

M_. _____ introduced the following resolution and moved its passage:

RESOLUTION NO. _____
TERMINATING CONSTRUCTION CONTRACT FOR SECURITY IMPROVEMENTS
AND AUTHORIZING COMPLETION OF THE WORK

The Superintendent recommends terminating the construction contract for the security improvements project with Leveck Commercial Construction & Development and completing the work with other contractors.

Background:

1. Leveck Commercial Construction & Development (Leveck) has failed to complete the specified work for the security improvements project within the specified time period and has further failed to maintain the construction schedule, supply enough properly skilled workers and/or proper materials, coordinate and manage subcontractors and employees to perform the specified work, and respond to 2-day notices issued to complete the work and/or present a plan for completion of the work.
2. The Director of Facilities, working with the District's Architect, has met with Leveck about the issues and issued multiple notices to Leveck about its delay and requested schedules to complete the work.
3. The work remains incomplete, with no plan provided by Leveck for completion.
4. The Director of Facilities believes that using current subcontractors and others will result in the work being completed sooner.

NOW, THEREFORE, BE IT RESOLVED by the Big Walnut Local School District Board of Education as follows:

1. Based upon the recommendation of the Superintendent, the construction contract with Leveck Commercial Construction & Development is terminated.
2. The Director of Facilities is authorized to work with legal counsel and the Architect to prepare and send the required notice of termination under the contract documents, on behalf of the Board, to Leveck.
3. The Board authorizes the Superintendent and Director of Facilities, working with the Architect, Treasurer, and legal counsel, to negotiate and enter into construction contracts with current subcontractors and others determined necessary to complete the work, on behalf of the Board.
4. To the extent the statutory competitive bidding requirements are deemed to apply to the work needed to complete the security improvements project, the Board waives competitive bidding based upon the urgent necessity to complete the work as quickly as possible with subcontractors currently on site, to the extent appropriate, in order for the security improvements to be complete and the elementary school buildings made as secure as quickly as possible to protect students, staff and others in the buildings.

M_. _____ seconded the motion and, after discussion, a roll call vote was taken and the results were:

Ayes: _____ Nays: _____

The resolution passed.