

**Ohio School Facilities Commission
January 21, 2010
William McKinley Room 1:30 PM**

MINUTES

Chair Sabety called the meeting to order at 1:32 PM.

Roll Call

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

Election of Chair and Vice Chair

Director Sabety called for the election of the Commission Chair and Vice Chair for 2010.

Dr. Puckett moved to re-elect Director Sabety as Chair of the Ohio School Facilities Commission.

Director Quill seconded the motion.

Approval: Vote 3-0.

Director Sabety moved to re-elect Director Quill as Vice Chair of the Ohio School Facilities Commission.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Adoption of the November 19, 2009 Meeting Minutes

Vice Chair Quill moved to approve the November 19, 2009 meeting minutes.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Adoption of the December 17, 2009 Meeting Minutes

Dr. Puckett moved to approve the December 17, 2010 meeting minutes.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Accelerated Urban School Building Assistance Program Update and Approval

Todd Hager presented an overview of the Urban program which includes Akron, Cincinnati, Cleveland, Columbus, Dayton, Toledo. Highlights include LEED, Urban Revitalization, 21st Century Learning Environments, Historic Preservation and Community Partnerships. Program challenges include Length of program, Enrollment, Continuous planning, Bond issues/local funding and Closeouts.

Melanie Drerup presented the Urban Master Plan updates for Commission approval.

Akron

For Akron City schools, the Commission approved a Master Facilities Plan in 2002 for \$693M divided into 4 segments for 57 buildings to house 30,971 students. The Commission has approved 3 segments to date. The Commission then amended the Master Facilities Plan in 2006 for 23,261 students; the projected enrollment has since decreased by 2,558 students for a revised total of 20,703 students

We have no changes for Segment 1 today but we have for your consideration the amendment of 2 previously approved segment agreements (Segments 2A & 3) for Akron City schools. The previously amended Segment 2A provided \$114.8 M for 8 buildings. The proposed amendment:

- Changes one building from renovation to new due to condition
- Increases allowance for swing space
- & Increases allowances for abatement and demolition of schools

Akron's segment 2A budget is increased by \$.9 M for an updated budget of \$111.2M.

The previously approved Segment 3 provided \$104.6 M for 6 buildings. The proposed amendment:

- Deletes one building due to reduced enrollment
- Increases the enrollment planned at 1 building
- Moves 3 buildings into this segment
- Increases allowance for swing space
- & Increases allowances for abatement and demolition of schools

Akron segment 3 budget is increased by \$25.1 M for an updated budget of \$129.3M.

There are 2 additional segments being planned for Akron which will be brought to the Commission at a later date. The estimated budget for the remaining segments is \$195 M.

Cincinnati City Schools

For Cincinnati City schools, the Commission approved a Master Facilities Plan in 2002 for \$915M divided into 4 segments for 66 buildings to house 42,165 students. The Commission has approved 4 segments to date. The Commission amended the Master Facilities Plan in 2006 for 28,665 students; the projected enrollment has since increased by 4,022 students for a revised total of 32,687 students

We have no changes for Segment 1 today but we have for your consideration the amendment of 3 previously approved segment agreements (segments 2,2B & 3) and the approval of one new segment agreement. (Segment 3 B) for Cincinnati City schools

The previously amended Segment 2 provided \$103.3 M for 8 buildings. The proposed amendment:

- Increases the budget for 8 buildings due to market conditions
- Reduces the budget for the allowance to abate and demolish 7 buildings due to market conditions

Cincinnati's segment 2 budget is increased by \$12.9 M for an updated budget of \$116.2M.

The previously approved Segment 2B provided \$122.9 M for 7 buildings. The proposed amendment:

- Deletes one building
- Decreases the enrollment planned at 1 building
- Provides a LEED allowance at 1 building
- Increase the budget for 6 buildings due to market conditions
- Decreases the allowance for swing space
- Increases the allowance for abatement and demolition of schools

Cincinnati's segment 2B budget is decreased by \$.8M for an updated budget of \$122.1M

The previously approved Segment 3 provided \$229.4 M for 17 buildings. The proposed amendment:

- Moves 1 building into this segment
- Changes one building from renovation to new due to condition
- Increases the enrollment planned at 3 buildings
- Deletes 8 buildings
- Provides a LEED allowance at 10 buildings
- Increases the budget for 5 buildings due to OSDM Update(3) or Reassessment(2)
- Deletes Design & Construction Management allowance for 4 buildings
- Decreases the allowance for swing space
- & Decreases the allowance for abatement and demolition of schools

Cincinnati's Segment 3 budget is decreased by \$41 M for an updated budget of \$188.4M.

We have a new Segment 3b which provides \$206.2M for the construction and renovation of 11 buildings (5 new, 6 reno).

There are no additional segments planned for Cincinnati

Cleveland Metropolitan Schools

For Cleveland Metropolitan schools, the Commission approved a Master Facilities Plan in 2002 for \$1.5B divided into 9 segments for 111 buildings to house 72,500 students. The Commission has

approved 5 segments to date. The Commission amended a Master Facilities Plan in 2006 for 41,000 students.

We will have for consideration at a future Commission Meeting the amendment of 4 previously approved segment agreements. (Segments 1,2,3 & 4) for Cleveland City schools as Cleveland has just unveiled their transformation plan. Eric Bode spoke briefly on Cleveland's Transformation Plan.

Columbus City Schools

For Columbus City schools, the Commission approved a Master Facilities Plan in 2002 for \$1.3B divided into 7 segments for 130 buildings to house 65,397 students. The Commission has approved 3 segments to date. The Commission amended a Master Facilities Plan in 2006 for 50,907 students; the projected enrollment has remained stable since.

Staff presented for consideration the amendment of 3 previously approved segment agreements (Seg 1, 2 and 2B) and the approval of one new segment agreement (Segment 2C) and no changes to recently approved Segment 3 for Columbus City schools.

The previously amended Segment 1 agreement provided \$243.4 M for 19 buildings. The proposed amendment decreases the allowance for warm, safe and dry. The Columbus Segment 1 budget is decreased by \$4.3 M for an updated budget of \$226.3M

The previously amended Segment 2 agreement provided \$100.4 M for 9 buildings. The proposed amendment:

- Deletes 1 building
- Increases the budget for 8 buildings due to market conditions
- Decreases the allowance for swing space
- & Decreases the allowance for abatement and demolition of schools

The Columbus Segment 2 budget is decreased by \$8.6 M for an updated budget of \$91.8M.

The previously approved Segment 2B agreement provided \$127.4 M for 7 buildings. The proposed amendment:

- Increases the budget for 5 buildings due to market conditions
- & Decreases allowance for swing space

The Columbus Segment 2B budget increased by \$1 M which is offset by interest for an updated budget of \$127.3M..

We have a new Segment 2C for Columbus for the construction of 1 building and warm safe and dry allowance for security at 32 buildings with a budget in the amount of \$33.1 M

There are an estimated 4 additional segments being planned for Columbus, with an estimated projected total budget in the amount of \$618 M. However, the district will need to raise additional local share to proceed with future segments.

Dayton City Schools

For Dayton City schools, the Commission approved a Master Facilities Plan in 2002 for \$488.2M divided into 4 segments for 34 buildings to house 19,039 students. The Commission has approved 3 segments to date. The Commission amended a Master Facilities Plan in 2006 for 13,708 students; the projected enrollment has since increased by 546 students for a revised total of 14,254.

We have no changes for Segment 1 today but we have for your consideration the amendment of 2 previously approved segment agreements (segments 2 & 3) for Dayton City schools

The previously amended Segment 2 agreement provided \$145.5 M for 11 buildings. The proposed amendment increases the budget for 10 buildings due to market conditions. Dayton's Segment 2 budget is increased by \$3.4 M for an updated budget of \$148.8M.

The previously approved Segment 3 agreement provided \$165.4 M for 11 buildings. The proposed amendment:

- Changes one building from no action to renovation addition
- Modifies the enrollment planned at 4 buildings (Increase 3, Decrease 1)
- Deletes 2 buildings
- Increases the budget for 11 buildings due to market conditions
- Provides a LEED allowance at 10 buildings
- Increases the budget for 2 buildings due to OSDM Update
- Increases allowance for swing space
- & Increases allowance for abatement and demolition of schools

Dayton's Segment 3 budget is increased by \$ 21.4 M for an updated budget of \$186.8M.

Segment 3 will complete the work for Dayton City Schools.

Toledo City Schools

For Toledo City schools, the Commission approved a Master Facilities Plan in 2002 for \$797.8M divided into 6 segments for 64 buildings to house 35,558 students. The Commission has approved 5 segments to date. The Commission approved a Master Facilities Plan in 2006 for 24,118 students; the projected enrollment has since increased by 119 students for a revised total of 24,237 students

Staff presented for consideration 1 segment amendment for Segment 5. There are no changes to segments 1,2,3 and 4.

The previously approved Segment 5 agreement provided \$161.5 M for 11 buildings. The proposed amendment:

- Deletes 2 buildings
- Provides for renovation of 1 building

The Toledo Segment 5 budget is reduced by \$9.8 M for an updated budget \$151.6M.

Dr. Puckett moved to approve the following Resolutions to amend segment agreements in the Accelerated Urban School Building Assistance Program:

Resolution 10-01	adopting an amendment to the segment no. 2a project agreement for the Akron City School District project
Resolution 10-02	adopting an amendment to the segment no. 3 project agreement for the Akron City School District project
Resolution 10-03	adopting an amendment to the segment no. 2 project agreement for the Cincinnati City School District project
Resolution 10-04	adopting an amendment to the segment no. 2b project agreement for the Cincinnati City School District project
Resolution 10-05	adopting an amendment to the segment no. 3 project agreement for the Cincinnati City School District project
Resolution 10-07	adopting an amendment to the Segment No. 1 Project Agreement For the Columbus City School District project
Resolution 10-08	adopting an amendment to the segment no. 2 project agreement for the Columbus City School District project
Resolution 10-09	adopting an amendment to the segment no. 2b project agreement for the Columbus City School District project
Resolution 10-11	adopting an amendment to the segment no. 2 project agreement for the Dayton City School District project
Resolution 10-12	adopting an amendment to the segment no. 3 project agreement for the Dayton City School District project
Resolution 10-13	adopting an amendment to the segment no. 5 project agreement for the Toledo City School District project

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Vice Chair Quill moved to approve the following Resolutions to approve project agreements in the Accelerated Urban School Building Assistance Program:

Resolution 10-06	approving a project agreement for segment no. 3b with the
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Cincinnati City School District
Resolution 10-10 approving a project agreement for segment no. 2c with the Columbus City School District

Dr. Puckett seconded the motion.
 Approval: Vote 3-0.

Executive Director's Report

Director Murray provided the following update on staff approvals of maintenance plans

School District	Program	Buildings	Maintenance Plan Advisor	Approval Date
Eastern (Brown) LSD	1990 LB	Russellville ES & Sardinia ES	Four Seasons Environmental, Inc.	7/23/2009
Fort Loramic LSD	CFAP	Fort Loramic ES	Four Seasons Environmental, Inc.	7/23/2009
Sandy Valley LSD	CFAP	Sandy Valley MS/HS 6-12	Lawhon & Associates, Inc.	7/23/2009
Cincinnati CSD	CFAP	Ethel Taylor ES, Frederick Douglass ES, Hayes-Porter ES/MS, Mt. Airy ES, Rees Price ES, Roberts Paideia ES, & Woodward CTC	GBBN Architects	9/3/2009
Fairless LSD	ENP	Fairless ES & Fairless MS	Lawhon & Associates, Inc.	9/3/2009
New Knoxville LSD (Final Plan)	CFAP	New Knoxville K-12	Lawhon & Associates, Inc.	9/3/2009
Akron CSD - Seg 1	CFAP	Voris, Resnik, David Hill, Helen Arnold, Mason, Jennings (Segment 1A), & Betty Jane Community Learning Center – (Segment 1B)	Lawhon & Associates, Inc.	9/11/2009
Columbus CSD - Seg 1&2	CFAP	Phase I/II Schools (14 this plan) East Columbus, East Linden, Fairmoor, Lincoln Park, Parsons, Shady Lane, South Mifflin, Sullivant, Watkins, Weinland Park and West Mound elementary schools, Arts Impact, Champion & Wedgewood MS	Four Seasons Environmental, Inc.	9/11/2009

Knox CTC (Final Plan)	VFAP	Knox County Career Center	Lawhon & Associates, Inc.	9/11/2009
Stryker LSD (Final Plan)	CFAP	ES & MS/HS	Four Seasons Environmental, Inc.	9/11/2009
Washington Court House CSD (Final Plan)	ENP	Cherry Hill Primary, Belle Aire Intermediate, Washington MS, & Washington Senior HS	Four Seasons Environmental, Inc.	9/11/2009
Akron CSD - Seg 1A Final & 1B Partial	CFAP	Sam Salem CLC, Forest Hill CLC, & Robinson CLC	Lawhon & Associates, Inc.	10/2/2009
Marion CSD	CFAP	William McKinley ES, James A. Garfield ES, George Washington ES, William Howard Taft ES, Rutherford B. Hayes ES, Benjamin Harrison ES, Ulysses Grant MS, & Harding HS	Burgess & Niple, Inc.	10/2/2009
Fairfield Union LSD	CFAP	Bremen ES, Pleasantville ES, & Fairfield Union HS	Four Seasons Environmental, Inc.	11/12/2009
Warren CSD	CFAP	Warren G. Harding HS & Lincoln K-8	Lawhon & Associates, Inc.	11/12/2009
Windham ExVSD (Final Plan)	CFAP	Windham Jr/Sr High, East ES, & Katherine Thomas ES	Burgess & Niple, Inc.	11/12/2009
Gallipolis CSD	ENP	Gallia Academy HS	Four Seasons Environmental, Inc.	11/16/2009
Buckeye Central LSD (Final Plan)	CFAP	Buckeye Central K-12 School	Four Seasons Environmental, Inc.	12/21/2009
Gallia- Jackson - Vinton LSD (Final Plan)	VFAP	Buckeye Hills Career Center	Four Seasons Environmental, Inc.	12/21/2009
Kalida LSD (Final Plan)	CFAP	Kalida HS	Four Seasons Environmental, Inc.	12/21/2009
Logan-Hocking LSD (Final ENP Plan)	ENP	Logan HS	Lawhon & Associates, Inc.	12/21/2009
South Point LSD (Final Plan)	CFAP	Burlington ES, South Point ES, & South Point MS/HS	Four Seasons Environmental, Inc.	12/21/2009

Total School Districts: 22

Total Buildings Completed: 69

The Director discussed the use of project funds for alternative energy power generation. He state that we commend school districts for considering such projects, but currently view them as being outside of our core mission of providing school facilities through our co-funded program. We encourage districts who have the capacity to properly plan, manage and maintain

power generation projects to undertake them using grant funding or through the HB 264. There are a number of opportunities to secure grants and loans for such projects and project dollars should be used for facilities. We want to work with BASA or other groups to look at this issue. Chair Sabety stated that we should be supportive of these types of projects.

Director Murray talked about the guidance given to our Project Administrators regarding the use of project funds where there are bid savings. This is really an equity issue because we are in an unusual bid environment. After the bids are received and all the proper reviews and procedures have been followed, if there are bid savings to the project, then a limited amount of bid savings (15%-25%) may be used. The project dollars aren't a blank check and should be used to improve the education components like technology. Dr. Puckett asked if the districts are entitled to all of the project dollars. Director Murray responded that the districts are getting the facilities that they planned for. Rep. Patten cautioned that there may be unforeseen costs or price increases after the project is bid where the project dollars might be needed.

The Director shared the results of a Burgess & Niple report on the site for the New Boston project. The district has a site that is in a flood plain and beside a hill that requires a retaining wall and it will be expensive to prepare the site. We want to work with the district so that they are not in a position of spending most of their budget on the site and then 10-15 years from now they will have to evacuate and move children out.

Director Murray provided follow-up comments on the change order issue that was brought up by Al Adams at the November 19, 2009 meeting. We have formed a change order committee to look at this issue and the new general counsel will be helpful here.

The Director provided an update of Qualified School Construction Bond Program.

	Current Allocation Amount	Bonds Sold	Carryover Allocation Amount
Assigned 2009 Ohio Allocations (See Table A)	256,368,771.00	94,170,690.00	162,198,081.00
Unassigned 2009 Ohio Allocations	10,743,229.00	-	10,743,229.00
Total 2009 Ohio Allocations	\$267,112,000.00	94,170,690.00	172,941,310.00
Assigned Large Local Education Agencies Reallocation (Cleveland)	53,145,000.00	-	53,145,000.00
Unassigned Large Local Education Agencies Reallocation	98,526,000.00	-	98,526,000.00
Re-allocations from Large Local Education Agencies (See Table B)	\$151,671,000.00	-	151,671,000.00

Director Murray announced the new Chief Legal Counsel, John Eufinger. He joins us Monday after disengaging from some matters. He is a township trustee and comes with a lot of experience including experience as an Assistant Attorney General. His wife is a juvenile probate judge in the Common Pleas Court of Union County. There will be a lot on his plate. He will be able to do a great service for us and we are eager to have him join us and the Assistant Attorneys General who have been excellent in dealing with our questions and legal matters while there has been a vacancy in that position.

Director Murray then discussed the issue of construction manager contractor conflict. The School Facilities Commission's policy has been, apparently for as long as anyone can remember, that a CM who may also be a contractor must forego delivering those construction services on any OSFC project. They may not be a CM and a Contractor unless they get a waiver. We may allow that company to go back into active construction services anticipating that there will be an end date to their CM award and likewise when someone is going the other way, that is, they are contractors who want to become a CM. The Director stated that a number of those CMs that are contractors spoke to him about that policy and that he is looking into it. At this point, the general counsel will share a role here because we want to know where the ethical bar is on this. The Director welcomed the Commission's thoughts and opinions. Vice Chair Quill commented that from a competitive stand point we have to protect against the perception that there is self dealing going on here. It is a closed club in many regards and we have to encourage emerging businesses and protect that competitive environment.

The Director also discussed Insulated Concrete Forms (ICF) after showing the Commission sample ICF products. ICF went into the Design Manual last year and about a dozen schools are about ready to use this because of the R value. This issue came to our attention about two weeks ago by an architect specifying this for the walls in a school district. That certification or that requirement was someone had to have 5 years of experience with those proprietary Styrofoam forms in order to be able to bid the school. That caused us great concern because that meant that competition would be limited. We has success in convincing the architect that the qualifications to install this kind of wall system could be undertaken by any contractor that has poured concrete forms in the past. It is not rocket science - poured concrete walls are not new. We are stressing to our architects that we want to slow this down, we want to make sure we are getting the quality that we are suppose to get. We want to send the signal to the contractors and architects that we're looking at this and we think it's worthy or it would not be in our design manual, but we want to make sure we get what we paid for because we are paying enough for this product and we expect the R value and the quality.

School Energy Conservation Financing Program Approval

Mark Wantage presented the Vandalia-Butler City School District (Montgomery County) request to participate in the Energy Conservation Financing Program. In this program districts identify energy saving facility improvements. Projects must pay for themselves through the result and reduction of energy consumption within a fifteen-year period. School districts are required to prepare and submit project proposals for review and approval by the Commission. Commission approval allows the school district to obtain financing and proceed with their program. The projects have been reviewed by the Ohio Department of Development/Office of Energy Efficiency and the staff of the OSFC. The Commission staff recommended approval of Resolution 10-14 for the following district:

Vandalia-Butler City School District (Montgomery County)	
Total Project Cost	\$5,685,216
Interest Rate (Included in the Total Project Cost)	6.75%
Totaled Annual Savings	\$379,341
O&M Savings (Maximum Limit of 30%)	\$32,135
O&M Savings is Percentage of Total Savings	8.5%
Payback Period (Maximum 15 Years)	14.9 years
Number of Buildings	6
Vendor	Vista Consulting Group
Scope of Work:	
• Lighting Retrofit (5)	• Parking Lot Lighting Upgrades (6)
• New Windows (4)	• Plumbing Upgrades (4)
• Rooftop AHU Replacement (2)	• Geothermal System (1)
• Building Controls Upgrades (5)	• CO2 Monitoring (5)
• Occupancy Sensors (6)	• New Thermal Storage System (1)

Vice Chair Quill moved to approve Resolution 10-14.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Expedited Local Partnership Program Master Facilities Plan and Project Agreement Approval

Steve Lutz presented Resolution 10-15, the Master Facilities Plan for Gahanna-Jefferson City School District (Franklin County), for Commission consideration.

School District (County)	Master Facilities Plan Scope	Project Budget
Gahanna-Jefferson City School District	Build 4 new elementary schools and 1 new middle school, renovations and additions to Blacklick Elementary, High Point Elementary, Gahanna East Middle, Gahanna South Middle, Lincoln High School, renovations to Jefferson Elementary and provide allowances for the abatement and demolition of Chapelfield Elementary, Goshen Lane Elementary, Lincoln Elementary, Royal Manor Elementary and Gahanna West Middle.	\$179,918,203

Dr. Puckett moved to approve Resolution 10-15.
 Vice Chair Quill seconded the motion.
 Approval: Vote 3-0.

Mr. Lutz also presented Resolution 10-16, the ELPP Project Agreement for Gahanna-Jefferson, for Commission approval.

School District (County)	Discrete Portion	Project Budget
Gahanna-Jefferson City School District	Lincoln High School: Build 57,240 sf partial addition (70.26%) of full 81,461 sf addition at Lincoln High School to house 2,495 students in grades 9 thru 12.	\$12,320,901

Vice Chair Quill moved to approve Resolution 10-16.
 Dr. Puckett seconded the motion.
 Approval: Vote 3-0.

Master Facilities Plan Amendments Approval

Steve Lutz presented Resolution 10-17 for amendments to the following Master Facilities Plans:

Bellevue City School District (Huron)	<u>Segment One:</u> Change from complete to segmented master facility plan. Remove renovation of Bellevue High School 9 thru 12 & Career Tech.	(-\$7,183,824)	State Share
		(-\$10,337,697)	Local Share
		(-\$17,521,521)	TOTAL
Xenia Community City School District (Greene)	<u>Segment One:</u> Change from complete to segmented master facility plan. Remove renovation of Xenia High School 6 thru 8, new	(-\$31,287,634)	State Share
		(-\$36,728,960)	Local Share

	high school 9 thru 12 & Career Tech, demolition of Warner and Central middle schools. Replace renovation of Central Middle School with new PK thru 5.	(-\$68,016,594)	TOTAL
Gallipolis City School District (Gallia)	<u>Amendment 1:</u> New High School: The enrollment for this facility has been increased by 186 students (from 577 to 763 students); the area for this facility has been increased by 32,559 sf. due to this change (from 96,359 sf. to 128,918 sf.); due primarily to market conditions, the project budget for this facility must be increased for the design and construction work required to build one new high school to meet minimum Design Manual standards to house grades 9 thru 12. Gallia Academy Middle School: The available sf. for this facility was originally calculated to be 63,416 sf requiring an addition of 19,811 sf; the available sf. has been recalculated to be 65,788 sf; the auditorium has been reprogrammed to an educational area, resulting in an addition of 8,472 sf. for a total building size of 74,260 sf; the OSDM cost set has been changed from 2005 to 2007; due primarily to market conditions, the project budget for this facility must be increased for the design and construction work required to renovate and add to this facility to adequate design and building code standards to house grades 6 through 8.	\$5,760,956	State Share
		\$3,240,537	Local Share
		\$9,001,493	TOTAL
Zanesville City School District (Muskingum)	<u>Amendment 2</u> The project budget has been increased to include a USGBC LEED (U.S. Green Building Counsel, Leadership in Energy and Atmosphere category) allowance for two new elementary schools and one new high school.	\$ 707,200	State Share
		\$ 332,800	Local Share
		\$1,040,000	TOTAL
Eastern Local School District (Brown)	<u>Amendment 2</u> Existing Eastern High School: Due to unforeseen mold, water infiltration and non-fire rated roof trusses the project team recommended an addition of 49,380 sf at the 2008 OSDM cost set and renovation of 10,000 sf (including 2,000 sf oversize) and demolition of 56,183 sf for a total of 59,380 sf with a swing space allowance of \$426,375. This scope is recommended in lieu of renovation of 57,138 sf (including 5,559 sf oversize) at the existing Eastern High School an addition of 5,801 sf and demolition of 9,045 sf for a total square footage of 57,380 sf to house middle school grades 6 thru 8. This increase also includes \$1,773,007 in sunk costs (claim, AE fees and other soft costs). Eastern Jr. High School: The scope to abandon this building has been changed to include an allowance to abate and demolish.	\$7,758,585	State Share
		\$1,263,025	Local Share
		\$9,021,610	TOTAL

Vice Chair Quill moved to approve Resolution 10-17.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Corrective Action Grant Approval

Tom Brannon presented, for Commission approval, Resolution 10-18 for the award of a Corrective Action Grant to the Eastern Local School District (Brown County).

School District (County)	Recommended Scope	Grant Award
Eastern Local School District (Brown)	Grant to partially fund the local share of the Master Facilities Plan Amendment.	\$500,000

Dr. Puckett moved to approve Resolution 10-18.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

ENP Eligibility

Eric Bode presented Resolution 10-19 for Commission approval. ORC states that only districts that are three years away from CFAP funding are eligible for a project under ENP. In July, the Commission approved resolution 09-87 establishing the cut-off for that three-year window as 430 on the equity list. However, with the Commission's previous approvals of the priority order of assistance listing, we've realized it is clearer and more consistent to refer to that listing rather than the most current equity list. This resolution changes the ENP cutoff to say that districts on the priority order of assistance listing are not eligible.

Vice Chair Quill moved to approve Resolution 10-19.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Specialty Agreement Amendment and Memorandum of Understanding

Eric Bode presented an amendment to an existing agreement with Construction Process Solutions. The agreement in the amount of \$840,000, for claim evaluation services, was competitively selected through an RFP process. We've started the process for a new RFP for new contracts in FY11. Right now, have some on-going assignments which need additional work to properly prepare analysis in support of matters in active litigation or mediation. The amendment is for \$80,000 additional and is a not-to-exceed amount. There are no changes in rates or other items in the contract. Commission staff recommended the approval of Resolution 10-20.

Dr. Puckett moved to approve Resolution 10-20.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Eric Bode presented a Memorandum of Understanding with the Office of the Attorney General for legal support for the Commission's programs. In 2007, OSFC started moving away from special counsel as assigned by the AG's office and toward more direct support from AG staff. It's been very successful, both in terms of quality legal service and overall cost savings. The MOU provides for payment of two Assistant AGs, with payroll, fringe and indirect costs, and adds a paralegal

position (one difference from last year), as suggested by the AG’s office. OSFC agrees that adding a paralegal will allow for more efficient use of time of the lawyers and may further reduce special counsel costs. The total annual amount is \$320,840. Commission staff recommended the approval of Resolution 10-21.

Vice Chair Quill moved to approve Resolution 10-21.
 Dr. Puckett seconded the motion.
 Approval: Vote 3-0.

Delegation of authority for personal services contracts

Eric Bode presented Resolution 10-22 for Commission consideration. Since 2002, all personal service contracts, regardless of dollar amount, have been presented to the commission for approval. Low-dollar contracts have been few (5-8 per year) but occasionally have caused timing issues when we are trying to respond to a situation at hand. ORC allows the Commission to authorize the Executive Director to contract for services. The resolution proposes a very limited delegation, for contracts up to \$25,000, with reports back to the Commission listing such approvals.

Vice Chair Quill recommended that the Executive Director contact the Commission Chair prior to entering into these contracts. Director Murray agreed.

Dr. Puckett moved to approve Resolution 10-22.
 Vice Chair Quill seconded the motion.
 Approval: Vote 3-0.

Architectural Agreements and Amendments Approval

Steve Berezansky presented Resolution 10-23, Architectural Agreements and Amendments, for Commission approval.

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

School District	Project	Architect	Agreement Amount
North Baltimore Local School District	Build one new middle/high school and renovate elementary school	Fanning/Howey Architects	\$1,036,386

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

School District	Project	Architect	Fees to Date	Amendment Amount	Total
Liberty Union Thurston LSD	Additional mechanical engineering and design	Feinknopf Macioce Schappa	\$1,446,623.04	\$21,700.00	\$1,468,323.04
Zanesville CSD	Additional mechanical engineering and site work design	ASM Partners LTD	\$3,395,938.85	\$36,218.00	\$3,432,156.85
Scioto County JVSD	Additional site work design was required	Burgess & Niple, Inc.	\$1,146,786.00	\$23,400.00	\$1,170,186.00

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

School District	Project	Architect	LFI Amount
North Baltimore LSD	Additional square footage an material upgrades	Fanning/Howey Architects	\$186,419.00

Vice Chair Quill moved to approve Resolution 10-23.
 Dr. Puckett seconded the motion.
 Approval: Vote 3-0.

Construction Manager Agreements and Amendments Approval

Steve Berezansky presented Resolution 10-24 for the following Construction Manager agreements for Commission approval:

School District	County	CM Firm	Total CM Compensation
Russia Local SD	Shelby	The Quandel Group, Inc.	\$391,512
Northwest Local SD	Stark	Scaparotti Construction Group, LLC	\$1,603,575
North Baltimore Local SD	Wood	Turner Construction Company	\$959,819

Dr. Puckett moved to approve Resolution 10-24.
 Vice Chair Quill seconded the motion.
 Approval: Vote 3-0.

Steve Berezansky presented Resolution 10-25 for the following amendments to the agreements for Construction Management Services:

School District	County	Construction Manager	Amount
Akron City School District - Seg 1	Summit	The Ruhlin Company	(\$1,214,570.58)
Cincinnati City School District - Seg 2	Hamilton	Turner Construction	\$1,054,000.00

Butler Technology and Career Development Schools	Butler	Megen Construction Company	\$297,749.00
Logan Hocking Local School District	Hocking	Smoot Construction	\$0
Gallia-Jackson-Vinton JT VOC SD	Gallia	Smoot Elford Wesson	\$0

Vice Chair Quill moved to approve Resolution 10-25.
 Dr. Puckett seconded the motion.
 Approval: Vote 3-0.

Steve Berezansky presented Resolution 10-26 for the following Locally Funded Initiative amendments to the agreements for Construction Management Services:

School District	County	Construction Manager	Amount
Ada Exempted Village SD	Hardin	Richard L. Bowen + Associates	\$111,527
Clinton-Massie Local SD	Clinton	Turner Construction	\$78,150
North Union Local SD	Union	Regency Construction	\$40,052
Knox County Career Center	Knox	Regency Construction Services, Inc.	\$19,582
St Marys City SD	Auglaize	Gilbane Building Company	\$440,000
Pioneer Career and Technology Center	Richland	Bovis Lend Lease, Inc.	\$289,483
Butler Technology and Career Development SD	Butler	Megen Construction Company	\$49,450
Wauseon Exempted Village SD	Fulton	Barton Malow/Rupp Rosebrock, LLC	\$25,939

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

Trade Construction Contracts Approval

Mike Mendenhall presented Resolution 10-27 to amend a trade contract amount for an item that was approved at the November 19, 2009 Commission meeting. The Hardin Houston Board of Education awarded a construction contract for early site work to VTF Excavation in the amount of \$711,000.00. Due to a clerical error, the Commission approved the contract in the amount of \$661,000.00 which was the base price but didn't include the approved alternates. Staff recommended approval of Resolution 10-27 which corrects the contract approval to include the full contract amount as awarded by the district.

Vice Chair Quill moved to approve Resolution 10-27.
 Dr. Puckett seconded the motion.
 Approval: Vote 3-0.

Mike Mendenhall presented Resolution 10-28 for the following trade contracts:

	Contracting Entity	School District	Building Type	Scope Of Work	\$ Amount
1	Russ James Contracting, Inc. * * *	Bucyrus CSD	Kearsley ES, Kilbourne ES, & Norton ES	Demolition	\$179,953.00
2	Northern Plumbing Systems, LLC	Cincinnati CSD	PK - 8	Plumbing	\$426,500.00
3	Reece-Campbell, Inc.	Cincinnati CSD	PK - 8	General Trades	\$5,916,000.00
4	Triton Services, Inc.	Cincinnati CSD	PK - 8	HVAC	\$828,000.00
5	Beacon Electric Company	Cincinnati CSD	K - 8	Electrical/Technology	\$1,178,000.00
6	Central Insulation Systems, Inc.	Cincinnati CSD	Hughes Center HS	Asbestos Abatement	\$498,000.00
7	Tom Sexton & Associates	Cincinnati CSD	School for Creative and Performing Arts	Loose Furnishings	\$719,166.51
8	Concord Fire Protection, Inc.	Cincinnati CSD	Pre K - 8	Fire Protection	\$121,955.00
9	Continental Office Furniture Corporation	Cincinnati CSD	Dater Montessori JR HS	Loose Furnishings	\$314,737.89
10	Global Furnishings, Inc.	Columbus CSD	HHS	Lockers	\$62,997.00
11	Continental Office Environments	Columbus CSD	Fort Hayes Construction Arts and Auto Technology	Shop Equipment	\$41,881.08
12	Architectural Windows Concepts, LLC	Columbus CSD	Southwood ES	Replacement	\$390,300.00
13	Evans Landscaping, Inc.	Dayton CSD	Wilbur Wright	Demolition	\$629,000.00
14	Quality Asbestos & Demolition Services, Inc	Fairlawn LSD	Pemberton ES	Demolition	\$60,926.00
15	Middleton Geothermal Services, LLC	Franklin-Monroe LSD	K - 12	Geothermal Work	\$503,305.00
16	Tom Sexton	Gallipolis CSD	3 ES	Loose Furnishings	\$154,772.03
17	U. S. Communications and Electric, Inc.	Girard CSD	JR/SR HHS	Technology and Loose Furnishings	\$1,139,651.00
18	T P Mechanical Contractors, Inc.	Liberty Union - Thurston LSD	HHS	Fire Protection	\$80,867.00
19	Gutridge Plumbing, Inc.	Liberty Union - Thurston LSD	HHS	HVAC	\$1,022,000.00
20	Oakland Plumbing Company	Liberty Union - Thurston LSD	HHS	Plumbing	\$243,113.00
21	Robertson Construction Services, Inc.	Liberty Union - Thurston LSD	HHS	General Trades	\$1,700,521.00
22	City Electric Service, Inc.	Liberty Union - Thurston LSD	HHS	Electrical	\$873,500.00
23	Precision Pipeline, LLC	Miami East LSD	East HS	Geothermal Pipe Field Work	\$347,770.00
24	Brumbaugh Construction, Inc.	Milton-Union EVSD	PK - 12	General Trades	\$1,251,706.00
25	Russ James Contracting, Inc.	Newark CSD	North ES	Demolition	\$72,400.00
26	D & M Excavating, Inc.	Newton LSD	K - 12	Field Access Drive	\$155,960.00
27	Axis Interior System, Inc. * * *	North College Hill CSD	ES, MS/HS	Terrazzo Tile Flooring	\$330,718.00
28	Tarrier Steel	Northmor LSD	K - 12	Structural Steel	\$1,090,000.00
29	Lang Masonry Contractors, Inc.	Northmor LSD	K - 12	Masonry	\$3,259,755.00
30	Charles Construction Services, Inc.	Northmor LSD	K - 12	General Trades	\$4,287,500.00
31	Vulcan Enterprises, Inc.	Northmor LSD	K - 12	Fire Protection	\$259,558.00
32	Farnham Equipment Company	Northmor LSD	K - 12	Casework	\$733,700.00
33	Kalkreuth Roofing and Sheet Metal, Inc.	Northmor LSD	K - 12	Roofing	\$1,461,700.00

34	Accurate Electric Corporation	Reynoldsburg CSD	ES/HS	Electrical and Technology	\$6,206,050.00
35	T S Randell Company, LLC	Reynoldsburg CSD	Summit HS	Plumbing	\$1,268,400.00
36	H & A Mechanical, Inc.	Reynoldsburg CSD	ES	HVAC	\$937,000.00
37	T. B. Penick & Sons	Reynoldsburg CSD	ES, HS	Site Hardscape	\$889,000.00
38	Synergy Group, Inc.	Reynoldsburg CSD	ES, HS	General Trades	\$17,835,100.00
39	T P Mechanical Contractors	Reynoldsburg CSD	ES, HS	Fire Protection	\$382,596.00
40	Gutridge Plumbing, Inc.	Reynoldsburg CSD	HS	HVAC	\$3,876,000.00
41	Muetzel Plumbing, Inc.	Reynoldsburg CSD	ES	Plumbing	\$252,225.00
42	Farnham Equipment Company	Reynoldsburg CSD	ES, HS	Casework	\$685,000.00
43	Lepi Enterprises, Inc.	Reynoldsburg CSD	3 ES	Abatement and Related Work	\$118,445.00
44	Westfield Electric, Inc.	Toledo CSD	Riverside ES	Electrical	\$695,933.00
45	Irish Construction Company	Toledo CSD	Old Orchard ES	General Trades	\$3,295,000.00
46	Mondo Mechanical, Inc.	Toledo CSD	MS	Plumbing	\$240,000.00
47	Hoffman & Harpst Co., Inc.	Toledo CSD	Walbridge ES	HVAC	\$1,057,000.00
48	C. E. Gleeson Contractors, Inc.	Toledo CSD	Walbridge ES	General Trades	\$2,814,500.00
49	The Garrison Company	Toledo CSD	Ottawa River MS	General Trades	\$1,738,000.00
50	Bayes, Inc.	Toledo CSD	Birmingham K - 8	Plumbing	\$411,000.00
51	Synergy Group, Inc.	Toledo CSD	Birmingham K - 8	General Trades	\$4,039,000.00
52	Blaze Contracting, Inc.	Toledo CSD	Walbridge ES	Sitework	\$407,000.00
53	Schoen, Inc.	Toledo CSD	Birmingham K - 8	Sitework	\$487,000.00
54	Crestline Paving & Excavating, Co., Inc.	Toledo CSD	Old Orchard ES	Concrete Paving and Curbs	\$83,065.00
55	Oakland Plumbing Company	Toledo CSD	Walbridge ES	Plumbing	\$261,113.00
56	Westfield Electric, Inc.	Toledo CSD	Birmingham K - 8	Electrical	\$1,051,300.00
57	Crestline Paving & Excavating, Co., Inc.	Toledo CSD	Old Orchard ES	Sitework	\$381,875.00
58	Crestline Paving & Excavating, Co., Inc.	Toledo CSD	Old Orchard ES	Landscaping and Grass	\$58,600.00
59	Colgan-Davis, Inc.	Toledo CSD	Old Orchard ES	Electrical	\$639,400.00
60	Colgan-Davis, Inc.	Toledo CSD	Ottawa River MS	Electrical	\$400,200.00
61	Mosser Construction, Inc.	Toledo CSD	Riverside ES	General Trades	\$3,792,000.00
62	Mr. Excavator, Inc.	Toledo CSD	Riverside ES	Sitework	\$365,000.00
63	Mondo Mechanical, Inc.	Toledo CSD	Riverside ES	Plumbing	\$340,000.00
64	Warner Mechanical Corporation	Toledo CSD	Ottawa River MS	HVAC	\$698,444.00
65	John E. Green Company	Toledo CSD	Riverside ES	HVAC	\$1,212,000.00
66	Westfield Electric, Inc.	Toledo CSD	Walbridge ES	Electrical	\$554,745.00
67	Oakland Plumbing Company	Toledo CSD	Old Orchard ES	Plumbing	\$258,113.00
68	Stark's, Inc.	Wapakoneta CSD	HS	Boiler Replacement	\$164,900.00
69	S. A. Comunale Company, Inc.	Wayne County Joint Vocational SD	Wayne County Joint Vocational School	Fire Protection	\$406,969.00
70	Meade Construction, Inc.	Wayne County Joint Vocational SD	Wayne County Joint Vocational School	Roofing	\$2,169,200.00
71	Lepi Enterprises, Inc. * * *	Wayne County Joint Vocational SD	Wayne County Joint Vocational School	Abatement	\$136,623.00
72	Breckenridge Kitchen Equipment & Design, Inc. * * *	Wayne County Joint Vocational SD	Wayne County Joint Vocational School	Food Service	\$406,886.00
					\$91,350,594.51

Lowest Responsible, Second Low Bidder * * *

Dr. Puckett moved to approve Resolution 10-28.
Vice Chair Quill seconded the motion.
Approval: Vote 3-0.

Settlement Agreement Approval

Jon Walden, Assistant Attorney General, presented Resolution 10-29 for Commission approval for the following settlement agreement:

District: Amanda-Clearcreek Local School District (Fairfield County)

Project Scope: New 3-12 School

Architect: Steed Hammond & Paul

Construction Manager: Smoot Construction

Contractor: Corna-Kokosing Construction

Summary: Since opening in 2003, the new 3-12 School has experienced water infiltration problems and other damages related to deficiencies in the design and construction of portions of the roof and masonry walls. There were three main areas on the roof that experienced leaks: valleys, vents and chimneys. Valleys-Valleys intersecting parapet walls obstructed drainage over building expansion joints near the bottom of the roof's slope at eight locations. Vents-Vents along the gable's ridge leaked from runoff water blown uphill against the slope and under the bottom edge of ridge vents capping the gable. Chimneys-chimneys enclosing ventilation intakes or exhausts (or blanked to mimic others) had incomplete bottom pans that failed to collect and drain penetrating weather at fourteen locations. All of these conditions were corrected simultaneously by the General Trades Contractor from the original Project.

After demand and negotiation, the Architect agreed to pay to the Co-owners \$130,000, which represents almost 90% of the expected recovery related to the actual cost of correcting these deficiencies on the roof.

Vice Chair Quill moved to approve Resolution 10-29.
Dr. Puckett seconded the motion.
Approval: Vote 3-0.

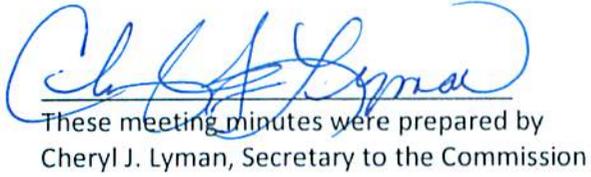
Public Testimony

None

The meeting was adjourned at 4:13 PM.



J. Pari Sabety, Chair



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