

MUSCOGEE COUNTY SCHOOL DISTRICT
COLUMBUS, GEORGIA

CALLED BOARD OF EDUCATION MEETING
BRADLEY LIBRARY CONFERENCE ROOM
TUESDAY, MAY 8, 2001, 5:00 P.M.

MINUTES

A called meeting of the Board of Education of the Muscogee County School District was held on Tuesday, May 8, 2001 in the conference room at the Bradley Library.

The following Board members were present: Mary Sue Polleys, Chairman, James Walker, Vice Chairman, Philip T. Schley, David E. Ebron, Linda Parker, Owen Ditchfield, Brenda Storey, John Wells and Fife Whiteside.

Others present: James E. Humes, II, Legal Counsel, Fred M. Jones, Treasurer, Brenda Dozier, Assistant Superintendent for Student Services, Tom Walters, Assistant Superintendent for Personnel, Myles Caggins, Assistant Superintendent for Business Affairs, Gordon Stallings, Assistant Superintendent for Instruction, Bill Hortman, Associate Superintendent and representatives from the media.

After the invocation and pledge of allegiance to the flag, Dr. Polleys stated that the purpose of the called meeting was to discuss and take action on a revision in policy regarding the pre-qualification of construction projects. Dr. Polleys called on Mr. Wells.

Mr. Wells stated that the draft on the policy regarding pre-qualification on contractors who are bidding for work under the SPLOST projects is being presented. He said that the policy would allow Muscogee County School District to pre-qualify those companies out of bidding if that bidder already has three projects under bid. Mr. Wells said that an exception would be made if on the judgment of the Muscogee County School District and its Board a bidder has the qualifications to do more than three small jobs. Mr. Wells commented that there were some discussions that a limited dollar amount of \$25 million be included and a company must have experience of successful completion of (2) projects of similar size and scope within the last (5) years; also requiring the proposed superintendent to have construction experience of similar size and scope for the last (5) years. Mr. Whiteside commented that "in the past if a bidder submitted a bid that was a low bid as long as that bidder was not determined to be not responsible with a responsive bid then the bid would have to be accepted. The law now allows for higher standards for bidders and that now objective criteria can be adopted. Unless this objective criteria is met then the bid would not be accepted. The law sets up objective criteria for who is responsive and who is not responsive. I support Mr. Wells in adding a dollar amount limit." Mr. Ebron said that he agreed with the "suggestions in terms of pre-qualifications but I am more concerned about the exception and the criteria that we would use for exception. I know that we don't have that now. I certainly know that for every rule there is often times of need for exception. Just judgment.. we need something clear in terms of how we make that judgment and when we make exceptions. Because I also know that we are in a society where litigation comes quickly so, I want some objective criteria. I support all four suggestions and recognize the need for exception but I want something more specific that we are going to have in terms of objective criteria. Because otherwise I think that we are going to end up in litigation when we make exception for one and not the other." Mr. Ditchfield commented, "I agree that this seems like prudent measures and I think we all would. Sitting here as an English teacher I'm thinking of two things.

The first is when we use the word superintendent for the lay person, you might want to put the word construction in front of it so that they don't think that Guy Sims is out there in charge of...and the other point is when you think about a \$25 million cost do we need to define that, because we often talk about a cost plus architect fees." Mrs. Storey asked that when, "we look at the exception criteria that we build when we would make an exception. But just because they've done this many or whatever and they've handled their projects appropriately, that doesn't mean that we wouldn't necessarily want to make an exception if they don't meet all of the criteria. If they don't have a means to meet all of this criteria then we would have a reason to look at it again." Mrs. Parker commented, "I hope that his means that we would have acceptable and quality work. Does this mean that? Because that is what I am hoping for. Because as we all know we do have some work that is not quality and is not acceptable for me. So if this is what this means, I am for it 100%." Mr. Walker asked, "how is it discovered that a superintendent is removed prior to the completion of the work?" Mr. Caggins said that the decision is made quickly and does not give the administration a chance to make a difference. Mr. Hindsman commented that the majority of superintendents have been removed prior to the knowledge of the administration.

Dr. Polleys commented that the proposed policy as printed would restrict the construction company to three jobs unless a decided exception is made. Dr. Polleys asked for a motion. Mr. Wells made the motion seconded by Mr. Whiteside to approve the revision to the policy on pre-qualifying of bidders who have (3) jobs or more on-going now, \$25 million a total project job an experience requirement for the company such as successful completion of (2) projects of similar size and scope in the last (5) years and experience of the superintendent with the successful completion of (2) projects of similar size and scope in the last (5) years.

Mr. Wells made the motion seconded by Mr. Whiteside to approve the policy revision pertaining to the pre-qualification of a bidder dependent on having no more than (3) jobs already with Muscogee County School District, a total project limit not to exceed \$25 million, that the company be experienced with projects of similar size and scope and have successfully completed at least (2) of them in the last (5) years and the construction superintendent also be similarly experienced and qualified with the exception that the administration with a presentation to the Board can make an exception to those bidders who are deemed capable in scope and size of handling more projects and bigger projects. The vote was unanimous.

Mr. Wells commented that if there is a policy on the books that is too restrictive then they need to let the Board know how it can be fine tuned in order to do the best job with tax payers money. It was the consensus of the Board to include the policy in bid advertisements.

Upon motion of Mrs. Storey, seconded by Mr. Walker, the Board adjourned the called meeting.



James E. Humes, II
Legal Counsel

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Philip T. Schley
Brenda Storey
John Wells
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A G E N D A

I. Invocation and Pledge of Allegiance to the Flag

II. ACTION

REQUIREMENTS FOR PRE-QUALIFYING OF
CONSTRUCTION PROJECTS

The Board needs to discuss and take action on a revision in policy regarding the pre-qualification of construction projects. (See Attachment)

"In the judgment of the Muscogee County School District, it is both desirable and necessary for the effective undertaking and completion of construction or renovation projects at a school site to allow for the orderly process of academic instructions and pupil development. To diminish potential risk to the educational process from ongoing construction projects caused by unforeseen circumstances that could adversely affect a contractor's performance, the number of multiple MCSD construction projects that a single contractor can undertake will be limited. Therefore, any bidder, who or which, at the time a new construction project at a school site is bid, has presently ongoing three school construction projects, shall not be eligible to bid on a new school construction project. The exception to this pre-qualification criterion shall be if in the judgment of the MCSD and its Board of Education, a bidder, nonetheless, can provide all necessary construction services, resources and personnel to ensure the acceptable completion of an existing project to remain within the limit of three. "
