

SPECIAL MEETING SEPTEMBER 8, 2006

The Marysville Exempted Village Board of Education met on the above date with the following members present: Roy Fraker, William Hayes, and Jeffrey Mabee. Members Thomas Brower and Scott Johnson were absent.

ADOPT THE AGENDA

Mr. Hayes moved seconded by Mr. Mabee to approve the agenda for the special September 8, 2006 special meeting.

Roll call: Hayes, aye; Mabee, aye; Fraker, aye. Motion carried.

MINUTES

Mr. Hayes moved seconded by Mr. Mabee to approve the minutes of the August 28, 2006 regular meeting as presented.

Roll call: Hayes, aye; Mabee, aye; Fraker, aye. Motion carried.

AWARD SITE WORK BID FOR HIGH SCHOOL CONSTRUCTION PROJECTS

Mr. Fraker moved seconded by Mr. Hayes to accept competitive bid price of \$771,700 from Trucco Companies for early site work for the High School additions/renovations projects. **(Refer to 2006-07 Supplemental Minutes, Item #15, 8/28/06) (Resolution #6-28)**

RESOLUTION # 6-28

WHEREAS, the Board, at a Meeting on July 24, 2006, authorized the commencement of the bidding process for Bid Package #01 for site work (hereinafter referred to as "Bid Package #01"), based upon drawings and specifications setting forth in detail the requirements for the project which were prepared by the Architect Steed Hammond Paul, Inc. (hereinafter called the "Architect"), with the assistance of Ruscilli Construction Company (hereinafter called the "Construction Manager") pursuant to all applicable laws;

WHEREAS, the Construction Manager, with the assistance of the Architect, commenced the bidding process for Bid Package #01;

WHEREAS, the Construction Manager, with the assistance of the Architect, held a Pre-Bid Conference for prospective bidders, on August 24, 2006, wherein prospective bidders were briefed on Bid Package #01;

WHEREAS, on September 1, 2006, the Board, Office of the Treasurer received bids in response to Bid Package #01, at the time and place established for the receipt of bids for Bid Package #01 in the Notice to Bidders and opened and read aloud said bids immediately thereafter, in compliance with Instructions to Bidders (“IB”), Section 3.2;

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 Trucco Companies to the Board as being the lowest responsive and responsible bid;

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 investigation of the apparent low Bidder in compliance with Sections 153.12, 3313.46(A)(6) and 3318.10, ORC, and any other authorizing provisions of law; 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 bid for Bid Package #01 to the Bidder as provided below as the lowest responsible Bidder in compliance with IB Section 3.5 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 IB Section 7.3:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>
Site Work	Trucco Companies Bid: \$771,700.00

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 IB, Section 7.3, 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 copies, 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 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: Fraker, aye; Hayes, aye; Mabee, aye. Motion carried.

ADJOURNMENT

Mr. Fraker moved seconded by Mr. Hayes to adjourn at 4:35 p.m.

Roll call: Fraker, aye; Hayes, aye; Mabee, aye. Motion carried.