

EATON BOARD OF EDUCATION SPECIAL MEETING
Treasurer's Office
April 21, 2013
6:00 p.m.

I. Opening of the Meeting

1. Call to Order – President

2. Roll Call – President

D. Mowen ___ R. McKinney ___ T. Parks ___ B. Pool ___ J. Renner ___

B. Neavin ___ P. Dodson ___ C. Neanen ___

3. Pledge of Allegiance

4. Appointment of Treasurer Pro Tempore for the purpose of the April 21, 2013 special meeting.

Motion by _____, to appoint _____ as Treasurer Pro Tempore for the April 21, 2013 special board meeting.

Seconded by _____.

Discussion.

McKinney ___ Mowen ___ Parks ___ Pool ___ Renner ___

President declares motion _____

5. Adopt the Agenda

Motion by _____, seconded by _____ to adopt the agenda.

Discussion.

Mowen ___ McKinney ___ Parks ___ Pool ___ Renner ___

President declares motion _____

II. New Business

1. Change Order to Athletic, Arts and Wellness Center

The Administration recommends approval of the following change order (#GC-02) to Oberer Thompson Company (General Trades Contractor) for the Athletic Facilities and Wellness Center project in the amount of \$79,177 for the purpose of cement stabilization for the subgrade at the track.

Motion by _____, seconded by _____ to approve agenda items II 1.

Discussion.

Mowen ___ McKinney ___ Parks ___ Pool ___ Renner ___

President declares motion _____

2. Allowance Authorization for Athletic, Arts and Wellness Center

The Administration recommends approval of the following Allowance Authorization (#GC-Alt4-A1) to Oberer Thompson Company (General Trades Contractor) for the Athletic Facilities and Wellness Center project in the amount of \$34,188 for the purpose of :

- A. Alternate # 4- "Landing Eagle" bronze sculpture- \$29,500
- B. Additional cost related to "Landing Eagle" field logo- \$4688
- C. Total -\$34,188

Motion by _____, seconded by _____ to approve agenda items II 2.

Discussion.

Mowen ___ McKinney ___ Parks ___ Pool ___ Renner ___

President declares motion _____

3. Resolution

The Administration recommends approval of **A RESOLUTION ACKNOWLEDGING THE PAYMENT OF ADDITIONAL FEES TO THE CONSTRUCTION MANAGER IN CONNECTION WITH DELAYS IN DESIGN OF**

***THE BRUCE ELEMENTARY SCHOOL AND EATON MIDDLE SCHOOL
PROJECTS AS FURTHER PROVIDED HEREIN***

WHEREAS, the Eaton Community School District, County of Preble, Ohio (hereinafter called the "School District") building program identifying classroom facilities needs and basic project costs (hereinafter called the "Master Plan") for the Bruce Elementary School Project and the Eaton Middle School Project (collectively, the "Projects") has been conditionally approved by the Ohio School Facilities Commission, State of Ohio (hereinafter called the "Commission") and Ohio Controlling Board, as authorized under Section 3318.36 of the Ohio Revised Code ("O.R.C.");

WHEREAS, the Board of Education has contracted with a qualified professional design firm, Fanning/Howey Associates, Inc. (hereinafter called the "Architect"), under Sections 153.65 to 153.71, O.R.C., to prepare separate plans, specifications and estimates of cost, and such data as the Board of Education deems necessary for the Projects and in compliance with the specifications set forth in the Commission's Design Manual, where applicable;

WHEREAS, the OSFC has retained a qualified construction management firm, Megen Construction Company, Inc. (hereinafter called the "Construction Manager"), under Sections 9.33, 9.331 and 9.332, O.R.C., related to constructability, logistics, availability of materials and labor, and time requirements for construction, preliminary budgets and possible economies;

WHEREAS, the Commission and the Construction Manager have entered into an Agreement For Construction Management Services (hereinafter called the "CM Agreement"), dated December 17, 2010 related to the Projects;

WHEREAS, the Commission has determined that the Construction Manager is entitled to additional compensation due to delays in the design of the Projects in the aggregate amount of \$61,394.00;

WHEREAS, the Construction Manager has requested an increase in the Basic Fee which amount has been negotiated to the mutual reasonable satisfaction of the Board of Education and Construction Manager; and

WHEREAS, it is the intention of the Commission and the Construction Manager to amend their CM Agreement to reflect said additional Basic Services Fee pursuant to Subparagraph 9.5.2 of the CM Agreement.

NOW, THEREFORE BE IT RESOLVED, by the Board, that after careful consideration and evaluation of the information before it:

Section 1. The Board of Education hereby acknowledges the increase in the Total Compensation for the Construction Manager from \$1,694,124.05 to \$1,755,518.05 (an increase of \$61,394)

Section 2. The Board of Education hereby authorizes the Treasurer to sign the Certificate of Funds, upon execution of the Second Amendment, and attach a copy of the Certificate of Funds thereto.

Section 3. This Board of Education hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of Education, and that all deliberations of this Board of Education 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, O.R.C.

Section 4. This resolution shall be in full force and effect from and immediately after its adoption and shall supersede any prior resolution or act of this Board of Education, which may be inconsistent or duplicative with the provisions of this resolution.

Motion by _____, seconded by _____ to approve agenda items II 3.

Discussion.

Mowen ___ McKinney ___ Parks ___ Pool ___ Renner ___

President declares motion _____

4. **Executive Session**

To discuss the employment, dismissal, discipline, promotion, demotion, or compensation of a public employee.

_____ invited to participate in executive session.

Motion by _____, second by _____ to convene executive session.

McKinney ___ Mowen ___ Parks ___ Pool ___ Renner ___

President declares motion _____.

President convenes executive session at _____ p.m.

President resumes open session at _____ p.m.

III. Adjournment

Motion by _____, seconded by _____ to
adjourn the meeting.

Discussion.

Mowen ___ McKinney ___ Parks ___ Pool ___ Renner ___

President declares motion _____

President adjourns meeting at _____ p.m.