

Ohio School Facilities Commission
August 23, 2012
William McKinley Room
1:30 PM

MINUTES

Chairman Keen called the meeting to order at 1:33 PM.

Roll Call

Members present: Chairman Keen, Vice Chair Blair, Mr. Eric Bode, Representative Ramos, and Elizabeth Coulter for Senator Manning.

Adoption of the July 26, 2012 Meeting Minutes

Mr. Bode moved to approve the July 26, 2012 meeting minutes.

Vice Chair Blair seconded the motion.

Approval: Vote 3-0.

School Energy Conservation Financing Program Approval – Mike Mendenhall

Resolution 12-85

Mike Mendenhall presented the Finneytown Local School District (Hamilton and Northwest Local School District (Hamilton) for participation in the School Energy Conservation Financing Program for Commission approval.

Vice Chair Blair asked how the school districts hire an architect/engineer and how do they find this project. Mike Mendenhall responded that we do see projects where a district has engaged an architect. What we typically see is the energy consultants contacting or calling upon the districts or the districts themselves reaching out to the energy consultant community for assessments.

Vice Chair Blair asked Director Hickman if we reach out to the schools interested in HB 264 and how we can make this program more robust. Director Hickman responded that this is something that we have been looking at since the first of the year. We have a couple of instances where the payback savings that were projected by the energy consultant have not come to fruition and so we have a group of engineers in the State Architect's Office that conduct a very similar process under a performance contracting concept where they do this same type of work for state agencies. It is always done through a competitive bid process. It is always done where the Energy Services Office, through the State Architect's Office, does a preliminary assessment of a state building and determines what the various criteria will be to go into a performance contract. It is bid under a competitive process and awarded to a vendor that is required to achieve the annual energy savings. If those savings are not achieved, then the vendor is required to write a check to the state agency. So that is the difference between what the Energy Services Office administers and what occurs with school districts. There is no performance guarantee required

on the part of the HB 264 project and as Mr. Mendenhall indicated predominately what we see is school districts being approached by an energy consultant indicating that they can put together a project that will save the school district energy costs and will be able to retire the debt for the project financing through the annual energy savings, but there is no guarantee on that savings. We have begun a process to look at both the HB 264 projects and the way projects are administered in the State and have actually been charged by Chairman Keen to evaluate as it makes sense to conform these practices into a better process. We expect to provide a report back to the Commission by the end of this year.

Mr. Bode moved to approve Resolution 12-85.
 Vice Chair Blair seconded the motion.
 Approval: Vote 3-0.

Exceptional Needs Program Guidelines – Steve Lutz
Resolution 12-86

Steve Lutz presented a resolution authorizing changes to the Exceptional Needs Program Guidelines for Commission approval. These changes align the guidelines to changes in the ORC 3318.37 which were recently adopted through Senate Bill 316 during the Mid-biennial Review process. The guidelines remove criteria limiting eligibility to districts below the 75th percentile. The guidelines also remove the eligibility criteria for large land area districts above the 75th percentile. The effective date of SB 316 is September 24, 2012 and the guidelines would take effect then.

Vice Chair Blair moved to approve Resolution 12-86.
 Mr. Bode seconded the motion.
 Approval: Vote 3-0.

Master Facilities Plan Amendments Approval – Steve Lutz
Resolution 12-87

Steve Lutz presented an Amendment to the Master Facility Plan for one school district for Commission approval.

School District (County)	Recommended Modifications to the Master Facilities Plan	Recommended Modifications to the Project Budget
Jonathan Alder LSD (Madison)	The project budget for Monroe Elementary School is insufficient for the design and construction work required to renovate/add to this facility to adequate design and building code standards due to defective roofing issues. The project team will seek recovery of these dollars from the appropriate parties.	\$465,388 State Share \$396,443 Local Share \$861,831 TOTAL

Mr. Bode moved to approve Resolution 12-87.
 Vice Chair Blair seconded the motion.
 Approval: Vote 3-0.

Architectural Agreement and Amendments Approval – Rob Slagle
Resolution 12-88

Rob Slagle presented a Design Services Agreement for Commission approval.

School District	Project	Architect	Agreement Amount
Cleveland MSD (Cuyahoga)	Demolition of Alexander Graham Bell School Building	Irie, Kynyk, Goss Architects, Inc.	\$7,200.00

Rob Slagle presented Design Services Amendments for Commission approval.

School District	Project	Architect	Fees to Date	Amendment Amount	Total
Akron CSD - Seg. 3 (Summit)	Design of additional 4,838 square feet, 50 student enrollment increase	GPD Group	\$6,583,280.64	\$62,847.00	\$6,646,127.64
Akron CSD - Seg. 4 (Summit)	Additional parking required as part of a late site package	GPD Group	\$4,233,681.64	\$19,000.00	\$4,252,681.64

Rob Slagle presented a Design Services Amendment for a Locally Funded Initiative for Commission approval.

School District	Project	Architect	LFI Amount
Akron CSD - Seg. 3 (Summit)	Re-design of High School science program and additional planning studies	GPD Group	\$242,358.00

Vice Chair Blair asked for more information on the locally funded project of the science building for Akron City School District. Mr. Slagle responded that the project was in construction when the district decided that they wanted to reprogram some of their science labs spaces within the building. They wanted to make their science labs larger than what we typically fund and so that was assigned to the district as a locally funded expense. It was more the timing of the decision than anything else. Vice Chair Blair commented on the decision to make a change during construction, given the amount of time spent in design.

Vice Chair Blair moved to approve Resolution 12-88.
 Mr. Bode seconded the motion.
 Approval: Vote 3-0.

Construction Manager Amendments Approval – Rob Slagle
Resolution 12-89

Rob Slagle presented Construction Manager Amendments for Commission approval.

School District	County	Construction Manager	Amount
Franklin Monroe LSD	Drake	Resource International, Inc.	\$30,563
Liberty Union Thurston LSD	Fairfield	Smoot Elford McDaniel's Joint Venture	\$0

Mr. Bode moved to approve Resolution 12-89.
 Vice Chair Blair seconded the motion.
 Approval: Vote 3-0.

Construction Manager LFI Amendments Approval – Rob Slagle
Resolution 12-90

Rob Slagle presented a LFI Construction Manager Amendment for Commission approval.

School District	County	Construction Manager	Amount
Liberty Union Thurston LSD	Fairfield	Smoot Elford McDaniel's Joint Venture	\$85,168

Vice Chair Blair moved to approve Resolution 12-90.
 Mr. Bode seconded the motion.
 Approval: Vote 3-0.

Trade Construction Contracts Approval - Jon Walden
Resolution 12-91

Jon Walden presented the Construction Trade Contracts for Commission approval. There were 37 contracts in 20 school districts with a total combined value of \$22,577,845.64.

School District	Contracting Entity	Building Type	Scope Of Work	\$ Amount	
1	Akron PSD	Baumann Enterprises, Inc.	Guinther ES	Asbestos Abatement	\$55,725.00
2	Akron PSD	B & B Wrecking, Inc.	Guinther ES	Demolition and Site Prep	\$77,300.00
3	Brookfield LSD	Lepi Enterprises, Inc.	Addison ES/Brookfield MS	Abatement	\$138,980.00
4	Brookfield LSD	Sereday Trucking, Inc.	Addison/Brookfield HS	Demolition	\$378,685.00
5	Brookfield LSD	Cardinal Environmental Services, Inc.	Brookfield HS	Abatement	\$134,650.00
6	Cincinnati PSD	Central Insulation Systems, Inc.	Walnut Hills	Asbestos Abatement	\$123,400.00
7	Circleville CSD	C & T Design and Equipment Co., Inc. ¹	High School	Kitchen Equipment	\$588,730.00
8	Circleville CSD	Dalmatian Fire, Inc. ¹	High School	Fire Protection	\$278,600.00
9	Circleville CSD	City Electric Service, Inc. ¹	High School	Electrical	\$2,994,896.33
10	Circleville CSD	Midwest Geothermal ¹	High School	Geothermal	\$1,195,200.00

11	Circleville CSD	H & A Mechanical, Inc. ¹	High School	HVAC	\$3,617,000.00
12	Circleville CSD	Midwest Geothermal	Elementary School	Geothermal	\$931,900.00
13	Cleveland MSD	Continental Office Furniture Corporation ¹	New Orchard School of Science PK-8	Cafeteria Tables	\$17,351.70
14	Cleveland MSD	Continental Office Furniture Corporation ¹	New Orchard School of Science PK-8	Classroom Furnishings	\$160,006.41
15	Grand Valley LSD	Ohio Paving and Construction Company, Inc.	K-12	Parking Lot Repair	\$229,600.00
16	Lawrence County JVS	Lepi Enterprises, Inc.	Collins Career Center	Asbestos Abatement	\$133,356.00
17	Lawrence County JVS	Dixon Electrical Systems & Contractors	Collins Career Center	Electrical	\$5,611,846.00
18	Lorain CSD	SafeAir Contractors, Inc.	Whittier MS	Asbestos Abatement	\$184,619.00
19	Lorain CSD	Moderalli Excavating, Inc.	Whittier MS	Demolition	\$283,700.00
20	Midview LSD	NCM Demolition and Remediation, LP	New MS	Abatement	\$99,400.00
21	Midview LSD	Moderalli Excavating, Inc.	New MS	Demolition	\$157,400.00
22	Midview LSD	SoundCom Systems, Inc.*	New MS	Data Communications/Final Technology	\$424,000.00
23	Newark CSD	Playworld Midstates	McGuffey ES	Playground Equipment Package	\$46,352.00
24	Northmont CSD	Mark Schaffer Excavating & Trucking, Inc.	Northmont Early Learning Center	Early Sitework	\$788,554.00
25	Reynoldsburg CSD	Continental Office Furniture Corporation	Livingston HS	Furniture, Fixtures & Equipment	\$171,315.20
26	Southington LSD	Ohio Paving & Construction	New K-12	Paving and Subgrade	\$249,820.00
27	Springfield LSD	Lockhart Concrete Company ^{1,2}	Springfield Canton Rd. & Sanitarium Rd.	Turn Lane Widening - Phase 2 Abatement	\$394,900.00
28	Switzerland of Ohio LSD	Playcore-Wisconsin dba GameTime c/o David Williams & Associates, Inc. ²	Beallsville and Woodsfield	Playground Equipment	\$97,116.00
29	Toledo PSD	Paschal Bihn & Sons Excavating	DeVeaux Phase 2	Sitework	\$479,000.00
30	Toronto CSD	Horizon Information Services	New Middle/High School	Technology Cabling	\$158,100.00
31	Van Wert CSD	Playworld Midstates	New 1-5	Playground Equipment	\$97,113.00
32	Whitehall CSD	Central Insulation Systems, Inc.	Beechwood ES & Etna ES	Abatement	\$180,900.00
33	Whitehall CSD	Industrial Communication & Sound, Inc.	Yearling HS	AV & Security	\$560,100.00
34	Whitehall CSD	R.J. Martin Electrical Services, Inc.	Yearling HS	Voice and Data	\$682,700.00

35	Xenia Community CSD	Chapel-Romanoff Technologies, LLC	Arrowood ES, McKinley ES, Cox ES, Tecumseh ES and Shawnee ES	AV Devices	\$500,097.00
36	Xenia Community CSD	LOGOS Communications Systems, Inc.	Arrowood ES, McKinley ES, Cox ES, Tecumseh ES and Shawnee ES	Telephone Sets	\$52,058.00
37	Xenia Community CSD	LOGOS Communications Systems, Inc.	Arrowood ES, McKinley ES, Cox ES, Tecumseh ES and Shawnee ES	Data Electronics	\$303,375.00
				TOTAL	\$22,577,845.64

Mr. Bode moved to approve Resolution 12-91.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

Executive Director's Report

Director Hickman presented the groundbreaking and dedication report. He also reported on the closeout report which included the closeout for Dayton Public Schools, Segment 2. He noted that the Commission recognized the Dayton project in March as they celebrated the opening of the last two buildings in the district. We anticipate bringing a close out report for that project in its entirety.

Director Hickman asked Mr. David Chovan, Chief Financial Officer, to report on the progress the agency has made in our goals. Mr. Chovan began by stating that the vision and mission have been updated and revised to reflect the current direction of the Commission and create long-term direction for the agency. Our supporting goals focus on quality construction, innovation and improvements, partnerships and building trust. Mr. Chovan presented eight metrics that we have been measuring over the past year.

1. Enrollment Projection Accuracy
 - Completed 33 district projects with an average enrollment variance of 4.7%
2. Projects within Budget
 - 87% of projects completed without a budget adjustment - baseline
3. Quality Construction Projects
 - 87% of projects completed without a post-construction issue - baseline
4. Energy Efficient Buildings
 - 98% of constructed buildings LEED certified
5. Availability of Web Tools
 - 99% availability
6. Webinars & External Events
 - 16 webinars and 7 OCR academies conducted
7. School District Project Audits
 - 90% of completed district projects audited
8. Project Financial Close-out
 - Closed 42 projects; reduced backlog by 12%

Mr. Chovan stated that, with the consolidation from HB 487, we will be assessing and developing a new mission, vision, and goals for the combined Commission and developing performance metrics and will report those to the Commission in the future. Vice Chair Blair thanked Mr. Chovan for his presentation and commented that metrics gives you focus. He stated that these are great goals and congratulated the staff on doing this. He added that we need more agencies working with these types of metrics and offered kudos to everyone.

Director Hickman added that it would be our intent to give the Commission updates on just how we are doing and identify areas where we may have had challenges and what we are doing about it to get things back on track. He stated that over the long run it provides the staff a focus on the importance of the work they do with school districts.

There was no public testimony.

Chairman's Comments on Impacts of HB 487

Chairman Keen commented on the impacts of the House Bill 487 on the Ohio School Facilities Commission and the creation of the Ohio Facilities Construction Commission. Under the administration's plans, the Ohio School Facilities Commission and the State Architect's Office would serve under the Ohio Facilities Construction Commission with one executive director overseeing the agency and would align all parties in regards of vertical construction, oversight and policy making within the state. The Ohio Facilities Construction Commission would also have an oversight commission made up of the Office of Budget and Management Director, the Department of Administrative Services Director and an appointment made by the Governor.

Chairman Keen stated that an organizational meeting of the new Ohio Facilities Construction Commission will be held on September 10, 2012, the effective date of portions of HB 487. An executive director would be named then by the Ohio Facilities Construction Commission. As we go forward, there will be Facilities Construction Commission meetings and School Facilities Commission meetings. The proposal is that we would both meet quarterly and meet on the same day, back-to-back. The final meeting this year will be held on October 25, 2012. The 2013 calendar includes meetings set for January 24, 2013; April 25, 2013; July 11, 2013 and October 24, 2013.

The School Facilities Commission focus will stay much the same. The new Facilities Construction Commission will look at the broader issues of overseeing all construction projects for the state as a whole.

Chairman Keen presented two resolutions for Commission approval. Resolution 12-92 delegates to the Facilities Construction Commission the authority to approve, award or administer design, construction and other contracts necessary for the Ohio School Facilities Commission projects. Resolution 12-93 delegates to the Executive Director authority to approve requests by Boards of Education to finance energy conservation measures. This resolution allows the Facilities Construction Commission to make the approvals that traditionally the School Facilities Commission has had the authority to make. Under the statute of the Facilities Construction

Commission, the approval of contracts will be done under the authority of the statute and under the authority of this resolution by the Executive Director and so it will not be the Commission itself that will make the approval of contracts, but instead we will have a more policy making - policy setting review and oversight role as we move forward. Chairman Keen asked Mr. Walden to provide further description of each of the resolutions.

Mr. Walden stated HB 487 gives us the opportunity to take another step to move towards the goal of consistent administration of state agencies, public universities and public school projects. As referenced in the statute, we will have the ability to have the same staff address issues. We will have roughly the same documents in place, the same structure of construction documents, which have long been the request of the vendors that have worked for us throughout the state. As we move forward for School Facilities projects we want to have consistent framework, which allows us to maximize those efficiencies and also provide better consistency to both the owners and the users across the state. Resolution 12-92 allows us to better operate under the structure you discussed and to operate as one Commission. It gives us the opportunity to allow understanding that we do have to coincide with the intent of the statute knowing that we are going to have the one staff addressing these issues. Again as noted in the resolution, it will take the OFCC to make it effective going forward, but this is the first step to allow us to continue the process of implementing HB 487 in moving together as one organization. The second Resolution 12-93, is a resolution that addresses the change in the meeting structure. As we move towards quarterly meetings, we want to make sure we have the opportunity to keep moving forward on the HB 264 Programs or the Energy Conservation Programs. This delegates the authority for the Executive Director and the staff to make the determinations about compliance with ORC 133 (G), which is what we bring to you every month in open meetings.

Chairman Keen added that the third item on Resolution 12-93 asks for a report of actions the staff has taken to improve the review and recommendation process and to recommend any additional action that would enhance energy savings and the effectiveness of energy conservation measures undertaken by boards of education to be presented to the Commission by close of this calendar year for consideration and discussion about the way forward on this Energy Conservation Program.

Vice Chair Blair thanked Craig Weise and everybody that worked on making this a reality, including the legislature. He stated that this has been a long, long, long struggle to try to get this thing done right. Vice Chair Blair noted that OSFC staff is in rental space, not state owned space. OSFC and the State Architect's Office are all going to be moving to state space on a permanent basis, so we are going to save rental money and put people together. We are going to have people busier. We are going to have a staff that can do multiple things. When there is a problem, they can look and work on it as a group where they were all segregated before. It goes in line with so many things we are trying to do to make this government more efficient.

Mr. Bode agreed with the good direction and the hard work that has gone on up to now to make this happen and supports the direction that we are heading. Mr. Bode commented that what was primary for him as we move forward with these first steps with the resolution is the role of the OFSC. We are very comfortable in saying we have a very good system, we have good people in place, we feel confident that this is a better situation, a better way that will save time, be efficient, be good for the vendor community, good for the schools and their timing of getting

things forward, so there are a lot of pluses, but at the same time we still have a very important role of direction and oversight.

Vice Chair Blair moved to approve Resolution 12-92.

Mr. Bode seconded the motion.

Approval: Vote 3-0.

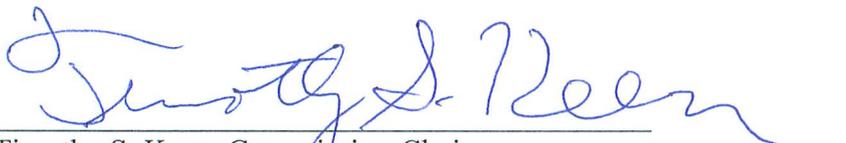
Vice Chair Blair moved to approve Resolution 12-93.

Mr. Bode seconded the motion.

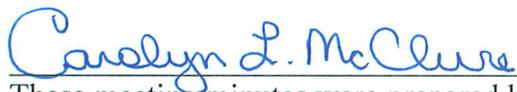
Approval: Vote 3-0.

There was no public testimony.

The meeting was adjourned at 2:17 PM.



Timothy S. Keen, Commission Chair



These meeting minutes were prepared by
Carolyn L. McClure, Secretary to the Commission