



CAREER & TECHNOLOGY CENTER
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RESOLUTION NO. 03-18
DECLARING URGENT NECESSITY, WAIVING COMPETITIVE BIDDING AND
PROCUREMENT
FOR HVAC WORK AT PIONEER CAREER & TECHNOLOGY CENTER,
DECLARING AN EMERGENCY FOR ANY PROFESSIONAL DESIGN SERVICES
REQUIRED, AND
AUTHORIZING NEGOTIATION OF CONTRACTS FOR THE WORK

WHEREAS, the Board of Education of the Pioneer Career & Technology Center (the "Board"), in cooperation with the Ohio School Facilities Commission/Ohio Facilities Construction Commission ("OSFC" or "OFCC") through its vocational facilities assistance program, had building renovations performed to the Pioneer Career & Technology Center ("Pioneer CTC") as a part of the Pioneer Career & Technology Center, Phase II Building Renovations Project (the "Project"); **AND**

WHEREAS, the Board has been experiencing failures in the HVAC system installed as a part of the Project; incurred expense in addressing the HVAC system failures; and, along with the OSFC, attempted to work with the responsible parties to have the HVAC system replaced with equipment from the HVAC system manufacturer to correct the problems; **AND**

WHEREAS, negotiations with the HVAC system manufacturer have been ongoing for a significant period of time with no results; **AND**

WHEREAS, the scope of the replacement work is such that it will interfere with the ongoing operations and activities of the Pioneer CTC if such work is not performed during upcoming breaks in the schedule for the Pioneer CTC, and the HVAC system is in such condition that it has leaked and damages school property and negatively impacts the heating and cooling needs of the Pioneer CTC; **AND**

WHEREAS, the Superintendent recommends that the Board declare an urgent necessity, waive competitive bidding, and authorize the solicitation of pricing for the replacement of the HVAC system to have the system replaced during times when it will not interfere with the ongoing operations and activities of the Pioneer CTC and as expeditiously as possible for the safety and protection of school property; **AND**

WHEREAS, the Board believes that an urgent necessity and emergency exists with respect to the need to replace the HVAC system, and that it is in the best interest of the Board to waive competitive bidding for the work so that the work can be performed as soon as possible;

NOW THEREFORE BE IT RESOLVED by the Board of Education of the Pioneer Career & Technology Center as follows:

1. Based upon information provided by the Superintendent and the Superintendent's recommendation, and pursuant to the authority given to the Board in Ohio Revised Code Section 3313.46, for the security and protection of school property, the Board declares an urgent necessity for the replacement of the HVAC system and waives competitive bidding for the replacement of the HVAC system, which will allow the District to prevent further damage to school property and permit the work to be performed in accordance

12365317v1 Gregory D. Nickoli
Superintendent

Mary Lee Barr
Director of Business Affairs

Linda K. Schumacher
Treasurer

with the schedule of the Pioneer Career & Technology Center to avoid negative impact to ongoing operations and activities.

2. To the extent professional design services are required for any of the testing or observation of the work, criteria engineer services, or other professional design services, the Board declares an emergency requiring immediate action for the selection of such design professionals, as permitted by ORC Section 153.71(B) and authorizes the Superintendent to select qualified design professionals to perform the required services and enter into a contract for those services in accordance with the Project.
3. The Board further delegates authority to the Superintendent to solicit pricing for the replacement of the HVAC system and authorizes the Superintendent to determine which contractor or contractors to use for the work and to move forward with the work as quickly as possible in accordance with the Project within the amount of funds remaining in the Project fund.
4. The Board President, Superintendent, and Treasurer are authorized to sign contracts and any other required documents related to the replacement of the HVAC system.

_____ seconded the motion

VOTE: AYES:

NAYS:

Pioneer Board President

Pioneer Superintendent

Pioneer Treasurer