

RECORD OF PROCEEDINGS

Minutes of

St. Marys City School District

Meeting

Held

March 31, 2010

6:30 P.M.

SPECIAL MEETING

The St. Marys City Board of Education met in special session at the Memorial High School Performing Arts Center with the following Board Members present: Rees McKee, Craig Gottschalk, Aaron Braun, Ralph Wiley and Lisa Tobin. Also present were Becky Princehorn from Bricker and Eckler LLP, Janet Schuler, Auglaize County Auditor and numerous member of the community, along with Bill Steinbrunner, Mary Riepenhoff and Tom Sommer. The Board of Education special meeting was videotaped by Connie Schroer of Angle View Images.

The meeting was called to order by Rees McKee, Board President, who then led the audience with the Pledge of Allegiance.

On a motion by Wiley, seconded by Gottschalk, the following was approved by the Board:

DECLARING URGENT NECESSITY, WAIVING COMPETITIVE BIDDING, AND AUTHORIZING SOLICITATION OF BIDS FOR FLOORING AT THE NEW 6-12 SCHOOL BUILDING

WHEREAS, the Board of Education of the St. Marys City School District (the "Board") is engaged in a capital improvements program as part of the Ohio School Facilities Commission's Classroom Facilities Assistance Program and previously approved the purchase of flooring products and their installation from Legacy Commercial Floors through the State of Ohio's Cooperative Purchasing Program for the new 6-12 school building; and

WHEREAS, issues have been identified with the flooring provided and installed by Legacy, and the District, with the Construction Manager, Architect, and Commission, have determined that the scope of work to be performed by Legacy should be reduced, with the scope of work removed from the Legacy contract to be provided by another contractor; and

WHEREAS, the Construction Manager has informed the Board that there is insufficient time to prepare the required contract documents and solicit bids for the work following the statutory competitive bidding process, if the work is to be completed and ready for the beginning of the 2010/2011 school year, when the building is scheduled to be ready for occupancy and use by the District for instruction; and

WHEREAS, the Board has the authority, pursuant to Ohio Revised Code Section 3313.46, to declare an urgent necessity and waive competitive bidding, and the Board finds that the time to complete the work presents an urgent necessity and that it is in the best interest of the District and the Project to waive competitive bidding and authorize the solicitation of cost proposals from three companies qualified and responsible to perform the specified work, with a contract to be awarded to the contractor determined to have submitted the lowest responsible proposal, consistent with the OSFC contract requirements;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of St. Marys City School District as follows:

1. Based upon the information provided and pursuant to the authority given in Ohio Revised Code Section 3313.46, the Board determines that an urgent necessity exists with respect to the completion of the flooring for the new 6-12 building and that it is in the best interest of the Board and the Project to waive competitive bidding for the remaining flooring work.

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2. The Board authorizes the Business Manager to work with the Construction Manager and Architect to solicit proposals for the flooring work from three contractors capable of providing and installing the flooring required for the new 6-12 building and to bring a recommendation back to the Board for the award of a contract to the contractor that submits the lowest responsible proposal for the work, which will be performed in conformance with the OSFC standard contract requirements.

VOTE: Wiley, yes; Gottschalk, yes; Tobin, yes; Braun, yes; McKee, yes

53-10

Becky Princehorn from Bricker and Eckler, LLP, along with Janet Schuler, Auglaize County Auditor, were both present at the request of the Board of Education. Ms. Princehorn gave a power point presentation concerning OSFC project funds and what the District's options are for any funds remaining at completion of the project.

After the presentation, there was a question and answer session

ADJOURNMENT - At approximately 7:45 PM, on a motion by Gottschalk, seconded by Tobin, there being no further business, the meeting was adjourned.

VOTE: Gottschalk, yes; Tobin, yes; Braun, yes; McKee, yes; Wiley, yes

54-10

Treasurer

President