local School District in Champaign County. Their reconciled credit amount is \$40,202 less than the estimated amount. Their local share of the CFAP project is decreased by \$17,690 and the state share of the CFAP project is decreased by \$22,513.

Mr. Lutz went on to present the Hillsboro City School District of Highland County. Their reconciled credit is \$298,969 greater than the estimate. This includes a scope adjustment for oversized space in the existing school and the required increase to the building addition of 2,183 square feet. The local share of the CFAP project is increased by \$68,692 and the state share of the project is increased by \$229,969.

The next amendment is the Miami East Local School District of Miami County. Their reconciled credit is \$364 less than the estimated amount. The local share of the CFAP project is decreased by \$211 and the state share of the project is decreased by \$153.

Mr. Lutz also presented the Minerva Local School District of Stark County. Their reconciled credit is \$215,351 greater than the estimated amount. The local share of the CFAP project is increased by \$68,912 and the state share of the project is increased by \$146,439.

The final amendment is for the Rittman Exempted Village School District of Wayne County. Their reconciled ELPP credit is \$62,712 greater than the estimated amount. The local share of the CFAP project is increased by \$23,831 and the state share of the project is increased by \$38,881.

Mr. Lutz presented Resolution 10-136, adopting CFAP amendments to school districts' Master Facilities Plans to reconcile ELPP credit, for Commission approval.

School District (County)	Amendment Type	ELPP Credit Change	Revised CFAP Project Budget	CFAP Scope Change
Fredericktown Local SD (Knox) 2004 ENP	1st	(\$49,317)	\$26,822,867	None
Graham Local SD (Champaign) 2007 CFAP / 1990 Lookback	1st	(\$40,202)	\$36,525,132	None
Hillsboro City SD (Highland) 2005 CFAP	1st	\$298,661	\$62,925,526	Add 2,183 sf to ES
Miami East Local SD (Miami) 2008 CFAP	1st	(\$364)	\$28,599,582	None
Minerva Local SD (Stark) 2006 CFAP	1st	\$215,351	\$42,270,496	None
Rittman Exempted Village SD (Wayne) 2007 CFAP	1st	\$62,712	\$27,733,739	None

Vice Chair Quill moved to approve Resolution 10-136.

Mr. Pompey seconded the motion.

Approval: Vote 3-0.

ELPP Project Agreement Amendment

Resolution 10-137

Mr. Lutz commented that he will be presenting an amendment of the project agreement with the Elida School District in Allen County for their participation in ELPP. The district has completed construction of a new high school, establishing \$23 million in credit. This amendment adds the abatement and demolition of the old high school to the project scope and adds an estimated \$2.3 million to the budget for this work.

Mr. Lutz presented Resolution 10-137, approving a Project Agreement Amendment for participation in the Expedited Local Partnership Program, for Commission approval.

School District (County)	Amendment Type	Discrete Portion Scope Change	Amendment Cost Change	Revised Project Budget
Elida Local SD (Allen)	1 st	Abate and demolish existing HS - 135,117 sf	\$2,368,774	\$25,457,351

Mr. Pompey moved to approve Resolution 10-137.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Director Murray commented that there are two new Administrative Assistants at OSFC who will be working in the Quality Control section: Marlaina Hill and Charonda Williams.

Auditor of State Management Letter

Eric Bode presented the Commission with the excellent results from the Auditor of State's 2010 Management Letter. He commented that the Auditor of State's office have completed their examination of OSFC Fiscal Year 2009 submissions for the audit. They have gone through everything thoroughly, as they do every year. IN the previous audit, the OSFC had no findings but did have three management letter comments which we later addressed and brought forward to the Commission along with an explanation of the improvements we made in response to the comments. He read from the letter that, "In addition to any matters we would have communicated to you in the reports described above, we remained alert throughout for opportunities to enhance compliance, internal controls, and operating efficiencies. We are pleased to report there are no instances of noncompliance or internal control weaknesses we believe should be communicated to you." He went on to say that it was a very clean bill of health not just for the financial side, but for the planning and project side as well.

Specialty Services Agreements Approval

Resolution 10-138

Mr. Bode also presented the Commission with four contracts, totaling \$900,000 and expiring on June 30, 2012. These firms provide analysis to help us determine what a contractor, who files a claim on one of our construction projects, is entitled to. These firms have experts at evaluating disputes, identifying risk and responsibility and calculating compensation that may be owed to a contractor in a specific circumstance. The disputes are typically large dollar amounts with complex facts that intertwine scope and schedule related facts. The project teams and legal counsel typically handle the simpler cases through routine processing of change orders – these claims evaluation firms get involved only as an

exception or only when they are needed. Their analysis is useful should the item in question proceed to litigation. Mr. Bode commented that the Request for Proposal (RFP) process started in May and that the evaluation was done by four staff members. Following the evaluation, there was an interview conducted by staff members of top-ranked firms, and Construction Process Solutions, LTD was the highest ranked firm with the other three firms as the next highest ranking. Mr. Bode informed the Commission members that the EDGE goals were included in the RFP and that they are in the contract.

Mr. Bode presented Resolution 10-138, approving Specialty Services Contracts for Claim Evaluation Services, for Commission Approval.

Contractor	Scope of Work	Amount
Construction Process Solutions, LTD	Claim Evaluation	\$300,000
H.R. Gray Associates, Inc.	Claim Evaluation	\$200,000
Alpha Corporation	Claim Evaluation	\$200,000
HOV Services, LLC	Claim Evaluation	\$200,000

Vice Chair Quill moved to approve Resolution 10-138.

Mr. Pompey seconded the motion.

Director Quill asked Mr. Bode if the contract amounts are “not to exceed” amounts.

Mr. Bode responded that they are indeed “not to exceed” amounts. The last contract over a three year period and spent a little over a million dollars.

Mr. Pompey asked if OSFC had past working relationships with these contractors.

Mr. Bode said that OSFC has had past working relationships with these contractors. In the last selection process we awarded contracts to two of them on the new list. The other two firms were not on the previous award list per se, but earlier versions of the firms, before buy-outs, etc., were on the list.

Approval: Vote 3-0.

Priority Order of District Funding

Resolution 10-139

Mr. Bode mentioned that in April 2009, the Commission adopted guidance on translating the equity list into the exact priority among school districts seeking funding, which was mostly related to timing questions. The guidance was updated in November 2009 and now again with the new equity list. Mr. Bode commented that the Priority order revisions include: removing districts with approved projects; adding ten districts to the CFAP list; adding six districts to the “CFAP lapsed” list; and, adding one district to the “VFAP Lapsed” list.

Mr. Bode also presented Resolution 10-139, Priority of the Order of Assistance for funding projects awarded under CFAP and VFAP, for Commission approval.

CLASSROOM FACILITIES ASSISTANCE PROGRAM (CFAP)			
PRIORITY ORDER		SCHOOL DISTRICT	COUNTY
P-001		Eastern Local SD	Meigs
P-004		College Corner Local SD	Preble
P-005		Mansfield City SD	Richland
P-006		Rolling Hills Local SD	Guernsey
P-007		La Brae Local SD	Trumbull
P-009		Crestview Local SD	Columbiana
P-010		Bristol Local SD	Trumbull
P-011		East Clinton Local SD	Clinton
P-012		Preble-Shawnee Local SD	Preble
P-014		Massillon City SD	Stark
P-017		West Holmes Local SD	Holmes
P-018		Fairless Local SD	Stark
P-019		Carlisle Local SD	Warren
P-020		Black River Local SD	Medina
P-021		Botkins Local SD	Shelby
P-023		Patrick Henry Local SD	Henry
P-024		Wynford Local SD	Crawford
P-026		Conotton Valley Union Local SD	Harrison
P-027		McComb Local SD	Hancock
P-028		James A Garfield Local SD	Portage
P-029		Champion Local SD	Trumbull
P-030		Lucas Local SD	Richland
P-033		Zane Trace Local SD	Ross
P-034		Ravenna City SD	Portage
P-037		Williamsburg Local SD	Clermont
P-038		Berne Union Local SD	Fairfield
P-039		Norwalk City SD	Huron
P-040		Bluffton Ex Vill SD	Allen
P-041		Fort Frye Local SD	Washington
P-042		Ridgedale Local SD	Marion
P-043		Shadyside Local SD	Belmont
P-045		Fairport Harbor Ex Vill SD	Lake
P-049		New Bremen Local SD	Auglaize
P-054		Northmont City SD	Montgomery
P-055		Miami Trace Local SD	Fayette
P-056		Marlington Local SD	Stark
P-057		Green Local SD	Scioto
P-060		Urbana City SD	Champaign
P-061		Celina City SD	Mercer
P-064		Groveport Madison Local SD	Franklin
P-065		Pleasant Local SD	Marion
P-066		Sandusky City SD	Erie
P-067		Piqua City SD	Miami
P-069		Lexington Local SD	Richland
P-070		Tiffin City SD	Seneca
P-071		Perry Local SD	Allen
P-072		Tri-County North Local SD	Preble
P-073		Ayersville Local SD	Defiance

P-075		Bloomfield-Mespo Local SD	Trumbull
P-077		Canal Winchester Local SD	Franklin
P-081		Elyria City SD	Lorain
P-082		Fairborn City SD	Greene
P-083		Rootstown Local SD	Portage
P-084		Greenville City SD	Darke
P-086		Monroeville Local SD	Huron
P-087		Napoleon City SD	Henry
P-088		Amherst Ex Vill SD	Lorain
P-089		Warrensville Heights City SD	Cuyahoga
P-091		West Carrollton City SD	Montgomery
P-092		Southwest Local SD	Hamilton
P-094		Greenon Local SD	Clark
P-095		Jackson Center Local SD	Shelby
P-096		Dalton Local SD	Wayne
P-097		Mount Vernon City SD	Knox
P-099		Johnstown-Monroe Local SD	Licking
P-101		Liberty Local SD	Trumbull
P-102		Sidney City SD	Shelby
P-103		Madison-Plains Local SD	Madison
P-104		Ashland City SD	Ashland
P-105		Salem City SD	Columbiana
P-106		Lakeview Local SD	Trumbull
P-107		Upper Sandusky Ex Vill SD	Wyandot
P-108		Winton Woods City SD	Hamilton
P-109		Coventry Local SD	Summit
P-110		Brown Local SD	Carroll
P-111		Gallia County Local SD	Gallia
P-112		Olmsted Falls City SD	Cuyahoga
P-113		Wayne Local SD	Warren
P-114		Edison Local SD	Jefferson
P-115		Mogadore Local SD	Summit
P-116		Firelands Local SD	Lorain
P-117		Finneytown Local SD	Hamilton
P-118		Northridge Local SD	Montgomery
P-119		Brunswick City SD	Medina
P-120		River View Local SD	Coshocton
P-121		Perry Local SD	Stark
P-122		Lebanon City SD	Warren
P-123		Keystone Local SD	Lorain
P-124		Marietta City SD	Washington
P-125		West Muskingum Local SD	Muskingum
P-126		Swanton Local SD	Fulton
P-127		Lockland City SD*	Hamilton
P-128		Findlay City SD*	Hancock
P-129		Margaretta Local SD*	Eric
P-130		Streetsboro City SD*	Portage
P-131		Lancaster City SD*	Fairfield
P-132		Fremont City SD*	Sandusky
P-133		Elida Local SD*	Allen
P-134		Bryan City SD*	Williams

P-135		New Philadelphia City SD*	Tuscarawas
P-136		Canton Local SD*	Stark
*School Districts that have been added to the Priority List. (Skipped numbers reflect districts whose project has been conditionally approved for funding.)			
CFAP - LAPSED DISTRICTS			
PRIORITY ORDER		SCHOOL DISTRICTS	COUNTY
L-001		Federal Hocking Local SD	Athens
L-002		United Local SD	Columbiana
L-003		South Central Local SD	Huron
L-004		Noble Local SD	Noble
L-005		Central Local SD	Defiance
L-006		Harrison Hills City SD	Harrison
L-007		Vanlue Local SD	Hancock
L-008		West Liberty-Salem Local SD	Champaign
L-009		Beaver Local SD	Columbiana
L-010		Clear Fork Valley Local SD	Richland
L-013		Liberty Center Local SD	Henry
L-014		Caldwell Ex Vill SD	Noble
L-016		Arlington Local SD	Hancock
L-017		Springfield Local SD	Mahoning
L-018		National Trail Local SD	Preble
L-019		Ridgemont Local SD	Hardin
L-020		Kenton City SD	Hardin
L-021		Carrollton Ex Vill SD	Carroll
L-022		Valley View Local SD	Montgomery
L-023		Greeneview Local SD	Greene
L-024		Batavia Local SD	Clermont
L-025		Liberty Benton Local SD	Hancock
L-026		Jefferson Township Local SD	Montgomery
L-027		Twin Valley Community Local SD	Preble
L-028		Fostoria City SD	Seneca
L-029		North Fork Local SD	Licking
L-030		Willard City SD	Huron
L-031		Carey Ex Vill SD	Wyandot
L-032		Westfall Local SD	Pickaway
L-033		North Central Local SD	Williams
L-034		Lake Local SD	Stark
L-035		Crestwood Local SD	Portage
L-036		Eastwood Local SD	Wood
L-037		Hillsdale Local SD	Ashland
L-038		South-Western City SD	Franklin
L-039		Wellington Ex Vill SD	Lorain
L-040		Tuscarawas Valley Local SD	Tuscarawas
L-041		Old Fort Local SD	Seneca
L-042		Weathersfield Local SD	Trumbull
L-043		Buckeye Local SD	Jefferson
L-044		Manchester Local SD	Summit
L-045		Covington Ex Vill SD*	Miami

L-046		Triway Local SD*	Wayne
L-047		Loudonville-Perrysville Ex Vill SD*	Ashland
L-048		Northeastern Local SD*	Clark
L-049		Norton City SD*	Summit
L-050		Logan Elm Local SD*	Pickaway
*School Districts that have been added to the Priority List. (Skipped numbers reflect districts whose project has been conditionally approved for funding.)			

Mr. Pompey moved to approve Resolution 10-139.
 Vice Chair Quill seconded the motion.
 Approval: Vote 3-0.

Architectural Agreements and Amendments Approval
Resolution 10-140

Steve Berezansky presented Resolution 10-140, Professional Design Services Agreements, Amendments and a Locally Funded Initiative, for Commission approval:

Agreements:

School District	Project	Architect	Agreement Amount
Hopewell Loudon Local SD	Build one new K-12 facility	Fanning & Howey Associates, Inc.	\$1,490,461.42
Northwestern Local SD	Build one new ES/MS	SHP Leading Design	\$2,800,662.00
Southeast Local SD	Temperature controls/HVAC upgrades at ES and HS facilities	HAWA Incorporated	\$240,800.00

Amendment:

School District	Project	Architect	Fees to Date	Amendment Amount	Total
Morgan Local SD	Design enhancements	McDonald, Cassell & Bassett, Inc.	\$1,419,518.44	\$13,020.00	\$1,432,538.44

Locally Funded Initiative:

School District	Project	Architect	LFI Amount
Hopewell Loudon Local SD	Design enhancements and athletic facilities	Fanning & Howey Associates, Inc.	\$109,908.00

Vice Chair Quill moved to approve Resolution 10-140.
 Mr. Pompey seconded the motion.
 Approval: Vote 3-0.

Construction Manager Agreements and Amendments Approval
Resolution 10-141

Mr. Berezansky also presented Resolution 10-141, Construction Manager Agreements, for Commission approval.

School District	County	CM Firm	Contract Amount
Columbus City SD - Segment 2C	Franklin	Smoot / Elford / Resource Joint Venture	\$1,847,905
Columbus City SD - Segment 3	Franklin	Smoot / Elford / Resource Joint Venture	\$6,561,259

Mr. Pompey moved to approve Resolution 10-141.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Resolution 10-142

Mr. Berezansky also presented Resolution 10-142, a Construction Manager Locally Funded Initiative, for Commission approval.

School District	County	Construction Manager	Amount
Columbus City SD - Segment 2C	Franklin	Smoot / Elford / Resource Joint Venture	\$873,844
Columbus City SD - Segment 3	Franklin	Smoot / Elford / Resource Joint Venture	\$149,302
Findlay City SD	Hancock	Touchstone CPM, Inc	\$710,379

Vice Chair Quill moved to approve Resolution 10-142.

Mr. Pompey seconded the motion.

Approval: Vote 3-0.

Trade Construction Contracts Approval

Resolution 10-143

Mike Mendenhall presented Resolution 10-143, approving the award of Trade Construction Contracts, for Commission approval.

	Contracting Entity	School District	Building Type	Scope of Work	\$ Amount
1	Quality Environmental Services, Inc.	Bellevue CSD	Shumaker ES	Asbestos	\$76,250.00
2	ESI, Inc.	Cincinnati CSD	Chase School	Electrical/ Technology	\$1,197,000.00
3	John P. Tumlin & Son LTD	Cincinnati CSD	Chase School	Site Concrete	\$140,650.00
4	GM Mechanical, Inc.	Cincinnati CSD	Westwood	Plumbing & HVAC	\$2,174,000.00
5	Chapel Electric Company, LLC	Cincinnati CSD	Westwood	Electrical/ Technology	\$1,165,082.00
6	HGC Construction Company	Cincinnati CSD	Walnut HS	Demolition of Music Addition	\$246,500.00
7	B & B Wrecking, Inc.	Cleveland MSD	Miles ES	Demolition & Abatement	\$687,000.00
8	Dore & Associates Contracting, Inc.	Cleveland MSD	Dunbar ES	Demolition and Abatement Work	\$443,300.00
9	Colvin Gravel Company	Columbus CSD	Georgian Heights ES	Demolition	\$151,131.00

10	Hina Environmental Solutions, LLC	Columbus CSD	Georgian Heights ES	Abatement	\$27,785.00
11	Midwest Telephone Services, Inc. *	Garfield Heights CSD	District Wide	Technology	\$1,399,000.00
12	Lakeland Management Systems, LLC	Garfield Heights CSD	Maple Leaf ES	General Trades/Plumbing	\$4,317,000.00
13	Cason Roofing, LLC	Graham LSD	Graham HS	Roof Replacement	\$682,300.00
14	Dayton Walls & Ceilings, Inc.	Hamilton CSD	8 ES's	Acoustic Wall Panels	\$203,275.00
15	Integrated Construction Services	Highland LSD	K - 12	Drywall	\$207,700.00
16	Craynon Fire Protection	Huber Heights CSD	Monticello ES	Fire Protection	\$124,373.00
17	Emcor Services Automated Controls	Huber Heights CSD	Various Locations	Temperature Control	\$1,689,850.00
18	Slagle Mechanical	Huber Heights CSD	Wayne HS	HVAC	\$3,990,000.00
19	Geuy Construction Company, Inc. **	Huber Heights CSD	Administration Building	Network Operating Center	\$225,000.00
20	Active Electric	Huber Heights CSD	Wayne IIS	Electrical	\$4,678,610.00
21	A I Sprinkler & System Integration	Huber Heights CSD	Wayne HS	Fire Protection	\$439,900.00
22	Ohio Plumbing & Electrical, Inc.	Huber Heights CSD	Wayne HS	Plumbing	\$1,549,000.00
23	Ferguson Construction Company	Huber Heights CSD	Wayne HS	General Trades	\$27,782,300.00
24	Continental Office Furniture	Liberty-Union Thurston	MS	Loose Furnishings	\$343,295.00
25	Accent Electric Systems	Louisville CSD	PK-5 and HS	Clock and Sound Systems Work	\$299,900.00
26	Mr. Excavator, Inc.	Maple Heights	HS	Early Site	\$1,114,000.00
27	Farnham Equipment Company	Newark CSD	Newark HS	Casework	\$979,000.00
28	Lang Masonry Contractors	Newark CSD	Newark HS	Masonry	\$3,381,000.00
29	Clara I. Brown Interiors, Inc.	Newark CSD	Heritage MS	Office Furniture	\$106,496.79
30	Gutridge Plumbing, Inc.	Newark CSD	Newark HS	Fire Protection/Plumbing/HVAC	\$7,199,000.00
31	Educational Furniture **	Newark CSD	New Heritage MS	Classroom Furniture	\$130,360.00
32	Claypool Electric, Inc.	Newark CSD	Newark HS	Electrical & Technology	\$5,065,000.00
33	Tom's Construction	Newton LSD	K - 12	Locust Street Improvement	\$167,834.30
34	Charles Construction Services, Inc.	Northmor LSD	Northmor LSD	Sitework (Phase 2)	\$685,700.50
35	Zenith Systems, LLC	Northmor LSD	Northmor LSD	Technology/Security	\$1,570,000.00
36	SoundCom Systems Corporation **	Olmsted Falls CSD	MS	Technology - Video Systems	\$93,201.00
37	B. Hill'z Excavating, Inc.	Otsega LSD	PK - 5	Early Site	\$514,928.00
38	Tom Sexton and Associates	Pioneer CTC	Pioneer CTC	Seating	\$70,000.00

39	Continental Office Environments	Pioneer CTC	Pioneer CTC	Student Classroom Furniture	\$461,065.00
40	Stonecreek Interior Systems, LLC	Reynoldsburg CSD	Rose Hill ES	Casework	\$209,400.00
41	Sentry Fire Protection	Ross Local SD	MS & ES	Fire Protection	\$160,800.00
42	JMC Mechanical *	Russia LSD	K - 12	HVAC	\$990,000.00
43	Grae-Con Construction, Inc.	Switzerland of Ohio LSD	Beallsville PK - 12	General Trades and Plumbing	\$6,675,000.00
44	S. A. Comunale Co., Inc.	Switzerland of Ohio LSD	Beallsville PK - 12	Fire Protection	\$342,200.00
45	Climatech, Inc.	Switzerland of Ohio LSD	Beallsville PK - 12	HVAC	\$1,937,000.00
46	Davis Pickering & Co., Inc.	Switzerland of Ohio LSD	Beallsville PK - 12	Electric	\$1,482,096.00
47	Jackson & Sons Drilling & Pumping, Inc.	Switzerland of Ohio LSD	Beallsville PK - 12	Geothermal	\$479,900.00
48	Kalkreuth Roofing and Sheet Metal	Switzerland of Ohio LSD	Beallsville PK - 12	Roofing	\$457,550.00
49	Midwest Contracating, Inc.	Toledo CSD	Marshall ES	Concrete Paving and Curbs	\$50,500.00
50	OCP Contractors, Inc.	Toledo CSD	Marshall ES	Metal Studs and Drywall	\$434,910.00
51	Hoffman & Harpest Co., Inc.	Toledo CSD	Marshall ES	HVAC	\$1,137,800.00
52	B. Williams Bucher, Inc.	Toledo CSD	Marshall ES	Painting	\$71,696.00
53	Border Fire Protection, Inc.	Toledo CSD	Marshall ES	Fire Protection	\$78,970.00
54	Shambaugh & Son, L. P.	Toledo CSD	McKinley ES	Fire Protection	\$73,342.00
55	McNerney & Son, Inc.	Toledo CSD	Ottawa River MS	Office Furnishings and Equipment	\$43,860.99
56	Laibe Electric, Co	Toledo CSD	Marshall ES	Technology	\$446,822.00
57	Midwest Contracting, Inc.	Toledo CSD	Marshall ES	Landscaping and Grass	\$23,400.00
58	Geddis Paving & Excavating, Inc.	Toledo CSD	Marshall ES	Asphalt	\$39,890.00
59	Crestline Paving & Excavating, Co., Inc.	Toledo CSD	McKinley ES	Landscaping	\$49,275.00
60	Legacy Commercial Flooring	Toledo CSD	McKinley ES	Flooring	\$152,500.00
61	Woods Construction, Inc.	Toledo CSD	Marshall ES	Flooring	\$184,515.00
62	Ann Arbor Ceiling & Partition Co., LLC	Toledo CSD	McKinley ES	Metal Studs and Drywall	\$458,250.00
63	Mosser Construction, Inc.	Toledo CSD	Marshall ES	General Trades	\$3,783,000.00
64	Folding Equipment Company, LLC	Toledo CSD	Ottawa River MS	School Furnishings and Equipment	\$119,900.00
65	The Knoch Corporation	Wadsworth CSD	Wadsworth HS	General Trades	\$17,797,000.00
					\$113,457,363.58

Lowest Responsible, Second Low Bidder *
EDGE Waiver **

Mr. Pompey moved to approve Resolution 10-143.
 Vice Chair Quill seconded the motion.
 Approval: Vote 3-0.

Settlement Agreement Approval

Resolution 10-144

John Eufinger presented Resolution 10-144, authorizing settlement with Columbus Heating and Ventilating Company on the Newcomerstown Exempted Village Local School District project, for Commission approval.

District	Newcomerstown Exempted Village Local SD (Tuscarawas)
Project Scope	CFAP - Newcomerstown HS, Newcomerstown MS and West ES
Architect	SSOE, Inc.
CM	PCS - Regency
Contractor	Columbus Heating & Ventilating Company
Summary	<p>Columbus Heating & Ventilating Company (“CVH”) was awarded a \$398,000 contract for the heating, ventilating and air conditioning (“HVAC”) controls for the three schools referenced above in the Newcomerstown Exempted Village Local School District Project (the “Project”). CVH was also awarded a contract for the Heating, ventilating and air conditioning for the Project, but that contract is not at issue. Travelers Casualty & Surety Company of America (“Travelers”) was the surety for CVH.</p> <p>From the beginning, the district was not able to maintain control of the HVAC systems installed by CVH. After attempts to resolve the problems failed, the School District and Commission had the control systems replaced and brought suit against CVH and Travelers in the Tuscarawas County Common Pleas Court. CVH counterclaimed against the Commission, so the case was removed to the Court of Claims. The case was entitled Newcomerstown Exempted Village Local School District, et al. v. Columbus Heating & Ventilating Company, et al., identified as Ohio Court of Claims Case No. 2006-06248-PR.</p> <p>The trial of the case was delayed by several procedural issues, but finally began in the summer of 2010. After two days of trial, the parties negotiated a settlement the with CVH agreeing to pay \$270,000.00 to the Commission and School District, and the parties agreeing to dismiss all of the pending claims in the Court of Claims case.</p>

Vice Chair Quill moved to approve Resolution 10-144.
 Mr. Pompey seconded the motion.

Director Quill asked if this issue went to trial and was settled.

Mr. Eufinger responded that it had.

Director Quill asked what some of the procedural issues were.

Jim Rook stated that it was a jury trial.

Director Quill asked if the amount represent a fair number, given OSFC’s position.

Mr. Berezansky responded he was a project administrator on the project years ago. He believed that OSFC had a good case.

Mr. Eufinger commented that it is his understanding that Columbus Heating and Ventilating Company actually did do the installation of the equipment in a very satisfactory manner.

Mr. Berezansky mentioned that this involves the issue of digital controls and not the installation itself, which was something that Tom Brannon and the team fixed.

Chair Sabety asked if OSFC was able to recompensate close to our cost.

Mr. Brannon stated that OSFC was able to.

Approval: Vote 3-0.

Resolution 10-145

Mr. Eufinger also presented Resolution 10-145, authorizing settlement with Project and Construction Services, Inc. on the Steubenville City School District project for West Elementary, for Commission approval.

District	Steubenville City School District (Jefferson)
Project Scope	West Elementary school
Architect	Balog, Steines, Hendrick & Manchester
CM	Project and Construction Services, Inc./ G. Stephens
Summary	<p>The present settlement agreement relates to Steubenville City School District – West Elementary school located in Jefferson County. Project and Construction Services, Inc. was selected as the Construction Manager for the Project. Balog, Steines, Hendrick & Manchester was chosen by the District as Architect for the Project. DeSalvo Construction, Inc. was the general trades contractor on the Project. ACA Engineering, Inc. was the construction testing agency on the Project.</p> <p>During the construction of the Project and/or shortly thereafter, part of the building settled causing damage to the structure and causing the Co-Owners to incur significant expenses related to subsurface settlement conditions and to correct the damage.</p> <p>OSFC and the District have made claims against Project and Construction Services, Inc., Balog, Steines, Hendrick & Manchester, DeSalvo Construction, Inc., and ACA Engineering, Inc. for compensation for the losses incurred for correcting the settling of the building. Co-Owners have previously settled with DeSalvo Construction, Inc. and are in the process of finalizing a settlement with ACA Engineering, Inc. With the Commission's approval of this settlement agreement with Project and Construction Services, Inc. for \$35,000, the Co-Owners will continue to negotiate with the remaining parties.</p>

Mr. Pompey moved to approve Resolution 10-145.

Vice Chair Quill seconded the motion.

Mr. Pompey asked to understand the amount of the total claim.

Mr. Eufinger responded that the total amount included some betterment, and to our best evaluation, was about \$800,000.

Chair Sabety asked if there were three parties remaining to negotiate with.

Mr. Eufinger commented that there are only two remaining to negotiate with.

Chair Sabety asked if the Architect/ Engineer is one of them.

Mr. Eufinger said that the Architect/ Engineer is one of them.

Director Quill asked where OSFC stands with the Architect/ Engineer.

Jim Rook commented that there are various parties and various pieces of interest. Steve Berezansky was involved with the project.

Mr. Berezansky commented that the majority of the onus is on the Architect/ Engineer.

Approval: Vote 3-0.

Public Testimony

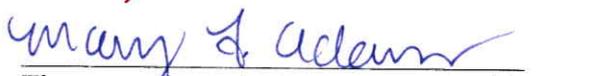
None

Chair Sabety commented that OSFC will be postponing the October meeting and that the Commission will be meeting again on November 18, 2010.

The meeting was adjourned at 2:24 PM.



J. Pari Sabety, Chair



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