



OHIO FACILITIES CONSTRUCTION COMMISSION

**Ohio Facilities Construction Commission
February 27, 2020 Meeting
William McKinley Room, Statehouse
1:30 PM**

MINUTES

Madam Chair Murnieks called the meeting to order at 1:30 PM.

Madam Chair Murnieks welcomed everyone to the February 27, 2020 Organizational meeting of the Ohio Facilities Construction Commission. Madam Chair Murnieks acknowledged Mariah Halleck, Designee for Director Matthew Damschroder from the Ohio Department of Administrative Services as being present today. Madam Chair Murnieks confirmed with Secretary Perry that the Commission has an official Designation letter for Ms. Halleck on file.

Roll Call

Members present: Madam Chair Kimberly Murnieks, Vice Chair Mary Mertz, Mariah Halleck, Designee for Director Matthew Damschroder, Senator Manning, and Benjamin Lynn for Representative Sobecki.

Adoption of the January 23, 2020 Minutes

Vice Chair Mertz moved to approve the January 23, 2020 minutes. Ms. Halleck seconded the motion.

Approval: Vote 3-0.

**Corrective Action Program Application and Amendment Approval
Presented by Matt Westerman – *Resolution 20-06***

Matt Westerman presented a Corrective Action Program Application and Amendment for Massillon CSD (Stark) for Commission approval.

Corrective Action Program (CAP)

Mr. Westerman started his presentation by giving the Commission background on the Corrective Action Program (CAP). The CAP is a statutory program referenced in ORC Section 3318.49; and CAP applications are relatively infrequent. The Commission's guidelines were recently updated in June 2019. CAP authorizes co-funding for the correction of work found to be defective or omitted from the original K-12 project. Defective or omitted work must be reported to the Executive Director of the Commission within five years of occupancy of the building.

The school district applies for the CAP, Commission staff reviews and makes a recommendation which is then forwarded to the Commission for approval. The school district then contributes to their portion of the project cost.

If the project is financially closed, statute gives Commission staff the authority to re-open the project or create a new project and the school district enters into a new Limited Scope Project Agreement. If the project is not closed, the school district then enters into a Limited Scope Budget Adjustment. The Commission assesses responsibility and seeks recovery costs from responsible parties when possible. There have been 9 Corrective Action Applications approved under this program which was enacted in 2012. This was previously a grant program.

The Massillon CSD is seeking a CAP application to be approved by the Commission. In 2005, the district completed and occupied the new middle school. The middle school was built under the Commission's Exceptional Needs Program (ENP). The middle school began to experience water infiltration issues immediately after occupancy. OFCC was notified by the district in 2008 of the ongoing issues with the leaky roof with an initial report done by Structure Tech. Patchwork repairs were initially done at this time. The district also experienced operational funding issues over a four-year period after initial disclosure of the water infiltration.

OFCC was reengaged in 2013 to continue to work towards repairing the roof, but not a full replacement of the roof. A consultant was engaged in 2018 to do destructive testing on the roof and prepare a report. The report was issued in August of 2018 and found that the responsibility for the failure of the roof is primarily the result of defective design, and that the roof needed to be replaced.

The estimated project cost is under \$4M for the actual remedial work replacement of the roof. There is approximately \$428,000 in district costs that are being recognized as co-funded (extraordinary costs). There is approximately \$2.7M in remaining project funds and project interest. The district has over \$870,000 in Locally Funded Initiatives (LFI). The additional state contribution is approximately \$525,690 and the local contribution by the district is approximately \$295,701.

Vice Chair Mertz asked Mr. Westerman what is the timeline to complete the project? Mr. Westerman responded that we are trying to move forward this summer. The Architect is on board and if approved by the Commission today, we will take to controlling board for final approval of the funds.

Vice Chair Mertz moved to approve Resolution 20-06.

Ms. Halleck seconded the motion.

Approval: Vote 3-0.

Executive Director Report

Director Lyman began her report by acknowledging that Jeff Westhoven, Chief of Program Services, is serving as OFCC's representative for the Governor's Ohio School Safety Working Group. This group has been tasked with advising the Ohio School Safety Center which advances student and school safety for our State.

In February 2020, OFCC attended the Team Collaboration Conference: Finance, Facilities, & Safety Planning jointly hosted by the Buckeye Association of School Administrators BASA (association for school

superintendents) and the Ohio Association of School Business Officials (OASBO). OFCC staff conducted a presentation on school safety. OFCC staff also participated in a presentation of two case studies on storm shelters with Dover CSD in conjunction with North Ridgeville CSD high performance schools and student-centered learning environments.

Director Lyman also had the opportunity to talk about Green Schools at the USGBC (US Green Building Council) Ohio Quarterly Leadership Day in February 2020. Director Lyman indicated that it is interesting to hear the prospective from the members of the positive impact on communities with students who attend our Green schools.

Director Lyman reported that during the period from December 1 through December 31, 2019, the Commission executed 40 agreements and amendments with a total contract amount of over \$30M. This represents planning, design and construction activity across the state. Some of the projects include cabin improvements in 10 state parks, facility improvements and modernization at three locations at the Expo Center, including the ice-skating rink at the Ohio State Fair Grounds. The middle school projects in South-Western City Schools include 2 Segments: 4 new schools and 1 renovation/addition. That equates to 560,000+sq ft of new or renovated space for 3,976 students.

The Project Activity Summary FY 2020 through January 31, 2020 totaled 130 projects in design, 205 projects in construction with a value of \$2.65B.

Director Lyman congratulated two K-12 districts for a successful financial close-out: Champion LSD (Trumbull) and Lakewood CSD (Cuyahoga).

Director Lyman pointed out that during the month of January 2020, Commission staff attended three dedications for Amherst EVSD (Lorain), Fostoria CSD (Seneca) and Toronto CSD (Jefferson).

Director Lyman's final item on her report is the March 2020 Ballot – School Facility Issues. The Commission has 15 districts with school facilities issues on the ballot. There are 5 lapsed districts where we offered funding and the district did not obtain their local share within the 13-month period. These districts are going back to the ballot to secure their local share. If these districts are successful at the election, the districts would come back to the Commission once funding is available. In addition, we have 6 active Expedited Local Partnership Project (ELPP) projects. If the ELPP districts are successful at the ballot, they could proceed with their discrete portion.

This concludes Director Lyman's report.

Project Spotlight-Massillon CSD (Stark) Presented by Patrick Love

Madam Chair Murnieks introduced the Energy Conservation project spotlight for the Mansfield/Richland Correctional Institutions.

Patrick Love, OFCC Energy Project Manager, began the project spotlight presentation by introducing Jacqueline Langhals, Energy Conservation and Sustainability Administrator, and Tony Shaffer, Assistant

CAMS Bureau Chief, from the Ohio Department of Rehabilitation and Correction (ODRC) to present the owner perspective of the project.

Mr. Love provided background information on Energy Performance Contracts. The Energy Performance Contracts were authorized for use in 1994 under H.B. 7. These types of projects pay for themselves out of operational savings with an annual savings secured by a guarantee bond. There is a competitive selection process and requires controlling board approval. The projects are financed through the Ohio Air Quality Development Authority.

The Mansfield/Richland Correctional Institutions are in Richland County. The Mansfield Correctional Facility was opened in 1990 and houses 2,645 inmates. The Richland Correctional Facility opened in 1998 and houses 2,566 inmates.

The benefits of the project are the energy and water savings, maintenance and operational savings and inmate workforce development. As part of the inmate workforce pre-apprenticeship program, the inmates will receive a certificate for their part in the shower conservation portion of the project. The project scope focused on 4 elements including real-time metering of the heating, cooling, lighting and water conservation. The project savings over a 15-year term is in the millions.

Ms. Langhals added that the inmate workforce development program was a success, as well as working with OFCC and other partners on this project. This project is a model that we like, and we look forward to working with OFCC on future projects.

Mr. Shaffer added that they collaborated with OFCC on this project and we wanted to challenge the status quo of how performance contracts are done to get a high return investment. ODRC wanted to take this opportunity to save on energy and improve the facility with the efficiency of the mechanical equipment, safety and security, and most notably the lighting.

Madam Chair Murnieks asked how they measured the return on this project over the years? Do you track the program once they are completed and compare actual savings to what you initially projected?

Mr. Love responded that we compare an annual savings report provided by the energy service company ESCO. ESCO works with Commission staff to review the bills and monitor the savings. If we do not see a savings, ESCO will write the Commission a check for the difference. Ms. Langhals added that they have been using an energy management software to track real-time monitoring. This system gives us interval data every 15 minutes that comes to the dashboard and allows us to see any spikes in usage. We can correct any issues that arise in a timely matter. Madam Chair Murnieks commented that this was a great project and commended the use of the workforce development program.

Vice Chair Mertz asked how the projects were selected? Mr. Shaffer responded that this project was selected because there was a lot of failed mechanical equipment that needed to be replaced.

Public Testimony

No public testimony.

The meeting was adjourned at 2:00 PM.

DocuSigned by:
Kimberly Murnieks
B369C543CD5742E...

Kimberly Murnieks, Commission Chair



These meeting minutes were prepared by
Elizabeth Perry, Secretary to the Commission