

# Minutes

## Board of Education of the Rocky River City School District

### RESOLUTIONS

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# Minutes

## Board of Education of the Rocky River City School District

The Board of Education of the Rocky River City School District, Cuyahoga County, Ohio, met in special session on August 10, 2011 at 5:11 p.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 Scott Swartz presiding

***Guests and visitors are requested to sign the Visitors' Register. In accordance with Bylaw 0169.1: Public Participation at Board Meetings, those wishing to address the Board are required to complete the Bylaw 0169.1 Form and submit it to the Superintendent or President of the Board prior to the start of the meeting. Thank you.***

### CALL TO ORDER

### ROLL CALL

**PRESENT** – Ms. Goepfert, Mr. Milano, Mrs. Rounds, Mr. Swartz

**ABSENT** - Dr. Fancher

### PLEDGE OF ALLEGIANCE

### RESOLUTION TO ADOPT AGENDA

Resolution No. 146-11

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 the August 10, 2011 meeting.

<b>Board Member</b>	<b>Vote</b>
Jon Fancher	Absent
Kathy Goepfert	Move
Jay Milano	Second
Jean Rounds	Aye
Scott Swartz	Aye

The resolution was adopted 4 – 0 with 1 absent.

### ORAL AND WRITTEN COMMUNICATION

*In accordance with Bylaw 0169.1 Public Participation at Board Meetings, residents, students, staff, and invited guests are welcomed by the President of the Board or the Superintendent to address the Board at this time.*

None

# Minutes

Board of Education of the Rocky River City School District

**RESOLUTION AUTHORIZING AN ISSUE OF BUS ACQUISITION NOTES, SERIES 2011, OF THIS SCHOOL DISTRICT, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$262,857.13 (EXHIBIT A)**

Resolution No. 147-11

<b>Board Member</b>	<b>Vote</b>
Jon Fancher	Absent
Kathy Goepfert	Move
Jay Milano	Second
Jean Rounds	Aye
Scott Swartz	Aye

The resolution was adopted 4 – 0 with 1 absent.

**RESOLUTION TO APPROVE ACCEPTANCE OF REBID ITEMS FOR ROCKY RIVER HIGH SCHOOL ADDITIONS AND RENOVATION PROJECT FOR ROOFING (BID ITEM #02) AND PLUMBING (BID ITEM #04) (EXHIBIT B)**

Resolution No. 148-11

<b>Board Member</b>	<b>Vote</b>
Jon Fancher	Absent
Kathy Goepfert	Aye
Jay Milano	Move
Jean Rounds	Second
Scott Swartz	Aye

The resolution was adopted 4 – 0 with 1 absent.

# Minutes

Board of Education of the Rocky River City School District

## RESOLUTION TO ADJOURN MEETING

Resolution No. 149-11

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

<b>Board Member</b>	<b>Vote</b>
Jon Fancher	Absent
Kathy Goepfert	Second
Jay Milano	Move
Jean Rounds	Aye
Scott Swartz	Aye

The resolution was adopted 4 – 0 with 1 absent.

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President

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Treasurer

**EXHIBIT A  
BOARD OF EDUCATION MEETING  
AUGUST 10, 2011**

**A RESOLUTION AUTHORIZING AN ISSUE OF BUS ACQUISITION NOTES, SERIES 2011, OF THIS SCHOOL DISTRICT, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$262,857.13.**

WHEREAS, pursuant to a resolution of this Board adopted on August 11, 2010, there were issued \$328,571.42 Bus Acquisition Notes, Series 2010 (the Outstanding Notes), in anticipation of bonds for the purpose stated in Section 1, which Outstanding Notes are scheduled to mature on August 18, 2011; and

WHEREAS, the amount of \$65,714.29 of District funds is currently available to be applied against the principal of the Outstanding Notes at maturity; and

WHEREAS, this Board has determined that said amount shall be used to pay principal of the Outstanding Notes at maturity and that renewal notes in the principal amount of \$262,857.13 shall be issued by the School District to pay the balance of the principal amount of the Outstanding Notes at maturity; and

WHEREAS, the Treasurer, as the fiscal officer of this Board, has certified as to the maximum maturity of the bonds anticipated and of the notes herein authorized;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Rocky River City School District, County of Cuyahoga, State of Ohio, that:

Section 1. It is hereby declared necessary to issue bonds of the Rocky River City School District in the aggregate principal amount of \$262,857.13 for the purpose of acquiring school buses together with all necessary appurtenances thereto (the "Bonds").

Section 2. The Bonds shall be dated approximately August 1, 2012; shall bear interest at a rate now estimated at three per centum (3.00%) per annum, payable semi-annually, commencing December 1, 2012; and shall mature in 10 equal annual installments of principal, commencing December 1, 2012.

Section 3. It is necessary to issue and this Board hereby determines that notes in the aggregate principal amount of \$262,857.13 (the "Notes") shall be issued in anticipation of the issuance of the Bonds for the purpose of retiring, together with other available funds of the District, the Outstanding Notes, which were issued for the purpose stated in Section 1. The Notes shall be designated "Bus Acquisition Notes, Series 2011"; shall bear interest at a rate not exceeding two per centum (2.00%) per annum, payable at maturity, with such rate of interest to be fixed by the Treasurer in accordance with Section 5 hereof; shall be dated their date of issuance, but not later than August 18, 2011; shall be scheduled to mature on a date no less than nine months nor more than one year after their date of issuance, but may be subject to redemption prior to maturity if agreed to by the purchaser; shall be issued in such numbers and denominations as shall be requested by the purchaser thereof and

approved by the Treasurer, provided that the entire principal amount may be represented by a single note; and shall be numbered as may be determined by the Treasurer.

If agreed to by the purchaser thereof, prepayment prior to maturity of all or a portion of the Notes shall be made by deposit with the paying agent designated pursuant to Section 4 hereof of the principal amount of the Notes to be prepaid together with interest accrued thereon to the date of prepayment. The Board's right of prepayment shall be exercised by mailing a notice of prepayment, stating the date of prepayment and the name and address of the paying agent, by certified or registered mail to the original purchaser of the Notes not less than seven days prior to the date of that deposit, unless that notice is waived by the original purchaser of the Notes. If moneys for prepayment are on deposit with the paying agent on the specified prepayment date following the giving of that notice (unless the requirement of that notice is waived as stated above), interest on the principal amount prepaid shall cease to accrue on the prepayment date, and upon the request of the Treasurer the original purchaser of the Notes shall arrange for the delivery of the Notes at the designated office of the paying agent for prepayment and surrender and cancellation.

Section 4. The Notes shall be signed by the President or Vice-President and Treasurer of this Board, provided that one of those signatures may be a facsimile. The principal of and interest on the Notes shall be payable in lawful money of the United States of America at the office designated by the purchaser, which may be the office of the Treasurer, provided that such designation shall be approved by the Treasurer after determining that sufficient safeguards exist to protect the funds of this School District; and shall express upon their faces the purpose for which they are issued and that they are issued pursuant to the provisions of Chapter 133 of the Revised Code, and this Resolution. The President and Vice-President of this Board and the Treasurer, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

Section 5. The Notes shall first be offered to the Treasurer of this Board, as officer in charge of the Bond Retirement Fund of this School District, for investment in that Fund and so many of such Notes as shall not be purchased for investment in that Fund shall be awarded and sold by the Treasurer at private sale for not less than the par value thereof in accordance with the provisions of Sections 3, 4 and 5 hereof; and the Treasurer is hereby authorized and directed to make the designations referred to herein, including the selection of the purchaser (or acceptance of the Notes, as the case may be) and the determination of the interest rate, and to deliver the Notes, when executed, to the purchaser upon payment of such purchase price. The proceeds from the sale of the Notes, except any proceeds representing premium and accrued interest, shall be paid into the proper fund or funds of the School District and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any proceeds representing premium and accrued interest shall be deposited in the School District's bond retirement fund.

Section 6. The par value to be received from the sale of the Bonds or any renewal notes and any excess funds resulting from the issuance thereof, shall, to the extent necessary, be used for the retirement of the Notes at maturity, together with interest thereon, and are hereby pledged for such purpose.

Section 7. During the year or years while the Notes are outstanding, there shall be and is hereby levied on all the taxable property in this School District, in addition to all other taxes, within the limitation of Section 2 of Article XII, Ohio Constitution, a direct tax annually not less than that which would have been levied if the Bonds had been issued without the prior issuance of the Notes, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII, Ohio Constitution. That tax shall be within the ten-mill limitation prescribed by law and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, levied, extended and collected. That tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the tax shall be placed in a separate fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the debt service on the Notes and the Bonds, when and as the same falls due.

Section 8. It is hereby determined that all acts and conditions necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Rocky River City School District have been performed and have been met, or will at the time of delivery of the Notes have been performed or have been met as required by law; that the tax for the payment of the principal and interest as the same falls due and are payable is within the ten-mill limitation imposed by law; that the full faith credit and general taxing power (as described in Section 7 hereof) of the Board are hereby pledged to the timely payment of debt charges on the Notes; and that the amount of indebtedness to be incurred by the issuance of the Notes does not exceed any limitation of indebtedness as fixed by law.

Section 9. The Treasurer of this Board is hereby directed to forward a certified copy of this Resolution to the Cuyahoga County Fiscal Officer.

Section 10. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 11. This Resolution shall be in full force and effect from and immediately upon its adoption.

**Resolution to Approve Acceptance of Re-Bid for Rocky River High School Additions and Renovation Project for Roofing (Bid Item #02) and Plumbing (Bid Item #04)**

WHEREAS, the Board of Education of the Rocky River City School District has advertised for re-bids for the Rocky River High School Additions and Renovations Project ("Project"); and

WHEREAS, on July 28, 2011 sealed bids were received publicly, opened and read; and

WHEREAS, the Board of Education's construction manager, Project and Construction Services, Inc., architect, Burt Hill, have jointly recommended the acceptance of certain bids for the Project in a letter dated August 8, 2011 which is attached hereto as **Exhibit B1**; and

WHEREAS, a tabulation, as shown in **Exhibit B2**, was made of such bids received;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Rocky River City School District, Cuyahoga County that the bids will be accepted as follows:

- Section 1. That the base bid of Building Technicians Corporation for Bid Item #02 (Roofing) in the amount of \$1,159,000 together with Alternate No. 26 for the Field House Additions and Renovation for \$12,800 and Alternate No. 27 for the Bus Garage Addition and Entrance Canopy for \$22,000 for a total contract in the amount of \$1,193,800 is hereby determined to be the lowest responsive and responsible bid received pursuant to the Board's advertisement for submission of the proposals, and such bid is hereby accepted.
- Section 2. That the base bid of Harner Plumbing, Inc. for Bid Item #04 (Plumbing) in the amount of \$1,098,400 together with Alternate No. 9 to the Replace Corridor Ceilings at no additional cost, Alternate No. 26 for the Field House Additions and Renovation for \$18,920, Alternate No. 27 for the Bus Garage Addition and Entrance Canopy for \$31,420, and Alternate No. 28 for Progress Plumbing Fittings for a deduction of \$7,980 for a total contract in the amount of \$1,140,760 is hereby determined to be the lowest responsive and responsible bid received pursuant to the Board's advertisement for submission of the proposals, and such bid is hereby accepted.
- Section 3. That the President and the Treasurer of the Board of Education are hereby authorized and directed to enter into a construction contract with such lowest responsive and responsible bidder as described in Sections 1. and 2. herein for the performance of the work and furnishing of materials required for the Bid Items #02 and #04 for the Project in conformity with the plans, drawings and specifications governing the aforesaid improvements.

BE IT FURTHER RESOLVED that there be taken from the Building Fund a sum not to exceed \$2,334,560 for payment of said work, subject to confirmation by the Treasurer as to the availability of funds.







August 8, 2011



Dr. Michael Shoaf, Superintendent  
 Rocky River City School District  
 21600 Center Ridge Road  
 Rocky River, OH 44116



**Subject: Rocky River City School District  
 High School Additions and Renovation**

**Re: Roofing and Plumbing Re-Bid Recommendations**

Dear Dr. Shoaf:



Eight (8) total bids were received on July 28, 2011 for the re-bid of the Roofing and Plumbing Bid Items for the High School Additions and Renovation Project. The low bids for these two (2) Bid Items including recommended alternates are \$139,240.00 below the published estimates for these Bid Items. The aggregate low bids for the High School work, including the Bid Items previously awarded and the Bid Items recommended in this letter, are above the aggregate budget by Ninety-Five Thousand, Eight Hundred Three dollars, (\$95,803.00). It is recommended that the change order contingency for the High School be reduced from \$1,136,150 to \$1,040,347 to offset this overage.

**Bid Item #02 – Roofing (Re-Bid)**



Building Technicians Corporation of Geneva, Ohio, has been determined to be the lowest responsible bidder who has prepared a bid that is responsive to the contract documents. The District Legal Counsel has reviewed the bid proposal for responsiveness and found it acceptable. P|C|S, in conjunction with Stantec/Burt,Hill, Inc. has reviewed the required information requested from Building Technicians Corporation, and met to discuss its understanding of the scope of the project.



Having conducted the required bidder evaluation and not having found any reason to reject the bid, P|C|S and Stantec/Burt,Hill recommend accepting the bid from Building Technicians Corporation for Bid Item #02 – Roofing (Re-Bid) portion of the High School Additions and Renovation:



<b>Base Bid:</b>	<b>\$ 1,159,000.00</b>
<b>Alternate No. 26 – Field House Additions &amp; Renovations:</b>	<b>\$ 12,800.00</b>
<b>Alternate No. 27 – Bus Garage Addition &amp; Entrance Canopy:</b>	<b>\$ 22,000.00</b>
<b>Total:</b>	<b>\$ 1,193,800.00</b>



**Bid Item #04 – Plumbing (Re-Bid)**

Harner Plumbing, Inc. of Mantua, Ohio, has been determined to be the lowest responsible bidder who has prepared a bid that is responsive to the contract documents. The District Legal Counsel has reviewed the bid proposal for responsiveness and found it acceptable. P|C|S, in conjunction with Stantec/Burt,Hill, has reviewed the required information requested from Harner Plumbing, Inc., and met to discuss its understanding of the scope of the project.

Having conducted the required bidder evaluation and not having found any reason to reject the bid, P|C|S and Stantec/Burt,Hill recommend accepting the bid from Harner Plumbing, Inc. for Bid Item #04 – Plumbing (Re-Bid) portion of the High School Additions and Renovation:

<b>Base Bid:</b>	<b>\$ 1,098,400.00</b>
<b>Alternate No. 9 – Replace Corridor Ceilings:</b>	<b>\$ 0.00</b>
<b>Alternate No. 26 – Field House Additions &amp; Renovations:</b>	<b>\$ 18,920.00</b>
<b>Alternate No. 27 – Bus Garage Addition &amp; Entrance Canopy:</b>	<b>\$ 31,420.00</b>
<b>Alternate No. 28 – Propress Plumbing Fittings:</b>	<b>(\$ 7,980.00)</b>
<b>Total:</b>	<b>\$ 1,140,760.00</b>

Respectfully,  
**Project and Construction Services, Inc.**



Kevin T. Lacey  
Associate / Senior Project Manager

Respectfully,  
**Stantec/Burt,Hill, Inc**



Michael R. Carter, AIA, LEED AP  
Principal

Attachment:  
Bid Tabulation

CC: Greg Markus, Treasurer, RRCSD (e-copy)  
Daniel McIntyre, Esq. (e-copy)  
Thomas Veider, BH (e-copy)  
Kevin Lawlor, P|C|S (e-copy)  
N. Kevin Green, P|C|S (e-copy)  
Al Welter, P|C|S (e-copy)

Rocky River City School District  
High School Additions and Renovation  
Bid Item #02 Roofing Re-Bid  
Bid Tabulation  
July 28, 2011

Bidders Name	Estimate	Building Technicians Corp.	Professional Roofing Service	T&F Systems Inc.	Sibley Inc.
Addenda 1, 2, 3, 4, 5, 6, 7, 8, 9		X	X	X	X
Signed Bid Proposal		X	X	X	X
Bid Guaranty		X	X	X	X
Power of Attorney		X	X	X	X
Base Bid	\$ 1,203,800	\$ 1,159,000	\$ 1,245,750	\$ 1,319,000	\$1,498,600
Alternate No. 8 - Extend Height of Bus Garage Addition by 8'		\$ 2,200	\$ -	\$ 19,377	\$1,840
Alternate No. 26 - Field House Additions & Renovations		\$ 12,800	\$ 157,250	\$ 32,554	\$25,240
Alternate 27 - Bus Garage Addition and Entrance Canopy		\$ 22,000	\$ 44,000	\$ 27,472	\$19,960
Total Base Bid plus Alternates		\$ 1,196,000	\$ 1,447,000	\$ 1,398,403	\$1,545,640
Average Base Bid	\$ 1,305,588				
Average Base Bid Plus Alternates	\$ 1,396,761				
Variance Between Bidders (with Alternates)		\$ -	\$ 251,000	\$ 202,403	\$349,640

Rocky River City School District  
High School Additions and Renovation  
Bid Item #04 Plumbing Re-Bid  
Bid Tabulation  
July 28, 2011

Bidders Name	Estimate	Harner Plumbing Inc.	The John F. Gallagher Co.	The Miller Plumbing & Heating Co.	E. B. Katz Inc.
Addenda 1, 2, 3, 4, 5, 6, 7, 8, 9		X	X	X	X
Signed Bid Proposal		X	X	X	X
Bid Guaranty		X	X	X	X
Power of Attorney		X	X	X	X
Base Bid	\$ 1,270,000	\$ 1,098,400	\$ 1,398,000	\$ 1,370,000	\$ 1,412,000
Alternate No. 8 - Extend Height of Bus Garage Addition by 8'		\$ -	\$ 6,000	\$ 2,500	\$ 2,000
Alternate No. 9 - Replace Corridor Ceilings, in Lieu of Replacing Ceiling Tiles Only		\$ -	\$ (5,000)	\$ (2,000)	\$ -
Alternate No. 11 - Install New Elevator, In Lieu of Repairing Existing Area H Elevator		\$ -	\$ 7,000	\$ 8,800	\$ 12,000
Alternate No. 12 Revise Boiler Room Design for Alternate Boiler		\$ 37,850	\$ 24,000	\$ 4,000	\$ (4,000)
Alternate No. 26 - Field House Additions & Renovations		\$ 18,920	\$ 25,000	\$ 52,000	\$ 28,000
Alternate 27 - Bus Garage Addition and Entrance Canopy		\$ 31,420	\$ 65,000	\$ 52,000	\$ 44,000
Alternate No. 28 - Propress Plumbing Fittings		\$ (7,980)	\$ (6,500)	\$ (5,000)	\$ (50,000)
<b>Total Base Bid plus Alternates</b>		\$ 1,178,610	\$ 1,513,500	\$ 1,482,300	\$ 1,444,000
<b>Average Base Bid</b>	\$ 1,319,600				
<b>Average Base Bid Plus Alternates</b>	\$ 1,404,603				
<b>Variance Between Bidders (with Alternates)</b>		\$ -	\$ 334,890	\$ 303,690	\$ 265,390

**Rocky River City School District  
High School Additions and Renovations  
Re-Bid Tabulation Summary  
July 28, 2011**

SCHOOL	BID ITEM	P C S ESTIMATE	LOW BIDDER	LOW BASE BID	VARIANCE (LOW - P C S)	AVG. BASE BID	VARIANCE (AVG - P C S)
HS	02 RF Re-Bid	\$ 1,203,800.00	Building Technicians Corp.	\$ 1,159,000.00	\$ (44,800.00)	\$ 1,305,587.50	\$ 101,787.50
HS	04 PL Re-Bid	\$ 1,270,000.00	Harner Plumbing Inc.	\$ 1,098,400.00	\$ (171,600.00)	\$ 1,319,600.00	\$ 49,600.00
<b>TOTALS</b>		<b>\$ 2,473,800.00</b>		<b>\$ 2,257,400.00</b>	<b>\$ (216,400.00)</b>	<b>\$ 2,625,187.50</b>	<b>\$ 151,387.50</b>

\$ 328,800.00 Published estimates over budget

\$ 112,400.00 Actual comparison to budget