M\_\_\_. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ introduced the following resolution and moved its passage:

RESOLUTION NO. \_\_\_\_\_\_\_

MODIFYING PRIOR RESOLUTION AUTHORIZING AN AGREEMENT WITH WADSWORTH SOLUTIONS

FOR HVAC SYSTEM EMERGENCY REPLACEMENT AT RIDGEDALE LOCAL SCHOOLS HIGH SCHOOL FACILITY

The Superintendent requests modification of the Board’s prior resolution authorizing an agreement with Wadsworth Solutions (“Wadsworth”) to perform emergency work to upgrade the obsolete HVAC system in the High School (“HVAC Project”).

Rationale:

1. The Board previously identified the emergency need to upgrade the obsolete HVAC system in the High School, and it passed a resolution approving Wadsworth as a contractor to perform the work necessary for the Project in an amount not to exceed $4,100,000 based on the urgent necessity exception to the bidding statute, R.C. 3313.46. The proposal subsequently provided by Wadsworth, however, included the provision of design services. As a result, Wadsworth should to be procured as a design-builder under R.C. 153.65 et seq.
2. Under R.C. 153.71(B)(3), a project can be exempt from the design-build procurement obligations under R.C. 153.65 et seq. if the project is determined by the Board to be an emergency requiring immediate action.
3. Thus, the Superintendent recommends that the Board modify its prior resolution declaring urgent necessity under R.C. 3313.46 to a declaration of emergency under R.C. 153.71(B)(3) and authorize Wadsworth to serve as the design-builder for the Project.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. Based on the information provided and its prior determination, the Board finds that an emergency exists requiring immediate action with respect to the Project.
2. The Board modifies its prior resolution declaring urgent necessity under R.C. 3313.46 to a declaration of emergency under R.C. 153.71(B)(3) and authorizes the Superintendent and Treasurer to work with legal counsel to negotiation and execute the design-build agreement(s) with Wadsworth to serve as the design-builder for the Project in an amount not to exceed $4,100,000 in the aggregate. The Superintendent and Treasurer are authorized to sign all necessary documents to give effect to this resolution.

M\_\_\_. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ seconded the motion and, after discussion, a roll call vote was taken and the resolution passed.

AYES: NAYS:

The resolution passed.