

## REGULAR MEETING JUNE 23, 2008

The Marysville Exempted Village Board of Education met on the above date with the following members present: Jeffrey Mabee, Roy Fraker, Thomas Brower and Scott Johnson. Member John Freudenberg was absent.

### CALL TO ORDER

President Jeff Mabee called the June 23, 2008 meeting to order at 7:00 p.m.

### ADOPT THE AGENDA

Mr. Brower moved, seconded by Mr. Johnson to adopt the agenda for the regular June 23, 2008 meeting with addendum.

**Roll call: Brower, aye; Johnson, aye; Mabee, aye; Fraker, aye. Motion passed 4-0**

### MINUTES

Mr. Johnson moved, seconded by Mr. Fraker to approve the May 19, 2008, regular meeting minutes as submitted by Dolores Cramer, Treasurer/CFO.

**Roll call: Johnson, aye; Fraker, aye; Mabee, aye; Brower, aye. Motion passed 4-0**

### PUBLIC HEARING ON REHIRED RETIREES

### ITEMS SUBMITTED BY THE TREASURER/CFO

Mr. Brower moved, seconded by Mr. Fraker to approve the following items submitted by Dolores Cramer, Treasurer/CFO.

#### a) May 2008 Expenditures

The expenditures for May 2008	\$ 9,727,155.08
General Fund	\$ 4,338,124.63
Building Fund	\$ 2,601,726.92
Food Service	\$ 184,080.17
Permanent Improvement	\$ 67,393.13
All Other Funds	\$ 2,535,830.23

#### b) Financial Statements for May 2008

Financial Summary	(listing of all cash accounts and balances)
Checkpy	(listing of all checks issued for the month)
SM2	(revenues and expenditures for operating funds by category)
	Includes budgeted vs. actual both revenue and expense
Balance Sheet	(balancing of funds to bank balances)
Revled.	(revenues, reduction of exp., transfer and advances)
Revsum	(Estimated revenues and actual revenues and variance)
	Transfers and advances this month to be approved.

- c) Appropriations Permanent FY08 as Modified

As presented information included in the Board report. **(Refer to 2007-08 Supplemental Minutes, Item #88, 6/23/08)**

- d) Temporary Appropriations FY09

As presented information included in Board report. **(Refer to 2007-08 Supplemental Minutes, Item #89, 6/23/08)**

- e) Authorization to advance funds as necessary to cover year end balances. These funds are to be returned as funds are available after July 1, 2008.

- f) Records Committee Report

RC 3 form with a listing of records currently scheduled for destruction according to our record retention and destruction policy. This form will be submitted to the Ohio Historical Society, following approval. After 14 days from approval of this records commission, without word from the OHS they will be destroyed on July 7, 2008.

**(Refer to 2007-08 Supplemental Minutes, Item #90, 6/23/08)**

**Roll call: Brower, aye; Fraker, aye; Mabee, aye; Johnson, aye. Motion passed 4-0**

#### **LEAVE OF ABSENCE**

Mr. Fraker moved, seconded by Mr. Johnson to approve an unpaid leave of absence for Paden Green-Tossey, anticipated leave dates are the 2008-2009 contract year.

**Roll call: Fraker, aye; Johnson, aye; Mabee, aye; Brower, aye. Motion passed 4-0**

#### **STAFF RESIGNATIONS**

Mr. Fraker moved, seconded by Mr. Mabee to accept staff resignations.

- a) Resignation of Kristen Jarzecki as teacher, effective at the completion of the 2007-08 contract year.
- b) Resignation of Cindy Teske as teacher, effective at the completion of the 2007-08 contract year.
- c) Resignation of Mark Russell as teacher, effective at the completion of the 2007-08 contract year.
- d) Resignation of Faith Still as teacher, effective at the completion of the 2007-08 contract year.
- e) Resignation of Susan Johnson as Latchkey Team Leader, effective June 6, 2008.

**Roll call: Fraker, aye; Mabee, aye; Brower, aye; Johnson, aye. Motion passed 4-0**

## **EMPLOY DISTRICT STAFF**

Mr. Fraker moved, seconded by Mr. Johnson to employ District staff.

- a) Employ Jennifer Wanamaker as teacher, effective with the 2008-09 contract year.
- b) Employ Lynn Taylor as teacher, effective with the 2008-09 contract year.
- c) Employ Patricia DiChiara as teacher, effective with the 2008-09 contract year.
- d) Employ Leanne Katterheinrich as Low Incidence Coordinator, effective August 1, 2008.
- e) Employ Jerri Knaul as teacher, effective with the 2008-09 contract year.
- f) Employ Alana Best as special education aide, effective with the 2008-09 contract year.
- g) Employ Karen Collins as Interpreter/Aide, under a one-year contract, on an as-needed basis, effective for the 2008-09 contract year.
- h) Employ Nancy Schrock as a tutor for the 2008-09 school year, assigned to Trinity Lutheran School and paid for with Auxiliary Funds. This approval is pending receiving 2008-09 Auxiliary Funds.
- i) Employ Holly Dicke as Gifted and Enrichment teacher for the 2008-09 school year, assigned to Trinity Lutheran School and paid for with Auxiliary Funds. This approval is pending receiving 2008-09 Auxiliary Funds.
- j) Employ Kevin Tiziani as Latchkey student staff effective June 16, 2008.
- k) Employ Sarah Kaminski as Latchkey student staff effective June 16, 2008.

**Roll call: Fraker, aye; Johnson, aye; Mabee, aye; Brower, aye. Motion passed 4-0**

## **EMPLOY SUMMER SCHOOL STAFF**

Mr. Johnson moved, seconded by Mr. Mabee to employ Summer School staff during the summer of 2008.

Colene Thomas	K-6 Summer School Director
Dina Hodnichak	Elementary
Kris Kromer	Elementary
Heather Blevins	Elementary (as needed)
Garrett Andrews	Physical Education
Scott Forney	Physical Education (substitute)
Ricki Schultz	Physical Education (substitute)
Chris Hoehn	HS Physical Education
Heather Pitzer	HS English
Kathryn Earl	HS English
Lori Mesi	HS English

Melissa Hughes  
Matthew Beany  
Dustin Jasinski  
Dustin Jasinski  
Megan Richards  
Lori Mesi  
Ricki Schultz

HS Special Education  
HS Special Education  
HS Math  
HS OGT Math  
HS OGT Science  
HS OGT Writing  
HS OGT Social Studies

**Roll call: Johnson, aye; Mabee, aye; Fraker, aye; Brower, aye. Motion passed 4-0**

### **SUMMER SCHOOL AUTISM PERSONNEL**

Mr. Brower moved, seconded by Mr. Fraker to employ, on an as-needed basis, personnel for the summer 2008 autism program.

#### Certificated

Kristin Jenkins  
Matt Beany  
Joanna Wasilewski  
Jerri Knaul

#### Classified

Gwen Sondles  
Kathryn Wacker  
Anna Wilson  
Pam Whitley  
Tracy Zoldak  
Nick Bowsher  
Alana Best

**Roll call: Brower, aye; Fraker, aye; Mabee, aye; Johnson, aye. Motion passed 4-0**

### **SCHOOL MENTOR**

Mr. Mabee moved, seconded by Mr. Johnson to approve Lori Poling as a Tier I Mentor and recommend making payment to Mrs. Poling for her mentoring services to a new teacher during the 2007-08 school year.

**Roll call: Mabee, aye; Johnson, aye; Fraker, aye; Brower, aye. Motion passed 4-0**

### **SUPPLEMENTAL CONTRACTS**

Mr. Fraker moved, seconded by Mr. Mabee to employ certificated and non-certificated individuals in supplemental positions. Each recommendation is being made in accordance with Section 3315.53 of the Ohio Revised Code and Chapter 3301-27 of the Ohio Administrative Code.

Employment is expressly conditioned upon receipt of the employee's BCI report, and completion of the declaration required by Ohio Revised Code Section 2909.34, and will be immediately terminated without resort to Ohio Revised Code Section 3319.16 should such report indicate a prohibited conviction or unsatisfactory completion of the declaration. Employment is also contingent upon completion of CPR training and Sports Medicine as required by the State of Ohio.

**Staff**

**Position**

**2007-08 & 2008-09 school years**

Robin Wright                      Special Olympics Coordinator

**2008-09 school year**

Aaron Peitsmeyer	Asst. Football
Jim Gannon	Asst. Football
Kevin Brandfass	Asst. Football
Brent Johnson	Asst. Football
Aaron Rossi	Asst. Football
Mike Cottrill	Asst. Football
Jeff Gafford	Head Football
Dave Flemming	Freshman Football
Evan Smith	Freshman Football
Eric Brack	Freshman Football
Leslie Boey	HS Head Volleyball
Mandy Carper	HS Asst. Volleyball
Bob Ludwin	HS Head Boys' Golf
Tony Given	HS Asst. Boys' Golf
Sue Wyman	HS Head Girls' Golf
Juliet Litzel	HS Asst. Girls' Golf
Joe McSwords	HS Head Girls' Soccer
Neal Shaffer	HS Asst. Girls' Soccer
Marc Kirsch	HS Head Boys' Soccer
Jeremy Bury	HS Asst. Boys' Soccer
Nick Bowsher	HS Asst Boys' Soccer
Stephanie Schupp	HS Head Girls' Tennis
John Merriman	HS Asst. Girls' Tennis
Wendy Eggleston	HS Head Cheerleading (Fall)
Whitney Eggleston	HS Asst. Cheerleading
Tom Borawski	HS Head Cross Country
Jon Weithman	HS Asst. Cross Country
Jason Adams	HS Faculty Manager (Fall)
Jeff Gafford	Weight Room Supervisor (7/10)
Aaron Rossi	Weight Room Supervisor (1/10)
Dave Fleming	Weight Room Supervisor (1/10)
Brent Johnson	Weight Room Supervisor (1/10)

**Roll call: Fraker, aye; Mabee, aye; Brower, aye; Johnson, aye. Motion passed 4-0**

**DISTRICT SUBSTITUTES/HOME INSTRUCTORS**

Mr. Johnson moved, seconded by Mr. Brower to employ substitutes/home instructors during the 2007-08 and/or 2008-09 school years, on an as-needed basis. Employment is expressly conditioned upon receipt of the employee's BCI report, and completion of the declaration required by Ohio Revised Code Section 2909.34, and will be immediately terminated without resort to Ohio Revised Code Section 3319.16 should such report indicate a prohibited conviction or unsatisfactory completion of the declaration.

Home

Instructor: Naomi Shaw – Summer Speech Services (2008)  
Kristopher Crawmer – Summer Tutoring (2008)

Classified: Zach Balch (2007-08 & 2008-09)  
William Hicks, Jr. (2008-09)

**Roll call: Johnson, aye; Brower, aye; Mabee, aye; Fraker, aye. Motion passed 4-0**

### **AMEND CONTRACT**

Mr. Brower moved, seconded by Mr. Johnson to amend the 2008-09 contract of Candace Sweeney, psychologist, from 126 days to 151 days.

**Roll call: Brower, aye; Johnson, aye; Mabee, aye; Fraker, aye. Motion passed 4-0**

### **MEMORIAL HOSPITAL OF UNION COUNTY CONTRACT RENEWAL**

Mr. Fraker moved, seconded by Mr. Mabee to contract with the Memorial Hospital of Union County to provide athletic trainer services to the Marysville Schools Athletic Department for the 2008-09 school year. **(Refer to 2007-08 Supplemental Minutes, Item #91, 6/23/08)**

**Roll call: Fraker, aye; Mabee, aye; Brower, aye; Johnson, aye. Motion passed 4-0**

### **ADDITIONAL SALARY CATEGORY**

Mr. Fraker moved, seconded by Mr. Brower to add the salary category of Flex & Pace Program Coordinator to the Supplemental Salary Schedule, at a flat rate of \$10,000, effective with the 2008-09 school year.

**Roll call: Fraker, aye; Brower, aye; Mabee, aye; Johnson, aye. Motion passed 4-0**

### **2008-09 SUBSTITUTE AND OTHER HOURLY RATE SCHEDULE**

Mr. Fraker moved, seconded by Mr. Mabee to approve the 2008-09 Substitute and Other Hourly Rate Schedule. **(Refer to 2007-08 Supplemental Minutes, Item #92, 6/23/08)**

**Roll call: Fraker, aye; Mabee, aye; Brower, aye; Johnson, aye. Motion passed 4-0**

### **FLEET, PROPERTY AND GENERAL LIABILITY INSURANCE**

Mr. Brower moved, seconded by Mr. Fraker to approve Ohio Casualty Insurance (Huntington Insurance dba Archer-Meek-Weiler Insurance Agency) to provide fleet, property, and general liability insurance in the amount of \$100,512.00 for the time period of July 1, 2008 through June 30, 2009. The insurance rates quoted by Archer-Meek-Weiler Insurance Agency are extended for the next three years. **(Refer to 2007-08 Supplemental Minutes, Item #93, 6/23/08)**

**Roll call: Brower, aye; Fraker, aye; Mabee, aye; Johnson, aye. Motion passed 4-0**

## **2008-09 STUDENT/PARENT HANDBOOKS**

Mr. Mabee moved, seconded by Mr. Johnson to approve the 2008-09 Bunsold Middle School Student/Parent Handbook and the 2008-09 Marysville Elementaries' Handbook.

**Roll call: Mabee, aye; Johnson, aye; Fraker, aye; Brower, aye. Motion passed 4-0**

## **DONATIONS TO DISTRICT**

Mr. Fraker moved, seconded by Mr. Brower to accept donations to the District.

- a) Donations to the Destination Imagination Global Team:

McAuliffe's Industrial	\$100.00
Snyder Chiropractic Care, Inc.	\$ 50.00
- b) \$275.00 donation from Real Living HER Marketing/Marysville to the band program.
- c) \$479.98 donation from the OCC Academic League, Dublin Coffman High School, to be used for band transportation costs.
- d) The donation of a new American flag from the V.F.W. Post #3320 to replace the old one located at the Transportation Office.
- e) Donations to the annual Senior Citizen Breakfast.

Harold Green	Donna Kise, Longaberger
The Scotts Company	Sandy's Boutique
Home Depot #3889	Boston Gourmet Pizza
Minit Lube, Inc.	Crago Feed & Nursery
Dutch Mill Greenhouse	Marysville Optical
Custom Staffing, Inc.	Advance Auto Parts
Wal-Mart	Friends of the Library
Peggy Bailey	Donna Ball
Great Clips	Honda of America Mfg., Inc.
Ingram Funeral Home	Doc Henderson's Restaurant
Sub Systems, Inc. (Subway)	Kinetico Quality Water Systems
Pamela Marshall	Kennedy Dental
Buckeye Chiropractic	Parrott Implement Company
Benny's Pizza	Kristy Rowland
Dawn Terzis	Janet Shonebarger
Bushong's Garden Center	Bob Chapman Ford/Mercury
Marysville Lanes	Maggie Schmidt
Mary Ellen Smith	Meredith Burkhart
Kim Coppler	Barbara Russ
Debra Robbins	Bethany Bentz
Denene Keifer	Cindy Beil
Marty Manee	Katie Schneider
Union County Family YMCA	

f) Donations to Raymond Elementary:

- Donation of a collection of books valued at \$200 from the Northwest Lions Club.
- Donation of 2 Nikon digital cameras valued at \$345 purchased with a donation of that amount from the Northwestern High School Class of 1958.

g) Donations to Creekview Intermediate School:

- \$3,000.00 donation from the CIS-PTO for SUPERGAMES.
- Donation of \$2,896.75 that was made to the American Heart Association on behalf of CIS, (Jump Rope for Heart/Hoops for Heart).

h) Donation of books to school libraries from the Real Living HER, Marysville Office.

**Roll call: Fraker, aye; Brower, aye; Mabee, aye; Johnson, aye. Motion passed 4-0**

### **FUNDRAISER**

Mr. Brower moved, seconded by Mr. Mabee to approve Northwood Elementary to participate in a fund raiser with Mr. Yummy (which is food and catalogue items) to fund various school wide programs for the students.

**Roll call: Brower, aye; Mabee, aye; Fraker, aye; Johnson, aye. Motion passed 4-0**

### **RESOLUTION TO ADVERTISE FOR TECHNOLOGY BIDS (BUNSOLD MS)**

Mr. Johnson moved, seconded by Mr. Brower to commence competitive bidding for all labor, material, and services necessary for Bid Package #014: Technology, to supply technology type items to Bunsold Middle School. **(Refer to 2007-08 Supplemental Minutes, Item #94, 6/23/08) (Resolution #8-18)**

### **RESOLUTION #8-18**

**WHEREAS**, the Board has determined that additional school facilities, equipment, furnishings and site improvements, together with all necessary appurtenances are necessary for the provision of a public educational program for the students in the Marysville Exempted Village School District and the Board is proceeding with the construction of a new intermediate school building and a new middle school building (collectively, "Project"); and

**WHEREAS**, the Board has sufficient funds to accomplish the Project; and

**WHEREAS**, the Board has retained a qualified professional design firm, Steed Hammond Paul, Inc. ("Architect") under Sections 153.65 to 153.71 ORC to prepare plans, specifications, and estimates of cost, and such data as the Board deems necessary for the Project; and



**WHEREAS**, the Board has retained a qualified construction management firm, Thomas & Marker Construction Company (“Construction Manager”) under Sections 9.33, 9.331, and 9.332 ORC related to the planning documents, estimates of cost, bid packaging, bidding, contract award, administration and close-out, including, but not limited to the scheduling and coordination of multiple prime contractors for the Project; and

**WHEREAS**, the Construction Manager, with the assistance of the Architect and the Board, has completed the Scope of Work necessary to facilitate the bidding and awarding of the Bid Package for the Audio/Visual Technology Package to be performed in conjunction with the Project, being Bid Package #014 (Audio/Visual Technology Package), taking into consideration factors including, but not limited to, time of performance, availability of labor, and overlapping trade jurisdictions; and

**WHEREAS**, the Architect, with the assistance of the Construction Manager, has prepared and submitted to the Board a draft of Bid Package #014 relating to the Audio/Visual Technology Package for the Project consisting of drawings and specifications setting forth in detail the requirements. Said drawings and specifications are based on the Scope of Work provided by the Construction Manager; and

**WHEREAS**, the Board wishes to commence the competitive bidding process for Bid Package #014 (Audio/Visual Technology Package) for this aspect of the Project subject to the Board and the Board’s legal counsel’s review and approval of the specifications, plans, contract documents, and cost estimate for the Project;

NOW, THEREFORE, BE IT RESOLVED by the Board that, once the Board and the Board’s legal counsel have approved the specifications, plans, contract documents and cost estimate for the Project, the following Resolution shall be deemed adopted:

Subject to the approval of the Board and the Board’s legal counsel of the specifications, plans, contract documents, and cost estimate for the Project, the Board hereby authorizes the commencement of the competitive bidding process for Bid Package #014 (Audio/Visual Technology Package) for the Project, and the Treasurer shall arrange for the publication of a notice of said work to be published once each week for a period of at least two consecutive weeks in a newspaper published in and of general circulation in the School District, with the last said notice published at least eight (8) days prior to the date specified for receiving bids.

Following the opening of all bids, a responsibility investigation of the apparent low bidders shall be conducted and upon completion of said investigation, the bids of the lowest responsible bidders shall be submitted to the Board for acceptance or rejection in accordance with applicable law.

The Board hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken at an open meeting of this Board of Education;

All deliberations of the Board and of its committees, if any, which resulted in formal action were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 ORC.

This resolution shall be in full force and effect from and immediately after its adoption and shall supercede any prior resolution or act of the Board which may be inconsistent with or duplicative of the provisions of this resolution.

**Roll call: Johnson, aye; Brower, aye; Mabee, aye; Fraker, aye. Motion passed 4-0**

**RESOLUTION TO ADVERTISE FOR TECHNOLOGY BIDS (MARYSVILLE HIGH SCHOOL)**

Mr. Johnson moved, seconded by Mr. Mabee to commence competitive bidding for all labor, material, and services necessary for Bid Package #301: Technology, to supply technology type items to Marysville High School. **(Refer to 2007-08 Supplemental Minutes, Item #95, 6/23/08) (Resolution #8-19)**

**RESOLUTION #8-19**

**WHEREAS**, the Board has determined that additional school facilities, equipment, furnishings and site improvements, together with all necessary appurtenances are necessary for the provision of a public educational program for the students in the Marysville Exempted Village School District and the Board plans to proceed with additions and renovations to High School (the “Project”); and

**WHEREAS**, the Board has sufficient funds to accomplish the Project; and

**WHEREAS**, the Board has retained a qualified professional design firm, Steed Hammond Paul, Inc. (“Architect”) under Sections 153.65 to 153.71 ORC to prepare plans, specifications, and estimates of cost, and such data as the Board deems necessary for the Project; and

**WHEREAS**, the Board has retained a qualified construction management firm, Ruscilli Construction Company (“Construction Manager”) under Sections 9.33, 9.331, and 9.332 ORC related to the planning documents, estimates of cost, bid packaging, bidding, contract award, administration and close-out, including, but not limited to the scheduling and coordination of multiple prime contractors for the Project; and

**WHEREAS**, the Construction Manager, with the assistance of the Architect and the Board, has completed the Scope of Work necessary to facilitate the bidding and awarding of bids on Bid Package No. 301 (Audio/Visual Technology Package) (the “Bid Package”) for the Project, taking into consideration factors including, but not limited to, time of performance, availability of labor, and overlapping trade jurisdictions; and

**WHEREAS**, the Architect, with the assistance of the Construction Manager, has prepared and submitted to the Board a draft of the Bid Package for the Project consisting of drawings and specifications setting forth in detail the requirements for the Project. Said drawings and specifications are based on the Scope of Work provided by the Construction Manager; and

**WHEREAS**, the Board wishes to commence the competitive bidding process for the Bid Package for the Project subject to the Board and the Board’s legal counsel’s review and approval of the specifications, plans, contract documents, and cost estimate for the Project;

NOW, THEREFORE, BE IT RESOLVED by the Board that, once the Board and the Board's legal counsel have approved the specifications, plans, contract documents and cost estimate for the Project, the following Resolution shall be deemed adopted:

Subject to the approval of the Board and the Board's legal counsel of the specifications, plans, contract documents, and cost estimate for the Project, the Board hereby authorizes the commencement of the competitive bidding process for the Bid Package for the Project, and the Treasurer shall arrange for the publication of a notice of said work to be published once each week for a period of at least two consecutive weeks in a newspaper published in and of general circulation in the School District, with the last said notice published at least eight (8) days prior to the date specified for receiving bids.

Following the opening of all bids, a responsibility investigation of the apparent low bidders shall be conducted and upon completion of said investigation, the bid of the lowest responsible bidder for each Bid Package shall be submitted to the Board for acceptance or rejection in accordance with applicable law.

The Board hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken at an open meeting of this Board of Education;

All deliberations of the Board and of its committees, if any, which resulted in formal action were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 ORC.

This resolution shall be in full force and effect from and immediately after its adoption and shall supercede any prior resolution or act of the Board which may be inconsistent with or duplicative of the provisions of this resolution.

**Roll call: Johnson, aye; Mabee, aye; Fraker, aye; Brower, aye. Motion passed 4-0**

**ACCEPT BID AND AWARD CONTRACTS FOR STATE ROUTE 4 ROAD WIDENING**

Mr. Mabee moved, seconded by Mr. Fraker to accept bid and award the contract for widening of State Route 4 adjacent to Bunsold Middle School to Performance Site Company (\$594,000.00). **(Refer to 2007-08 Supplemental Minutes, Item #96, 6/23/08) (Resolution #8-20)**

**RESOLUTION #8-20**

WHEREAS, the Board, at a Meeting on or about May 19, 2008, authorized the commencement of the bidding process for Bid Package #13 (State Route 4 Road Widening) ("Bid Package"), based upon drawings and specifications setting forth in detail the requirements for the project known as the new intermediate school building and a new middle school building (collectively, "Project") which were prepared by the Architect Steed Hammond Paul, Inc. (hereinafter called the "Architect"), with the assistance of Thomas & Marker Construction Company (hereinafter called the "Construction Manager") pursuant to all applicable laws; and

WHEREAS, the Construction Manager, with the assistance of the Architect, commenced the bidding process for the Bid Packages; and

WHEREAS, the Construction Manager, with the assistance of the Architect, held a Pre-Bid Conference for prospective bidders, on May 29, wherein prospective bidders were briefed on the Bid Packages; and

WHEREAS, on June 17, 2008, the Board, Office of the Treasurer received bids in response to the Bid Package, at the time and place established for the receipt of bids for the Bid Package in the Notice to Bidders and opened and read aloud said bids immediately thereafter, in compliance with Instructions to Bidders (“IB”), paragraph 3.18; and

WHEREAS, the Construction Manager, on behalf of the Board and with the Assistance of the Architect, performed a detailed post-bid review of the sealed bids and the Construction Manager and the Architect recommended that the Board accept the bids on the Bid Package as set forth below as being the lowest responsive and responsible bids; and

WHEREAS, the Superintendent of the Board, with the assistance of the Construction Manager and the Architect, has reviewed the bids received for the Bid Package for said portion of the Project and the responsibility investigations of the apparent low Bidders in compliance with Sections 153.12, 3313.46(A)(6) and 3318.10, ORC, and any other authorizing provisions of law; and

WHEREAS, the Board has been advised that in conjunction with the State Route 4 road widening aspect of the Project, that certain easements will be necessary, and the Board has been further advised that its legal counsel is in the process of negotiating with the affected land owners and/or their legal counsel and those negotiations are ongoing at this time; and

WHEREAS, the Board wishes to proceed with the award of a bid on the State Route 4 road widening aspect of the Project, subject however, to the successful negotiation, drafting, and recordation of any and all necessary easements from all affected land owners; and

NOW, THEREFORE, BE IT RESOLVED by the Board that after careful consideration and evaluation of the information before it:

**Section 1.** The Board hereby accepts the recommendation of the Construction Manager and Architect to award the bids for the Bid Package set forth below as being the lowest responsible Bidder in compliance with IB paragraph 3.14 and Sections 3313.46(A)(6) and 3318.10, ORC, and any other authorizing provisions of law, contingent upon compliance with all conditions precedent to contract execution under paragraphs 3.14 and 3.15 and specifically upon the condition that the Board through the assistance of its legal counsel, is able to successfully negotiate, draft, and arrange for the recordation of any and all necessary easements with affected land owners. A Notice to Proceed shall not be provided until the Board’s legal counsel has confirmed that any and all necessary easements have been obtained and recorded.

Contract No. 13 (State Route 4 Road Widening)

Performance Site Company  
2323 Performance Parkway  
Columbus, Ohio 43207

Base Bid: \$594,000.00  
Total Contract Amount: \$594,000.00

**Section 2.** The Board hereby authorizes the Construction Manager, on its behalf, to forward a Notice of Intent to Award Contract for said portion of the Project, with the appropriate Contract Forms, to the lowest responsible Bidder referenced in Section 1. The Construction Manager shall simultaneously notify the surety and agent of the surety of said lowest responsible Bidder of the intent to award pursuant to Section 9.32, ORC.

**Section 3.** Subject to the approval of the Board's construction counsel, and upon compliance with all conditions precedent to Contract execution under paragraph IB 3.14 and 3.15, the Board hereby authorizes the President and Treasurer to sign said Contract.

**Section 4.** The Board hereby authorizes the Treasurer to sign the Certificate of Funds, upon execution of said Contract, and attach to said Contract, along with a copy of this resolution.

**Section 5.** The Board hereby authorizes the Construction Manager, at a time determined appropriate by the Construction Manager, after the Construction Manager's receipt of said Contract signed by the Contractor, to forward a Notice to Proceed for said Contract.

**Section 6.** The Board hereby authorizes the Treasurer, at the appropriate time and with the assistance of the Construction Manager, to prepare, and make available upon request, a Notice of Commencement or amendment thereto pursuant to Section 1311.252, ORC, prior to the performance of any work related to said Contract.

**Section 7.** That this Board hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board; and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22, ORC.

**Section 8.** This resolution shall be in full force and effect from and immediately after its adoption and shall supercede any prior resolution or act of this Board, which may be inconsistent or duplicative with the provisions of this resolution.

**Roll call: Mabee, aye; Fraker, aye; Brower, aye; Johnson, aye. Motion passed 4-0**

**ADJOURN**

Mr. Johnson moved, seconded by Mr. Brower to adjourn at 8:33 p.m.

**Roll call: Johnson, aye; Brower, aye; Mabee, aye; Fraker, aye. Motion passed 4-0**