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Board of Education of the Rocky River City School District

RESOLUTIONS

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The Board of Education of the Rocky River City School District, Cuyahoga County, Ohio, met in special session on October 7, 2010 at 7:00 a.m. in the Curriculum Library at the Board of Education Offices. A digital recording was made of this meeting and is on file in the Office of the Treasurer.

President Jean Rounds presiding

CALL TO ORDER

ROLL CALL

PRESENT – Dr. Fancher, Ms. Goepfert, Mr. Milano, Mrs. Rounds, Mr. Swartz

RESOLUTION TO ADOPT AGENDA

Resolution No. 183-10

Ms. Goepfert moved the adoption of the following resolution:

BE IT RESOLVED by the Board of Education of the Rocky River City School District that it hereby adopts this Agenda, including any addendum attached hereto, for its Special Meeting of the Board of Education, October 7, 2010.

Dr. Fancher seconded the resolution and the roll was called.

ROLL CALL

AYES – Ms. Goepfert, Dr. Fancher, Mr. Milano, Mrs. Rounds, Mr. Swartz

The resolution was adopted 5 – 0.

RESOLUTION TO AUTHORIZE THE SUPERINTENDENT OR DESIGNEE TO BEGIN THE BIDDING PROCESS FOR CONTRACTS RELATED TO THE BEACH SCHOOL RENOVATION.

Resolution No. 184-10

Mr. Swartz moved the adoption of the following resolution:

BE IT RESOLVED that on the recommendation of the Superintendent of Schools, the Board of Education of the Rocky River City School District, having received the written recommendations of its construction manager, Project Construction Services, Inc., and architect, Burt Hill Inc., in favor of same, hereby: (1) approves the bid and construction documents in the form and substance set forth in the Instructions to Bidders for the Renovations to Beach School Construction Project (“Project”) which is attached hereto and incorporated herein by reference; (2) authorizes the Superintendent of Schools or his designee to solicit competitive bids and publish a Notice to Bidders for the Project under O.R.C. 3313.46, other applicable law, and Board Policy; and (3) authorizes the Superintendent of Schools or his designee to coordinate the opening of the bids received in compliance with the Instructions to Bidders and the investigation and evaluation of the bidders under applicable law and Board Policy; and (4) directs the Superintendent of Schools or his designee to prepare and submit to the Board of Education at a subsequent meeting a recommendation regarding the award and/or rejection of any or all bids and the

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acceptance or rejection of alternates within any bid package, in accordance with applicable law and Board Policy.

Ms. Goepfert seconded the resolution and the roll was called.

ROLL CALL

AYES – Mr. Swartz, Ms. Goepfert, Dr. Fancher, Mr. Milano, Mrs. Rounds

The resolution was adopted 5 – 0.

RESOLUTION TO DECLARE URGENT NECESSITY AND AUTHORIZE CONSTRUCTION CONTRACT WITH GEM INC. FOR THE PURCHASE AND INSTALLATION OF A 40-TON HVAC ROOF TOP UNIT AT THE MEDIA CENTER AT ROCKY RIVER HIGH SCHOOL

Resolution No. 185-10

Mr. Milano moved the adoption of the following resolution:

WHEREAS, the roof top unit (“RTU”) serving the heating and air conditioning needs of the Media Center at Rocky River High School recently failed, is incapable of repair due to its age and obsolescence, and is in need of immediate replacement; and

WHEREAS, unless the replacement RTU is installed and operable on or about December 1, 2010, PCS believes that there is, due to the approaching cold weather and winter season, a substantial risk of physical damage to the Media Center and health-related effects for the students and staff at Rocky River High School; and

WHEREAS, PCS investigated whether there is an opportunity to engage in the competitive bidding process under O.R.C. 3313.46 and Board Policy to select a contractor for this work, order the required equipment, and complete the installation of the replacement RTU before December 1, 2010; and

WHEREAS, PCS concluded that it not possible to obtain the RTU through competitive bidding before January 1, 2011 due to the time that would be necessary to prepare bid documents and complete the bidding process, the scarcity of a timely available RTU that specifically meets the requirements for this site, and the time associated with obtaining the specific RTU from the manufacturer; and

WHEREAS, PCS and the District has located one (1) RTU currently available on a special “express ship” program that can meet the required delivery for installation at the Media Center at Rocky River High School, has obtained the concurrence of the Architect and its mechanical engineer that this RTU meets the requirements of the planned renovation to the HS that is currently in design and slated to commence in June 2011, and has obtained a reasonable quotation for the purchase and installation of this RTU through GEM Inc., a reputable HVAC contractor, that has worked previously for the District

THEREFORE BE IT RESOLVED, the Board of Education hereby declares an urgent necessity requiring departure from the competitive bidding requirements

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under O.R.C. 3313.46 and Board Policy for the purchase and installation of the RTU at the Media Center at Rocky River High School; and

BE IT FURTHER RESOLVED, in accordance with the existence of this urgent necessity and O.R.C. 3313.46, the standard procedures for competitive bidding for the construction are hereby dispensed with; and

BE IT FURTHER RESOLVED, that based recommendation of PCS and Burt, Hill, the Board of Education finds that the September 30, 2010 proposal submitted by GEM, Inc. for this work is reasonable under the circumstances and hereby awards the contract for construction for the purchase and installation of the 40-ton RTU at the Media Center at Rocky River High School to GEM, Inc in the amount of \$ 92,958.00 with such work to be completed no later than December 1, 2010.

BE IT FURTHER RESOLVED, that the Superintendent and Treasurer are hereby authorized to sign all necessary documents and to take all other actions necessary to carry this resolution into effect, and to incur any incidental expenses on behalf of this Board.

Mr. Swartz seconded the resolution and the roll was called.

ROLL CALL

AYES – Mr. Milano, Mr. Swartz, Dr. Fancher, Ms. Goepfert, Mrs. Rounds

The resolution was adopted 5 – 0.

Ms. Goepfert left the meeting at 8 a.m. due to work obligations.

FACILITIES COMMITTEE REPORT – Jay Milano, Scott Swartz

Don Buser from Crain, Langner discussed construction project insurance issues. Don Buser and Don McIntyre (District construction counsel) discussed insurance limits for sub-contractors per their contract with the Board.

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RESOLUTION TO ADJOURN

Resolution No. 186-10

Dr. Fancher moved the adoption of the following resolution:

BE IT RESOLVED by the Board of Education of the Rocky River City School District that it hereby adjourn.

Mr. Swartz seconded the resolution and the roll was called.

ROLL CALL

AYES – Dr. Fancher, Mr. Swartz, Mr. Milano, Mrs. Rounds

ABSENT - Ms. Goepfert

The resolution was adopted 4 – 0 with 1 absent.

President

Treasurer