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Bill McFarland made the motion

RESOLUTION NO. 20-22

APPROVING AND AUTHORIZING AGREEMENT WITH ALBIREO ENERGY, LLC FOR THE DISTRICT'S BUILDING AUTOMATION SYSTEM AND FIRE ALARM UPGRADES PROJECT

The Superintendent recommends contracting with Albireo Energy, LLC (the "Contractor") for work on the District's Building Automation System and Fire Alarm Upgrades Project (the "Project") based upon the security and protection of school protection exception to competitive bidding. The Superintendent requests authority for the Superintendent and Treasurer to negotiate and enter into an agreement with the Contractor for the Project.

Rationale:

1. The Board has identified a need to upgrade the existing building automation system and the existing fire alarm system throughout the District for the security and protection of persons and school property.

2. The Board requires the services of a contractor to provide construction and related services for work on the Project.

3. The Work for the Project is outside of the statutory bidding requirements for public school districts under R.C. Section 3313.46, as the Work is for the security and protection of school property.

4. The District received a proposal from the Contractor for the Project, in response to the request for proposal issued by the District, in an amount of $78,732.00 ("Contract Sum").

5. The Superintendent recommends the proposal provided by the Contractor as being the best value for the District and recommends the Board to enter into a contract with the Contractor for the work in an amount not to exceed $78,732.00.

6. The Superintendent also requests authority for the Superintendent and Treasurer to enter change orders on behalf of the Board in a total amount not to exceed 10% of the Contract Sum. Change orders in excess of that aggregate amount will be brought to the Board for its approval.

The Board of Education resolves as follows:

1. Based on the foregoing, the Board declares an exception to the bidding statute for the Project under R.C. Section 3313.46 for the security and protection of school property.
2. The Board authorizes the Superintendent, Treasurer, and other officials and administrators to work with legal counsel to negotiate an agreement with the Contractor in an amount not to

exceed $78,732.00 and to execute the agreement and any related documents on the Board's behalf.

3. The Board further authorizes the Superintendent and Treasurer to sign change orders related to the Project in a total amount not to exceed 10% of the Contract Sum; should a change order exceed this amount individually or as the aggregate of change orders for the work, the change order will be brought to the Board for approval prior to the work being performed.

Mary Jean Theaker seconded the motion

VOTE: YEAS; McFarland, M. Theaker, Almanson, Grady, Hope, Jones, Long, M. Prater, R. Prater, Smith and D. Theaker. **NAYS;** none. Motion carried.

Adopted this 19th day of September, 2022

Board President

Treasurer

Superintendent