

The Board of Education of the Celina City School District, County of Mercer, Ohio, met on the 15TH day of May, 2017, at Celina Senior High School Lecture Hall with the following members present:

Mr. Shellabarger Mr. Sell Mrs. Piper Mrs. Vorhees Mr. Gilmore

_____ moved the adoption of the following resolution:

CELINA CITY SCHOOL DISTRICT

RESOLUTION NO. _____

A RESOLUTION APPOINTING REPRESENTATIVES OF THE SCHOOL DISTRICT WHO ARE AUTHORIZED TO ACT ON BEHALF OF THE BOARD OF EDUCATION DURING THE OHIO SCHOOL FACILITIES COMMISSION CLASSROOM FACILITIES ASSISTANCE PROGRAM PROJECT

WHEREAS, the Celina City School District ("School District"), County of Mercer, as Fiscal Board for the qualifying partnership schools, being the School District, Coldwater Exempted Village School District, Fort Recovery Local School District, Marion Local School District, Minster Local School District, New Bremen Local School District, New Knoxville Local School District, St. Henry Consolidated Local School District, and St. Mary’s City School District (collectively, the "Participating School Districts"), has entered into a Project Agreement with the Ohio Facilities Construction Commission (the "OFCC") relating to construction of a new science, technology, engineering and mathematics program building, including locally funded initiatives (collectively the "Project");

WHEREAS, the Board of Education, as Fiscal Board for the Participating School Districts within the qualifying partnership, is required by the OFCC, pursuant to Article VIII of the Project Agreement, to designate representatives authorized to act on the behalf of the Board of Education with respect to decisions required by the Board of Education during the planning, contracting, and construction phases of the Project;

NOW, THEREFORE BE IT RESOLVED, by the Board of Education that:

Section 1. The Board of Education hereby appoints the Superintendent and Treasurer of the School District and the Tri-Star Compact Director as its representatives (the "Authorized Representatives" and each an "Authorized Representative"), unless otherwise specified below, each individually authorized to act on its behalf during the planning, bidding, award and construction phases of the Project as follows:

- a. Serve as the Board of Education’s liaison with the OFCC, Construction Manager and Architect working principally through the Architect during the planning

phases, and principally through the Construction Manager's Project Executive or Manager during the subcontract bidding, award and construction phases. Two of the three Authorized Representatives may approve design-phase submissions (including plans, schedules, and estimates) on behalf of the School District.

b. Participate in planning meetings with any committee, OFCC, Architect and Construction Manager, to consider and comment on plans, schedules, budgets and estimates provided and recommended by the Architect and Construction Manager.

c. Upon request by the Construction Manager, participate in, or review, Contractor and Consultant proposals, contracts, and bidding/best value selection documents, and participate as requested in the review and communication of Construction Manager and Consultant contract and subcontract award recommendations by the Architect and Construction Manager to the Board of Education.

d. Consider and approve Bulletins, Field Work Orders, Change Orders or amendments which modify the Contractor contract, Professional Design Services Agreement or Consultant contract, including minor substitutions of materials and equipment, and increases in any contract amount up to \$50,000 per Bulletin, Field Work Order, Change Order or amendment, but in the aggregate not to exceed \$200,000.

e. Attend construction meetings coordinated by the Construction Manager or Architect, such as pre-construction conferences, progress meetings, job conferences and other project related meetings, and obtain and review meeting minutes.

f. Participate with the OFCC, Architect and Construction Manager during construction in activities related to final conformance, interpretations and acceptance of the Work and give approvals thereon where requested.

g. Accompany, with the OFCC, Construction Manager and Architect, visiting inspectors representing public or other agencies having jurisdiction over the Project during the construction phase.

h. Consider and approve any withholding of payment to the Architect, Construction Manager, contractors, Consultant, and any subcontractors and material suppliers.

i. Consider and approve requests for permits for occupancy, either in whole or in part during the construction and close-out phases.

j. Consider and approve Certifications of Contract Completion and Certifications of Warranty Commencement during the construction and close-out phases.

Section 2. The Board of Education limits the authority of its representatives appointed in Section 1 as follows, and such representatives shall not have authority to:

- a. Approve changes to the overall Project budget, or in the case of budget line items, changes to the budget line items in excess of 10% per line item.
- b. Authorize or approve any Consultant or Contractor proposal, contract, bidding documents, bid, award, contract or subcontract in excess of \$50,000.
- c. Consider or approve any amendments, Bulletins, Field Work Orders or Change Orders which substantially modify the Construction Manager at Risk Contract, contractor contract, subcontractor contract, Architect Agreement or Consultant contract and involve increases in any contract amount equal to or more than \$50,000 per Bulletin, Field Work Order, Change Order, amendment or change.
- d. Undertake any of the responsibilities of the OFCC, Architect, Construction Manager or any Consultant, including the design, and the coordination, scheduling and oversight of multiple Contractors.
- e. Advise on, issue directions relative to, or assume control over or charge of any aspect of the design means, methods, techniques, sequences, or procedures of construction.
- f. Advise on, issue directions regarding, or assume control over or charge of, safety precautions and programs in connection with the Work during construction.
- g. Expedite the Work for a Consultant or Construction Manager at Risk, contractor, subcontractor, design professional, engineer or their subcontractors and material suppliers.
- h. Reject Work of any a Consultant or Construction Manager at Risk, contractor, subcontractor, Architect, design professional, engineer or their subcontractors and material suppliers or require special inspection or testing except as authorized in writing by the Board of Education.
- i. Participate in specialized field or laboratory tests or inspections conducted by others during construction except as specifically authorized in writing by the Board of Education.
- j. Order any Archi Consultant or Construction Manager at Risk, contractor, subcontractor, Architect, design professional, engineer or their subcontractors and material suppliers to stop the Work or terminate a contract, or any portion thereof.

Section 3. That 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, ORC.

Section 4. This resolution shall be in full force and effect from and immediately after its adoption and shall supercede any prior resolution or act of this Board of Education, which

may be inconsistent with or duplicative of the provisions of this resolution. Capitalized terms used by not defined in this Resolution have the meaning given to them in the OFCC's agreement forms for a Construction Manager At Risk delivery model.

_____ seconded the motion and the roll being called upon the question of the adoption of the resolution, the vote resulted as follows:

AYES:

NAYS:

ADOPTED this 15TH day of May, 2017.

Thomas S. Sommer, Treasurer

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of a resolution adopted at a meeting held on the 15TH day of May, 2017, together with a true and correct extract from the minutes of said meeting to the extent pertinent to consideration and adoption of said resolution.

Thomas S. Sommer, Treasurer