1. **CALL TO ORDER:** 8:00 A.M.

   J. WAGNER-FEASEL  X  J. HILDRETH  X  E. BISCHOFF  X  T. KAELBER  X  H. PAPE

2. **PLEDGE OF ALLEGIANCE**

3. **ACCEPT AGENDA FOR THE MARCH 10, 2015 SPECIAL MEETING AS PRESENTED**
   (15-026) T. Kaelber moved and H. Pape seconded to approve the agenda. Motion carried.

   J. WAGNER-FEASEL  yes  J. HILDRETH  yes  E. BISCHOFF  yes  T. KAELBER  yes  H. PAPE  yes

4. **INTRODUCTION OF GUESTS AND OTHER COMMENTS**

5. **BOARD PRESIDENT’S REPORT**

6. **SPECIAL REPORTS**

   6.1 Construction Manager at Risk Process  Sylvia Gillis, Bricker & Eckler LLP

7. **AUTHORIZE THE CONSTRUCTION MANAGER AT RISK PROCESS FOR THE CONSOLIDATION OF FACILITIES PROJECT**

   WHEREAS, the Delaware Area Career Center Board of Education (the “Board”), determined to consolidate the Delaware Area Career Center (“DACC”) high school and adult education programs from the north campus on the south campus site and previously authorized the solicitation of qualifications from design professionals to assist with the consolidation; and

   WHEREAS, the Superintendent, after considering the available project delivery models with the Director of Operations, recommends using the construction manager at risk delivery model for the design and construction of the project and requests authorization to start the process required by the Ohio Revised Code and Ohio Administrative Code to select a qualified construction manager at risk firm to provide these services;

   NOW, THEREFORE, BE IT RESOLVED by the Delaware Area Career Center Board of Education as follows:

   1. The Board authorizes the Superintendent, in coordination with the Director of Operations, to start the process required and outlined in the Ohio Revised Code and Ohio Administrative Code to select a construction manager at risk for the improvements needed to accommodate the consolidation, including assembling a team of individuals experienced with construction to review, evaluate, rank, and recommend the firm most qualified to provide the needed services and to bring a recommendation to the Board for selection of the design firm.

   2. The Board further delegates authority to the Superintendent, in coordination with the Director of Operations, to use the criteria for construction managers at risk qualifications stated in the Ohio Revised Code and Ohio Administrative Code and to expand those criteria as determined best for the DACC project, and to make other decisions on behalf of the Board that are required throughout the process, in order to bring a recommendation to the Board for the selection of the firm determined to provide the best value for the DACC project.

8. **AUTHORIZE THE DELEGA**

   WHEREAS, the Delaware Area Career Center Board of Education (the “Board”) plans to consolidate the Delaware Area Career Center (“DACC”) high school and adult education programs from the north campus to the south campus location (referred to as the “Project”), and the Board believes it is in its best interest to designate an authorized representative to make decisions on behalf of the Board for this purpose to allow timely decisions to be made between regularly scheduled Board meetings; and

   WHEREAS, the Board wishes to name its Superintendent, in coordination with the Director of Operations, as its authorized representative to make decisions as described in this resolution on behalf of the Board related to the Project between Board meetings or to determine that a special meeting should be requested to make a Project decision by the Board; and

**MISSION:** The Delaware Area Career Center, in partnership with community, is an innovative model for developing lifelong learners, quality leaders, and critical thinkers for the dynamic and global environment.
WHEREAS, required services and items related to the Project may include, but are not limited to, site surveys, test borings, environmental studies, establishment of bank accounts, and obtaining required insurance, and such services and items may be required before beginning construction of any of the improvements included in the Project, all of which items are included in the budget for the Project approved by the Board; and
WHEREAS, when using the construction manager at risk (“CMR”) delivery model, the Board is also required to approve, among other things, subcontractor criteria presented by the construction manager at risk and to approve the list of prequalified subcontractors from which pricing will be solicited to perform the work on the Project; and
WHEREAS, during construction of the Project, there will be changes to the work to be performed by the CMR and any other contractors awarded construction contracts for the Project that may result in changes to the contract sum and/or time for performance of one or more construction contracts, and these changes may be documented by field work orders before final pricing and scope of work is determined, so that work can proceed without delay, and/or change orders prepared by the Architect; and
WHEREAS, Change Orders may be requested by the CMR and recommended by the Architect, which will require the written consent of the Board, as owner of the Project, and which must also be executed by the Architect and CMR; and
WHEREAS, the Board wishes to give authority to the Superintendent, in coordination with the Director of Operations, for the review and approval of Field Work Orders and Change Orders for the Project up to $25,000:
WHEREAS, the Board wishes to authorize its Superintendent, or her designee, to conduct such other business related to administration of the Project as is required between Board meetings, including, but not limited to, approval of bid packages for work on the Project, signature on behalf of the Board for approvals and agreements for services and work related to the Project (so long as such items have been included in the project budget approved by the Board), establishment of bank accounts required for the Project, obtaining required insurance for the Project, placement of advertisements for bids for services and work related to the Project, the solicitation of proposals and quotations for services and work related to the Project, entering contracts for such services, payment of fees related to the Project, and all other related business activities without the necessity of bringing each item before the Board for approval;
NOW, THEREFORE, BE IT RESOLVED by the Delaware Area Career Center Board of Education as follows:
1. The Superintendent is designated as the Board’s authorized representative for reviewing issues requiring a decision between Board meetings and to make decisions related to the administration of the Project, in coordination with the Director of Operations, on behalf of the Board or to request a special meeting for a required decision by the Board as a whole. This authority includes the following items: meeting with other governmental agencies to review issues related to the Project and to negotiate the terms of required improvements by the governmental agency, approving bid packages for work on the Project, signing approvals and agreements for services and/or work on the Project, approving subcontractor criteria and a short-list of prequalified subcontractors proposed by the CMR, authorizing placement of advertisements for bids for services and work related to the Project, soliciting proposals and quotes for services and work related to the Project, entering contracts for such services, paying fees related to the Project, and conducting all other related business activities, including procurement of insurance coverage and establishment of bank accounts required for the Project.
2. The authority to approve and sign Change Orders on behalf of the Board is delegated as follows:
   (a) The Superintendent may sign Change Orders in amounts up to and including $25,000 on behalf of the Board, including deductive change orders, provided that such Change Orders have been reviewed in coordination with the Director of Operations.
   (b) The Board President or his/her designee may, in an emergency, sign Change Orders in amounts exceeding $25,000 if he/she reasonably believes that such action is needed prior to the next meeting of the Board to maintain the project schedule and avoid additional costs and delays, provided that such Change Orders have been reviewed in coordination with the Superintendent and the Director of Operations.
   (c) The Treasurer is authorized to issue purchase orders and sign any related documents required to finalize Change Orders approved pursuant to the authority granted in this resolution.
3. The Architect will maintain a record of all Change Orders related to the Project and will provide a report of Change Orders pending and resolved to the Board on a monthly basis.
(15-027) H. Pape moved and T. Kaelber seconded to approve Resolutions #7 and #8.
Motion carried.

J. WAGNER-FEASEL  J. HILDRETH  E. BISCHOFF  T. KAELBER  H. PAPE

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9. **ADJOURNMENT:** 8:30 A.M.
   (15-028) H. Pape moved and T. Kaelber seconded that the meeting of the Delaware Area Career Center Board of Education be adjourned at 8:30 a.m. Motion carried.

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<td>J. Wagner-Feasel</td>
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<td>T. Kaelber</td>
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