

SPECIAL MEETING NOVEMBER 2, 2006

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

ADOPT THE AGENDA

Mr. Hayes moved seconded by Mr. Mabee to approve the agenda for the November 2, 2006 special meeting.

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

MINUTES

Mr. Fraker moved seconded by Mr. Brower to approve the minutes of the October 23, 2006 regular meeting as presented.

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

CONSTRUCTION BIDS FOR NEW INTERMEDIATE/MIDDLE SCHOOL BUILDING

Mr. Hayes moved seconded by Mr. Mabee to reject and accept construction bids.

- a. Reject the bids from Performance Site Management for Contracts #2, #3 and #4, and Area Energy for Contract #3 for work at the new Intermediate/Middle School construction site. **(Refer to 2006-07 Supplemental Minutes, Item #28, 11/2/06)**
(Resolution #6-31)
- b. Accept bid price of \$58,950 from Applied Electric LLC for Contract #3 – Site Electric Conduit Work at the new Intermediate/Middle School construction site. **(Refer to 2006-07 Supplemental Minutes, Item #28, 11/2/06)** **(Resolution #6-31)**

RESOLUTION #6-31

WHEREAS, the Board, at a Meeting on November 2, 2006, authorized the commencement of the bidding process for Bid Package #2 for site gas, utility and site electrical conduit work (hereinafter referred to as “Bid Package #3”), 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 Thomas & Marker 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 #2 and #3;

WHEREAS, the Construction Manager, with the assistance of the Architect, held a Pre-Bid Conference for prospective bidders, on 19th of October, 2006, wherein prospective bidders were briefed on Bid Package #2 and #3;

WHEREAS, on October 26th, 2006, the Board, Office of the Treasurer received bids in response to Bid Package #2 and #3, at the time and place established for the receipt of bids for Bid Package #2 and #3 in the Notice to Bidders and opened and read aloud said bids immediately thereafter, in compliance with Instructions to Bidders (“IB”), paragraph 3.18;

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 reject the bids submitted by Performance Site Management on Contract Nos. 2, 3, and 4, and further recommended that the Board reject the bid on Contract No. 3 submitted by Area Energy Electric and that the Board accept the bid on Contract No. 3 submitted by Applied Electric 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 #3 to the Bidder as provided below as 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:

<u>Contract No. 3</u>	<u>Lowest Responsible Bidder</u>
Site Electric Conduit Work	Applied Electric LLC
	Base Bid:
	\$58,950.00
	Total Contract Amount
	\$58,950.00

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 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: Hayes, aye; Mabee, aye; Fraker, aye; Brower, aye; Johnson, aye. Motion carried.

TIF AGREEMENT

Mr. Hayes moved seconded by Mr. Johnson to accept the agreement on TIF Amendments as discussed and authorized the Superintendent, Treasurer, and Board of Education President to sign the final document.

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

ADJOURNMENT

Mr. Mabee moved seconded by Mr. Hayes to adjourn at 6:47 p.m.

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