

**WARREN CITY SCHOOLS
BOARD OF EDUCATION
SPECIAL MEETING, TUESDAY, DECEMBER 7, 2021
6:00 P.M.**

Warren G. Harding High School, Cafetorium
with Live Stream available at warrencityschools.org
860 Elm Rd NE
Warren, Ohio

CALL TO ORDER

Mrs. Limperos, Board President, called the Regular Meeting to order at 6:04 p.m. All present saluted the flag.

ROLL CALL

The following Board Members answered to roll call: Mr. Fowley, Mrs. Patterson, Mrs. Shannon, Mr. Walker and Mrs. Limperos.

MOTION NO. 12-2021-257 - ADOPTION OF AGENDA

Mrs. Patterson moved and Mr. Fowley seconded the adoption of the agenda.

The President called for a vote.

Yes: Mrs. Patterson, Mr. Fowley, Mrs. Shannon, Mr. Walker and Mrs. Limperos.

No: None.

The President declared the motion carried.

SUPERINTENDENT'S REPORT

A. Presentation by DeSalvo Construction – Proposed Recreation and Wellness Center

SUPERINTENDENT'S RECOMMENDATION

**MOTION NO. 12-2021-258 - AUTHORIZATION TO ADD TO THE AGENDA A
RESOLUTION FOR REAL ESTATE PURCHASE
AGREEMENT BETWEEN THE BOARD OF
EDUCATION OF THE WARREN CITY SCHOOL
DISTRICT AND "SELLER" OF PARCEL 38-329300
LOCATED AT 1053 WOODLAND STREET
NORTHEAST AS ADD ON ITEM TO THE AGENDA**

Mr. Fowley moved and Mrs. Patterson seconded the resolution for authorization to add to the agenda a resolution for Real Estate Purchase Agreement between the Board of Education of the Warren City School District and "seller" of parcel 38-329300 located at 1053 Woodland Street Northeast as add on item to the agenda be approved as submitted.

The President called for a vote.

Yes: Mr. Fowley, Mrs. Patterson, Mrs. Shannon, Mr. Walker and Mrs. Limperos.

No: None.

The President declared the motion carried.

MOTION NO. 12-2021-259 -

REAL ESTATE PURCHASE AGREEMENT BETWEEN
THE BOARD OF EDUCATION OF THE WARREN CITY
SCHOOL DISTRICT AND "SELLER" OF PARCEL 38-
329300 LOCATED AT 1053 WOODLAND STREET
NORTHEAST

Mr. Fowley moved and Mrs. Patterson seconded the resolution listed below granting option to purchase real estate between the Board of Education of the Warren City School District and "seller" of the parcel 38-329300, located at 1053 Woodland Avenue, NE, Warren, OH 44483 be approved as submitted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Warren City School District, Trumbull County, State of Ohio, that:

Section 1. Approval and Execution of Related Documents. The President or Vice-President and Treasurer of this Board and the Superintendent, or such other School District officials as shall be designated by those officials, as appropriate, are each authorized and directed to sign any certificates or documents, and to take such other actions as are desirable, advisable, necessary or appropriate, to consummate the transactions contemplated by this Resolution and the Agreement.

Section 2. Prior Acts Ratified and Confirmed. Any actions previously taken by School District officials or agents of this Board in furtherance of the matters set forth in this Resolution are hereby approved, ratified, and confirmed.

Section 3. Compliance with Open Meeting Requirements. It is hereby found and determined that all formal actions of this Board of Education concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board of Education that resulted in such formal actions were held in meetings in compliance with the law.

Section 4. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way defined, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs, or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

Section 5. Effective Date. This Resolution shall be in full force and effect from and immediately upon its adoption.

The President called for a vote.

Yes: Mr. Fowley, Mrs. Patterson, Mrs. Shannon, Mr. Walker and Mrs. Limperos.

No: None.

The President declared the motion carried.

BOARD RECOMMENDATION

MOTION NO. 12-2021-260 -

AUTHORIZATION TO ADD TO THE AGENDA A
RESOLUTION TO ACCEPT RANKING OF
CONSTRUCTION MANAGER AT-RISK AND
AUTHORIZING NEGOTIATION OF CONTRACT
AGREEMENT AS ADD ON ITEM TO THE AGENDA

Mrs. Patterson moved and Mr. Fowley seconded the resolution for authorization to add to the agenda a Resolution to Accept Ranking of Construction Manager at-Risk and Authorizing Negotiation of Contract Agreement as add on item to the agenda be approved as submitted.

The President called for a vote.

Yes: Mrs. Patterson, Mr. Fowley, Mrs. Shannon, Mr. Walker and Mrs. Limperos.

No: None.

The President declared the motion carried.

MOTION NO. 12-2021-261 -

**ACCEPT RANKING OF CONSTRUCTION MANAGER
AT-RISK AND AUTHORIZING NEGOTIATION OF
CONTRACT AGREEMENT**

Mrs. Shannon moved and Mr. Walker seconded the resolution listed below ranking Construction Manager at-Risk firms and authorizing negotiation of contract agreement be approved as submitted.

WHEREAS, the Board of Education (the "Board") has resolved to undertake a construction project; and

WHEREAS, the Board has publicly announced the availability of a contract for Construction Manager at-Risk services and has undertaken solicitation of statements of qualification in accordance with R.C. 153.65-71; and

WHEREAS, the Board of Education, or a committee on its behalf, evaluated the Statements of Qualifications of said Construction Manager at-Risk firms in compliance with Sections 153.65(D) and 153.69, ORC, and has made a recommendation to the Board regarding the ranking of the same.

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 accepts the ranks of the following three Construction Manager at-Risk firms it has determined to be most qualified to provide the required services:

1. DeSalvo Construction
2. Coates Construction
3. A M Higley

Section 2. The Superintendent, with the assistance of the Board's legal counsel is hereby authorized to negotiate, pursuant to Sections 153.69(B) and 153.70 of the Ohio Revised Code, Construction Manager at-Risk Services Agreement with the first ranked firm noted in Section 1 above to perform the required services at a compensation determined to be fair and reasonable taking into account the estimated value, scope, complexity and nature of the services, with the contract negotiations also directed toward ensuring a mutual understanding of the essential requirements involved in providing required services, a determination that the firm will make available necessary personnel, equipment, and facilities to perform services in a timely manner and procurement of appropriate professional liability and other required insurance.

Section 3. If an Agreement is negotiated in good faith with the first ranked firm, said Agreement shall be presented to the Board of Education for approval. If said Agreement is not

successfully negotiated, despite a good faith attempt, then the Superintendent is hereby authorized to terminate negotiations in writing with the first ranked firm and commence negotiations with the second ranked firm as per Section 2 above. If a Contract is negotiated in good faith with the second ranked firm, said Contract shall be presented to the Board of Education for approval. If negotiations again fail, despite a good faith attempt, the Superintendent shall terminate in writing negotiations with the second ranked firm and commence negotiations with the third ranked firm as per Section 2 above. If a Contract is negotiated in good faith with the third ranked firm, said Contract shall be presented to the Board of Education for approval.

Section 4. 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 of the Ohio Revised Code.

Section 5. 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.

The President called for a vote.

Yes: Mrs. Shannon, Mr. Walker, Mr. Fowley, Mrs. Patterson and Mrs. Limperos.

No: None.

The President declared the motion carried.

MOTION NO. 12-2021-262 - ADJOURNMENT

Mr. Walker moved and Mr. Fowley seconded that, at 6:34 p.m. the Warren City Board of Education's Regular Meeting be adjourned.

The President called for a vote.

Yes: Mr. Walker, Mr. Fowley, Mrs. Patterson, Mrs. Shannon and Mrs. Limperos.

No: None.

The President declared the motion carried.

President

Treasurer

Date

In addition to the record of the proceedings set forth in these minutes, an audio tape recording of the entire meeting was made and will be maintained in the Treasurer's Office of the Warren City School District. Said recording may not be kept in perpetuity but may be destroyed in accordance with the Warren City Board of Education's Records Retention Schedule, which has been approved by the Auditor of State's Office and the Ohio Historical Society