

**MIDVIEW LOCAL SCHOOLS**  
Midview West Elementary School (LRC)  
Special Meeting – Construction New Middle School  
November 3, 2009  
AGENDA

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**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**      Mr. Barnhart                      Mr. Butler                      Mr. Whitesel  
                         Mr. Wilson                      Mr. Zunis

1. Motion to adopt the Agenda and addendum to the agenda (if necessary) as presented and any other matters that may come before the Board.

Mr. Barnhart\_\_\_\_; Mr. Butler\_\_\_\_; Mr. Whitesel\_\_\_\_; Mr. Wilson\_\_\_\_; Mr. Zunis\_\_\_\_

- DISCUSSION** – Construction Update
- Architect – Robb Blatchford
  - Construction Manager – Bob Teitenberg & Bob Hart

**SUPERINTENDENT’S REPORT**

**DIRECTOR OF FACILITY DEVELOPMENT AND BUSINESS SERVICES REPORT**

**TREASURER’S REPORT**

**COMMENTS FROM THE COMMUNITY**

**TREASURER’S RECOMMENDATIONS**

2. First Reading, review of resolution (Appendix A) designating the Superintendent be named the Midview Board of Education’s authorized representative to make decisions on behalf of the Board between regular Board meetings, or to call a special Board meeting to make a required decision. The Superintendent, and the Treasurer in the absence of the Superintendent, is authorized to approve change orders to construction contracts in amounts that do not exceed \$25,000, which is the limit consistent with the OSFC Project Administrator’s authority, and to take other steps required during the design and construction of the project, including establishing bank accounts, securing required insurance, taking the appropriate steps to retain other professionals (e.g., environmental consultant, surveyor, testing agency, maintenance plan advisor, and commissioning authority), place advertisements to solicit bids for the work, and issue purchase orders for other items included in the project budget.

Mr. Barnhart\_\_\_\_; Mr. Butler\_\_\_\_; Mr. Whitesel\_\_\_\_; Mr. Wilson\_\_\_\_; Mr. Zunis\_\_\_\_

**SUPERINTENDENT’S RECOMMENDATIONS**

**BUILDING AND GROUNDS COMMITTEE DISCUSSION**

***Announcement of Board of Education meetings:***

*Regular Meeting, Tuesday, November 17, 2009 at 6:30 p.m. at West LRC*  
*Construction Meeting, Tuesday, December 1, 2009 at 6:30 p.m. at West LRC*

3. Motion to enter into executive session to discuss \_\_\_\_\_ at \_\_\_\_\_p.m.

Mr. Barnhart\_\_\_\_; Mr. Butler\_\_\_\_; Mr. Whitesel\_\_\_\_; Mr. Wilson\_\_\_\_; Mr. Zunis\_\_\_\_

Reconvene from executive session by consent at \_\_\_\_\_p.m.

4. Motion to adjourn at \_\_\_\_\_ p.m.

Mr. Barnhart\_\_\_\_; Mr. Butler\_\_\_\_; Mr. Whitesel\_\_\_\_; Mr. Wilson\_\_\_\_; Mr. Zunis\_\_\_\_

M. \_\_\_\_\_ introduced the following resolution and moved its passage:

RESOLUTION NO. \_\_\_\_

**DESIGNATING BOARD'S AUTHORIZED REPRESENTATIVE AND  
DELEGATING AUTHORITY FOR BUSINESS RELATED TO THE  
CONSTRUCTION PROJECT, INCLUDING CHANGE ORDER AUTHORITY  
AND PLACEMENT OF ADVERTISEMENTS TO SOLICIT BIDS FOR WORK**

WHEREAS, the Board of Education of the Midview Local School District (the "Board") is engaged in a capital improvements program, which is being designed and constructed through the Ohio School Facilities Commission's Classroom Facilities Assistance Program ("CFAP") and may also include limited improvements beyond the scope of the co-funded CFAP project (all of which is referred to as the "Project"); and

WHEREAS, the Project Agreement between the Board and the Ohio School Facilities Commission directs the Board to designate an authorized representative to make decisions on behalf of the Board, and the Board wishes to name its Superintendent as its authorized representative to make decisions related to the Project between Board meetings or to determine that a special meeting should be scheduled to make a Project decision by the Board; and

WHEREAS, required services and items related to the Project include, but are not limited to, site surveys, test borings, environmental studies, establishment of bank accounts, and obtaining required insurance, and such services and items may be required before beginning construction of any of the improvements included in the Project, all of which items are included in the budget for the Project approved by the Board; and

WHEREAS, during construction of the Project, there will be changes to the work to be performed by the contractors awarded construction contracts for the Project that may result in changes to the contract sum and/or time for performance of one or more construction contracts, and these changes may be documented by field work orders before final pricing and scope of work is determined, so that work can proceed without delay, and/or change orders prepared by the Construction Manager; and

WHEREAS, the contract documents also provide that Field Work Orders may be issued for work that will ultimately be covered by a Change Order, but for which the cost cannot be determined at the time the work is needed, and it is crucial that work proceed without impact to the construction schedule; and

WHEREAS, Field Work Orders must be approved by the Board, unless the Board has delegated that authority to other individuals; and

WHEREAS, Field Work Orders are recommended by both the Construction Manager and Architect, after consultation with the Core Team and with the advice and support of the OSFC Project Administrator; and

WHEREAS, Change Orders also require the written consent of the Board, as owner of the Project, and must be executed by the Architect, Construction Manager, and the OSFC; and

WHEREAS, for Change Orders up to the amount of \$10,000.00, the OSFC has delegated authority to the Construction Manager to execute such Change Orders on its behalf so that work on the Project can proceed without interruption and delay; and

WHEREAS, for Change Orders up to the amount of \$25,000.00, the OSFC has delegated authority to its Project Administrator to execute such Change Orders on its behalf so that work on the Project can proceed without interruption and delay; and

WHEREAS, the Board wishes to give authority to the Superintendent for the review and approval of Field Work Orders and Change Orders for the Project as follows:

1. The Superintendent may sign Field Work Orders and/or Change Orders in amounts up to and including \$25,000 on behalf of the Board. The Superintendent is also authorized to sign deductive change orders to construction contracts on behalf of the Board.
2. The Superintendent, or in the Superintendent's absence or unavailability the Treasurer in consultation with a Board member, may, in an emergency, sign Field Work Orders and/or Change Orders in amounts exceeding \$25,000 if the Superintendent or Treasurer reasonably believes that such action is needed prior to the next meeting of the Board to maintain the Project schedule and avoid additional costs and delays and has consulted with the Board President or his designee.
3. The Treasurer is authorized to issue purchase orders and sign any related documents required to finalize Field Work Orders and/or Change Orders approved pursuant to the authority granted in this resolution.

WHEREAS, the Board wishes to authorize its Superintendent and Treasurer to conduct such other business related to the Project as is required between Board meetings, including, but not limited to, approval of bid packages for work on the Project, signature on behalf of the Board for approvals and agreements for services and work related to the Project (so long as such items have been included in the project budget approved by the Board), establishment of bank accounts required for the Project, obtaining required insurance for the Project, placement of advertisements for bids for services and work related to the Project, the solicitation of proposals and quotations for services and work related to the Project, entering contracts for such services, payment of fees related to the Project, and all other related business activities without the necessity of bringing each item before the Board for approval;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Midview Local School District as follows:

1. The Superintendent is designated as the Board's authorized representative for reviewing issues requiring a decision between Board meetings and to make decisions on behalf of the Board or to call a special meeting for the required decision by the Board as a whole, including meeting with other governmental agencies to review issues related to the Project and to negotiate the terms of required improvements.
2. The Superintendent and Treasurer, in consultation with each other, are authorized to conduct whatever business related to the Project is required between Board meetings, including, but not limited to, approving bid packages for work on the Project, signing approvals and agreements for services and/or work in connection with the Project on behalf of the Board of Education, placement of advertisements for bids for services and work related to the Project, the solicitation of proposals and quotations for services and work related to the Project, entering contracts for such services, payment of fees related to the Project, and all other related business activities, including procurement of insurance coverage and establishment of banking accounts required for the Project.
3. The authority to approve and sign Field Work Orders and/or Change Orders on behalf of the Board is delegated as follows:
  - (a) The Superintendent may sign Field Work Orders and/or Change Orders in amounts up to and including \$25,000 on behalf of the Board, including deductive change orders.

- (b) The Superintendent or in the absence or unavailability the Superintendent, the Treasurer, may, in an emergency, sign Field Work Orders and/or Change Orders in amounts exceeding \$25,000 if the Superintendent or Treasurer reasonably believes that such action is needed prior to the next meeting of the Board to maintain the Project schedule and avoid additional costs and delays.
  - (c) The Treasurer is authorized to issue purchase orders and sign any related documents required to finalize Field Work Orders and/or Change Orders approved pursuant to the authority granted in this resolution.
3. The Construction Manager shall maintain a record of all Field Work Orders and Change Orders related to the Project and shall provide a report of Field Work Orders and Change Orders pending and resolved to the Board on a monthly basis.

M\_\_\_\_ seconded the motion and, after discussion, a roll call vote was taken and the resolution passed.

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_

The foregoing is a copy of the resolution passed by the Board of Education of the Midview Local School District, and a record of the action taken, at its regular meeting on \_\_\_\_\_, 2009.

\_\_\_\_\_  
Floyd Parsson, Treasurer

### PURPOSE

This meeting is a meeting of the Board of Education in public for the purpose of conducting the school district's business and is not to be considered a public community meeting.

### MEETINGS AND EXECUTIVE SESSIONS

This meeting and notices of all meetings are in compliance with O.R.C. 121.22. This Board of Education shall discuss in Executive Session only those items allowed in O.R.C. 121.22.

Board of Education members receive their copies of the agenda approximately 72 hours prior to each meeting. This provides them with time to review all items, request additional information, if needed, and establish a position prior to the call for a vote.

### COMMENTS FROM THE COMMUNITY

The hearing of the public may last for thirty minutes with each person having five minutes to speak on a school related issue at this time but the chair may limit the remarks pursuant to the debate regulations in *Robert's Rules of Order*.

Persons wishing to speak should rise. When recognized by the Board President, the individual recognized will be asked to first state their name and address so that the Board may respond in writing to questions or concerns presented. The individual may then make a statement to the Board. The accepted protocol is to address the Board President as "Madam or Mister President."

School patrons are reminded when addressing the Board, statements about school employees, students, or parents must be accurate and that all remarks made at a public board meeting are subject to the libel and slander laws of the State of Ohio.

Patrons wishing to meet privately with the school board are asked to contact the Superintendent prior to the board meeting so that the agenda may be adjusted and a time can be arranged.