



PLYMOUTH PUBLIC SCHOOLS
CENTRAL OFFICE
27 NORTH HARWINTON AVENUE
TERRYVILLE, CONNECTICUT 06786

MISSION STATEMENT

The Mission of Plymouth Public Schools is to challenge, inspire, and prepare all students for success in an ever-changing and complex world.

PLYMOUTH BOARD OF EDUCATION

SPECIAL BOARD OF EDUCATION MEETING

WEDNESDAY, FEBRUARY 28, 2018

TERRYVILLE HIGH SCHOOL LIBRARY
33 NORTH HARWINTON AVENUE
TERRYVILLE CT 06786

MINUTES

Present: Mrs. Johnson, Mrs. Kulesa, Mrs. Lucian, Mr. Bourbonniere
Mr. Foote, Mrs. Kremmel, and Mr. Elsaghir

Others Present: Dr. Semmel, Superintendent and Mr. Penn, Business Manager

1. Call to Order

Mrs. Johnson called the meeting to order at 7 p.m. The group joined in on the Pledge to the Flag.

2. Adoption of the Agenda

MOTION: To adopt the agenda. Motion Mrs. Kremmel, seconded Mr. Foote, all in favor, motion passes.

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Plymouth Board of Education is an Equal Opportunity Employer and Provider.

Mrs. Johnson, Chair read the following statement for the record:

The meeting tonight is being held in response to a concern raised in prior Board meetings and a motion to table the discussion. Based on guidance we received from our legal counsel, no representatives from either bidder will be allowed to comment on the bids during public comment. In order to protect the integrity of a sealed bidding process, each bid should stand up on its own merits and any further verbal input would compromise that competitive process that is required under Board Policy 3323. (See Policies 3323 and 3541.23 attached)

3. Public Comment (3-minute limit per speaker)

Pete Worhunsky, 19 Coral Drive, Terryville

Mrs. Kulesa, Point of Order, He cannot speak to that subject. Mrs. Johnson, informed Mr. Worhunsky he was out of order and he could not speak publicly to anything that has to do with the bid process.

There were no other Public Comments.

4. Regular Education Bus Contract

Board members were provided a timeline of events just to make it clear regarding the process used to put forth the Regular Education Bus Contract, which Mr. Penn, Business Manager reviewed. (See attached timeline)

Mr. Bourbonniere – Questioned the bullet of February 14, 2018 regarding “BOE rejects contract with All-Star. He was looking for clarification regarding the item being tabled.

Mrs. Johnson – Responded – The item tabled did not pertain to the actual bus contract.

Mr. Penn, Business Manager – Shipman & Goodwin, attorneys for the Plymouth Board of Education felt that from a legal perspective, there was no change regarding this matter since the February 14, 2018 Board Meeting. If the Board chose to vote on this item and execute the agreement the attorneys were fully comfortable with them doing so.

MOTION: To approve the Regular Education Bus Contract with All-Star.
Motion Mrs. Kulesa, seconded Mrs. Lucian.

DISCUSSION:

Mr. Bourbonniere expressed his concern how ironic it was that with the Special Education Bus Contract there were eleven bids. Yet with the Regular Education Bus Contract, there were only 2 bids. One of which, per legal opinion, needed to be eliminated because of due process, as the bidder did not abide by the bid.

Mr. Penn indicated the bid notice was placed in the Hartford Courant and the Department of Administrative Services website.

Mrs. Kulesa – The Board, if appropriate, may want to explore the possibility of contacting various bus companies and inquire as to why they chose not to submit a bid.

Mrs. Johnson – Commented on how Naugatuck went out to bid for a bus contract and only received one bid.

Mr. Foote – Concerned about the legality of a rebid and the costs.

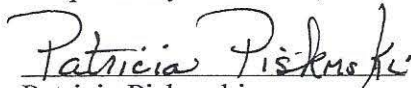
Mr. Elsaghir – Explained that at the February 14, 2018 Board Meeting, he did not understand the process. Since then, he has had an opportunity to review all of the documentation presented by all parties. He noted that Board Policy states at the time of bid a list and description of vehicles to be used needs to be submitted. If this information is not included in the bid, the bid is then unresponsive.

ROLL VOTE: Mr. Elsaghir, Mrs. Kremmel, Mrs. Lucian, Mrs. Kulesa and Mr. Foote 5 “in favor” of the motion; Mr. Bourbonniere 1 “against” the motion. Motion passes.

5. Adjournment

MOTION: To adjourn at 7:18 p.m. Motion Mrs. Kulesa, seconded Mrs. Kremmel, all in favor, motion passes.

Respectfully submitted,



Patricia Piskorski

Recording Secretary

Business/Non-Instructional Operations

Soliciting Prices (Bids and Quotations)

All contracts for, or purchases of supplies, materials, equipment and other services in the amount of \$10,000 or less shall be made, when possible, utilizing state contract pricing, purchasing consortium pricing or competitive bids. All purchases of more than \$10,000 and less than \$25,000 may be made in the open market, but should be based, when possible, on at least three competitive quotations or prices. All purchases in excess of \$25,000 will be done through a bidding process in a manner consistent with then-current state statutes. An exception to these purchasing guidelines may be made for items purchased under state contract or through a public purchasing consortium as defined in CGS 4a-53. In an emergency situation, these requirements may be waived by the Superintendent. The Superintendent shall notify the Board Chairman of the waiver as soon as possible and the entire Board of Education at the next regularly scheduled meeting.

All contracts and all open market orders will be awarded to the lowest responsible qualified contractor or supplier, taking into consideration all of the factors set forth in policy #3320.

When bidding procedures are used, bids shall be advertised in the area newspapers for at least one day. Suppliers shall be invited to have their names placed on mailing lists to receive invitations to bid. When specifications are prepared, they will be mailed to all merchants and firms who have indicated an interest in bidding on the items or services being bid.

All bids must be submitted in sealed envelopes, addressed to the appropriate school and plainly marked with the name of the bids and the time of the opening. Bids shall be opened at the time specified and all bidders and other interested persons shall be invited to be present.

The school district reserves the right to reject any or all bids and to accept that bid which appears to be in the best interest of the town/city. The school district reserves the right to waive any informalities in, or reject, any or all bids or any part of any bid. Any bid may be withdrawn prior to the scheduled time for the opening of bids. Any bid received after the time and date specified shall not be considered.

Legal Reference: Connecticut General Statutes
 4a-53 Cooperative purchasing plans. Purchase from person having contract to sell to other governmental or non-profit entities or public purchasing consortia.
 7-148v Requirements for competitive bidding
 P.A. 13-71 An Act Concerning Requirements for Competitive Bidding for the Award of Contracts or Purchase of Property by Municipalities

Policy adopted: May 10, 2017

PLYMOUTH PUBLIC SCHOOLS
 Terryville, Connecticut

Business/Non-Instructional Operations

Contractor

Transportation shall be provided by private contractors consistent with contractual arrangements as offered by the Board of Education from time to time.

School bus contractors shall garage and register their vehicles within the geographic limits of the Plymouth school district.

1. The school bus contractor shall be determined by public competitive bid and shall be qualified in all ways as required by Connecticut General Statutes.
2. The school bus contractor shall submit, at the time of bid, a list and description of vehicles to be used, and shall bring this list up to date by August 1 of each school year for Board approval.
3. The school bus contractor will ensure that each school bus driver or aide will be in compliance with all Federal and State Regulations at all times.

(cf. 4212.42 - Drug & Alcohol Testing for School Bus Drivers)

Legal Reference: United States Code, Title 49 2717 Alcohol and controlled substance testing (Omnibus) Transportation Employee Testing Act of 1991.

Connecticut General Statutes

14-261b Drug and alcohol testing of drivers of certain vehicles, mechanics and forklift operators.

14-276 to 14-279 re: school bus operators et. al.

PA 07-224 An Act Concerning Operator's Licenses Bearing a School Bus Endorsement.

United States Code, Title 49

Policy adopted: May 10, 2017

PLYMOUTH PUBLIC SCHOOLS
Terryville, Connecticut

Regular Transportation Bus Contract – Timeline of Events

Date	Event
11/6/2018	RFP released; posted to WPS website, DAS website and summary with link published twice in Hartford Courant.
11/27/2018	RFP question period closes. WPS shares responses with interested parties.
11/30/2017	Bids due. Public opening at WPS.
12/7/2017	Bid responses sent to S&G for review.
12/21/2017	Meeting among Business Managers and Superintendents to discuss advice from legal counsel and next steps.
1/3/2018	Conference call with S&G regarding additional questions raised at 12/21 meeting.
1/10/2018	Feedback and legal guidance regarding bids shared with BOE Finance & Operations Subcommittee.
1/11/2018	Both full RFP responses sent to all BOE members, with request to direct any questions to the Superintendent or Business Manager.
1/19/2018	No comments or questions received from BOE. S&G directed to begin drafting contract with All-Star for 2/14 BOE meeting.
2/9/2018	Letter received from Worhunsky attorney; forwarded to S&G to draft response.
2/14/2018	Response from S&G received and shared with BOE.
2/14/2018	BOE rejects contract with All-Star.
2/21/2018	Conference call with S&G regarding next steps.

Notes:

DAS – Connecticut Department of Administrative Services

S&G – Shipman & Goodwin, Plymouth's legal counsel

WPS – Wolcott Public Schools