



## Ohio Construction Coalition

### “News Blast”

June 5, 2007

[www.ohioconstructioncoalition.org](http://www.ohioconstructioncoalition.org)

#### **O.C.C. RESPONDS TO LAWSUIT FILED IN FRONTIER SCHOOLS CASE**

The attorney for the O.C.C. has filed a response in the lawsuit against the Frontier Local Board of Education and the O.C.C.; the response says Lang Masonry Contractors Inc. has not given any examples of the defamation of which it is accusing the two groups. The lawsuit, filed in March by Waterford-based Lang Masonry, says the Frontier Board of Education and the O.C.C. made false statements about the quality of Lang Masonry’s work on Frontier’s new school buildings, affecting the company’s ability to get future contracts.

The construction of Newport and New Matamoras elementaries and renovation of Frontier High School were completed in 2002, but problems including failing masonry and leaky roofs have persisted ever since. The lawsuit claims board members and construction coalition investigators made untrue claims about substandard work to the media and at public meetings.

However, during its May 31 meeting, Ohio School Facilities Commission (O.S.F.C.) Director Michael Shoemaker indicated that, “We are close to resolving the issue at Frontier Schools,” saying that bids are already out on roof repair work and settlements will be “in the tune to over \$1 million.”

The Lang Masonry lawsuit came after months of the Frontier district discussing possible legal action of its own against either the O.S.F.C. or the project’s contractors. The O.S.F.C. funded 88 percent of the \$24.7 million project, hired the contractors and oversaw the project.

#### **O.C.C. MAKES PRESENTATION AT BASA CONFERENCE; WILL BEGIN VISITING LOCAL SCHOOLS, ADDRESS I.B.E.W. 4<sup>th</sup> DISTRICT IN JUNE**

During the Buckeye Association of School Administrators (BASA) “School Facilities Conference” on May 17 & 18 in Dublin, O.C.C. representative Patty Camacho gave a breakout-session lecture using the O.C.C.’s presentation to explain the new O.S.F.C. Responsible Contractor guidelines. Attendees asked numerous questions and gave Patty an excellent grade on their conference evaluation forms.

The O.C.C. also had a vendor booth at the conference. The O.C.C. is a “Bronze Partner” in BASA and was present at last year’s conference, too.

Patty also will be attending the June 14 meeting of the Buckeye Central School District to make the Responsible Contracting presentation, the first time it will be shown to a local school board. She will present it again at the I.B.E.W. 4<sup>th</sup> District Progress meeting on June 27, at the request of new 4<sup>th</sup> District International Vice-President Sam Chilia.

The O.S.F.C. had passed a resolution in February that puts in place a set of “contractor qualifications” criteria that school districts can now use to help choose “lowest responsible bidders” for their state-funded school construction projects. “Since the new OSFC guidelines have been adopted, school districts in Ohio now have the authority to adopt responsible guidelines without the O.S.F.C. declining the language,” Patty said. “We expect to do three times as many presentations to school boards in 2007.”

**To have the O.C.C. make a presentation to a school board in your area, contact Calvin Jefferson at 1-888-445-8255 or [cjefferson@bmamedia.com](mailto:cjefferson@bmamedia.com), or Bob Verhoff at 440-366-4003 or [rverhoff@lorainccc.edu](mailto:rverhoff@lorainccc.edu).**

#### **O.C.C. REPRESENTATIVE QUESTIONS O.S.F.C. ON FORCED HIRINGS**

Al Adams, O.C.C. investigator, addressed the May 31 O.S.F.C. meeting on the subject of local control when selecting contractors to work on school facilities projects. His report mentioned multiple instances in which local school boards had reached a decision on a contractor only to have the O.S.F.C. force the district to hire the lowest bidder – regardless of qualifications.

He specifically cited the recent case in which the board for Hartford Middle School in Canton had selected an HVAC contractor over the apparent low bidder, whom the board had determined was not qualified to do the work. However, the O.S.F.C. project administrator informed the board that the O.S.F.C. had the final say and that their insistence on a contractor other than the low bidder would cause them to lose funding for the project.

When Al had completed his comments, O.S.F.C. Director Michael Shoemaker gave him a very positive response. “I know now that we are making progress,” Al said. “Shoemaker told me to keep up the good work.”

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**The next O.C.C. board meeting is June 20 at 1 p.m.; all O.C.C. members are invited to attend.**

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