



**WORTHINGTON CITY SCHOOL DISTRICT**  
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**MEMORANDUM**

TO: Dr. Trent Bowers, Superintendent  
FROM: Jeffrey J. Eble, Director, Business Services  
SUBJ: Construction Representative Resolution  
DATE: February 14, 2020

A handwritten signature in blue ink, appearing to be 'JE', is written over the 'FROM' line.

Attached is a Construction Project resolution from Bricker and Eckler designating the District project representative and authorizing conducting paperwork processes for the project.

This would include construction change directives, change orders, ELP schedules and compliance reports, prequalified subcontractor lists, and so on.

The resolution designated the Director of Business affairs as the representative and the Superintendent as the backup if the Director is not available or incapacitated.

The treasurer is authorized to execute purchase order and related documents such as GMP amendments as related to the project.

The architect is designated to keep track of any changes and report them monthly to share with the Board of Education.

Any questions please let me know.

Suggested Agenda language

To approve the attached resolution designating the authorized representatives for the District to conduct business related to the master plan construction project.

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

RESOLUTION NO. \_\_\_\_  
**DESIGNATING BOARD'S AUTHORIZED REPRESENTATIVE  
FOR CONSTRUCTION PROJECTS AND DELEGATING AUTHORITY  
TO CONDUCT BUSINESS RELATED TO THE PROJECTS, INCLUDING  
CHANGE ORDER AUTHORITY**

The Superintendent requests designation of the Director of Business Services as the Board's authorized representative for construction projects and delegation of authority to conduct business related to the construction project for qualifying ELPP improvements and related District improvements, including change order authority.

Background:

1. The Board is undertaking an Expedited Local Partnership Program (ELPP) project, overseen by the Ohio Facilities Construction Commission (OFCC) for the construction of improvements to District facilities, some of which will be eligible for a credit of the District share of construction costs when the District is eligible for participation in the Classroom Facilities Assistance Program (CFAP).
2. The Board wishes to designate an authorized representative to make decisions on behalf of the Board, and the Director of Business Services, with the Superintendent serving in this capacity if the Director of Business Services is not available, is the appropriate person to serve as its authorized representative to make decisions related to the improvements and also for any other improvements that are not part of the future co-funded project and that are funded 100% by the Board (referred to as LFIs or Locally Funded Initiatives) (all of which is referenced as the Project), as well as participating in the selection process for professionals to provide services for the Project and determining the project delivery method(s) for the Project, between Board meetings or to determine that a special meeting should be requested to make a Project decision by the Board.
3. When using the CMR delivery method, the Board is also required to approve subcontractor criteria presented by the CMR and to approve the list of prequalified subcontractors from which pricing will be solicited to perform the work on the project, and the Board's authorized representative may make these decisions.
4. During construction of the Project, there will be changes to the work to be performed by the CMR and 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 design firm selected for the Project or modifications to the guaranteed maximum price (GMP) through a GMP Amendment for the co-funded portion of the Project.
5. Changes to the contract sum or GMP must be documented in writing and approved and executed, after consultation with the project team. The Superintendent requests authority for the Director of Business Services, or the Superintendent when the Director of Business Services is not available, for changes up to the Owner's contingency included in the budget approved by the Board for the Project, which will allow him to work with the Treasurer, design professional, and CMR expeditiously when changes are needed and allow the Project to progress without delay; changes may also be authorized from the construction contingency included in the budget for the CMR's use when allowed by the Contract Documents.
6. It is in the Board's best interest to authorize its Superintendent, Director of Business Services, and Treasurer to conduct such other business related to the Project as is

required between Board meetings, including, but not limited to, approval of bid or proposal 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 for any individual improvement), 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.

The Worthington City School District Board of Education resolves as follows:

1. The Director of Business Services, with the Superintendent serving in this capacity if the Director of Business Services is not available, is designated as the Board's authorized representative for reviewing issues requiring a decision between Board meetings and to make decisions on behalf of the Board or to request a special meeting for the required decision by the Board as a whole, including meeting with other governmental agencies to review issues related to the Project and to negotiate the terms required for improvements.
2. The Director of Business Services, with the Superintendent acting in this capacity when the Director of Business Services is not available, and Treasurer, in consultation with each other, are authorized to conduct whatever business related to the capital program is required between Board meetings, including, but not limited to, approving bid or proposal packages for work on the Project, signing approvals and agreements for services and/or work in connection with the Project on behalf of the Board, approving subcontractor criteria and a short-list of prequalified subcontractors, placement of advertisements or posting of notices for bids or proposals 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, reviewing change orders for work under current construction contracts, and all other related business activities, including procurement of insurance coverage and establishment of banking accounts required for the Project.
3. The authority to approve and sign changes to the Project on behalf of the Board is delegated as follows:
  - (a) The Director of Business Services, or the Superintendent when the Director of Business Services is not available, in consultation with the Treasurer, may sign Change Orders and other documentation to amend or change an agreement related to the Project in amounts up to the Owner's contingency included in the project budget for Owner-requested changes or other changes not included in the CMR contingency for construction and up to the CMR contingency included in the GMP when allowed by the Contract Documents, including deductive changes. This authority includes deletion of work from the Project scope and associated costs.
  - (b) The Treasurer is authorized to issue purchase orders and sign any related documents required to finalize changes approved under the authority granted in this resolution.
4. The design professional for the Project will maintain a record of all changes related to the Project and will provide a report of changes pending and resolved to the Board on a monthly basis.

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

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_