

A SPECIAL

MONDAY, APRIL 5, 2010

ROLL CALL

The Newark Board of Education met in Special Session on Monday, April 5, 2010 at 7:00 p.m. at The Administrative Service Center and the following responded to roll call: Mr. Bybee, Mr. Handelman, Mrs. Niccum and Mrs. Ingold. Mr. Christenberry was absent.

10-029

SUPERINTENDENT'S RECOMMENDATIONS

029

Mr. Handelman moved, and Mrs. Niccum seconded the motion to approve the following resolution:

**RESCINDING REJECTION OF BID SUBMITTED BY TELAMON,
ACCEPTING WITHDRAWAL OF THE TELAMON BID, AND AWARDDING
CONTRACTS FOR THE JOHN CLEM ELEMENTARY SCHOOL
RENOVATIONS AND ADDITION PROJECT**

WHEREAS, bids were received on January 21, 2010, for the seven individual building trades packages for the John Clem Elementary School renovations and addition project, and the Board previously accepted the withdrawal of the bid submitted by Gutknecht Construction Company dated February 26, 2010; and

WHEREAS, during the evaluation of the next apparent low bid submitted for the general trades work, issues were identified that supported a recommendation by the Construction Manager, with the support of the Ohio School Facilities Commission, to reject the bid submitted by Telamon Construction, Inc., and the Board did reject the bid submitted by Telamon Construction, Inc. as not being the lowest responsive and responsible bid for the specified work; and

WHEREAS, following the formal rejection by the Board, a meeting was held with representatives of Telamon Construction, Inc. and the Ohio School Facilities Commission, and Telamon Construction, Inc. subsequently requested that it be permitted to withdraw its bid; and

WHEREAS, the Board wishes to rescind the prior rejection of the bid submitted by Telamon Construction, Inc. and accept the withdrawal of the bid by Telamon Construction, which the company submitted by letter dated April 2, 2010; and

WHEREAS, the Construction Manager, together with the Architect, reviewed the apparent low bids submitted for each of the seven bid packages, evaluated each of the bids for responsiveness to the specifications, evaluated each bidder for its ability to perform the work specified, and met with the individual bidders to review the scope of work specified for their respective bid packages; and

WHEREAS, the Construction Manager, in consultation with the Architect, prepared a letter of recommendation dated April 5, 2010, a copy of which is attached to this Resolution, with respect to each of the following bid packages identifying the bidder recommended to have submitted the lowest responsible bid for each bid package for the John Clem Elementary renovations and addition:

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BID PACKAGE/CONTRACT	CONTRACTOR	BASE BID
201 – General Trades	Claggett & Sons	\$ 3,253,000.00
202 – Fire Protection	Simplex Grinnell	\$ 88,740.00
203 – Plumbing	Gutridge Plumbing	\$ 371,700.00
204 – HVAC	H&A Mechanical	\$ 1,117,000.00
205 – Electrical	M.J. Abbott	\$ 747,643.00
206 – Technology	Converse Electric	\$ 558,000.00
207 – Casework	Farnham Equipment Company	\$ 182,500.00

WHEREAS, when the Construction Manager realized that the time between receipt of bids and the Board’s award and signing of the contracts would exceed 60 days, the Construction Manager received consent from each of the apparent low bidders to keep its bid open until the Board awarded the contracts and the contracts could be signed; and

WHEREAS, the Ohio Revised Code permits the parties to agree to a longer period than 60 days for award and signing of contracts, but the Code recognizes that a bidder may incur additional costs related to the specified work for the delay, so long as the delay was not the fault of the bidder, and the Construction Manager is meeting with each bidder to determine the costs, if any, that each bidder may incur related to the delay in award and signing of contracts beyond the 60-day period;

NOW THEREFORE BE IT RESOLVED by the Board of Education of the Newark City School District as follows:

1. The Board rescinds its prior rejection of the bid submitted by Telamon Construction Inc., with the approval of the Ohio School Facilities Commission.
2. The Board accepts the withdrawal by Telamon Construction, Inc., made by letter dated April 2, 2010, of the bid submitted for the general trades contract for the John Clem Elementary School renovations and addition project, a copy of which is attached to this Resolution.
3. The contract for each of the bid packages listed in the preceding table is awarded to the bidder identified in the contract amount stated, as the lowest responsible bidder for the specified work, based upon the information provided to the Board for its review, including the Construction Manager's letter of recommendation for award, prepared in consultation with the Architect. Each contract awarded by the Board is subject to the approval of the Ohio School Facilities Commission.

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4. The Superintendent, Treasurer, and Board President are authorized to execute a contract and any required related documentation with each of these bidders in the amount stated in the letter of recommendation for the John Clem Elementary School renovations and addition project.

Ayes: Mr. Handelman, Mrs. Niccum, Mr. Bybee, Mrs. Ingold
Nays: None
Absent: Mr. Christenberry
Motion Carried.

PRESENTATION BY PAR EXCELLENCE

Sharice Martin, Director of Par Excellence School, gave a presentation to the Board of Education.

10-030

BUSINESS

030

Article II.Term. Par Excellence Contract

Mr. Handelman moved, and Mr. Bybee seconded the motion that the Community School Sponsorship Contract for the Par Excellence Academy, a Conversion Community School, be extended through the 2010-2011 school year. This extension is for grades Kindergarten through Fifth Grade. Par Excellence is to provide projections for enrollment for the next school year.

Ayes: Mr. Handelman, Mr. Bybee, Mrs. Niccum, Mrs. Ingold
Nays: None
Absent: Mr. Christenberry
Motion Carried.

ADJOURNMENT

Mr. Handelman moved, and Mr. Bybee seconded the motion to adjourn. Mrs. Ingold closed the meeting at 9:30 p.m.

Ayes: Mr. Handelman, Mr. Bybee, Mrs. Niccum, Mrs. Ingold
Nays: None
Absent: Mr. Christenberry
Motion Carried.

Molly Ingold, President

Jeffrey A. Anderson Treasurer

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