

NOTICE OF PUBLIC MEETING

LUDINGTON BOARD OF EDUCATION - LUDINGTON AREA SCHOOL DISTRICT 809 E. Tinkham Avenue, Ludington, Michigan 49431 – Phone 231-845-7303

This is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated on the agenda.

Mission: The Ludington Area School District, in partnership with parents and community, will educate and empower students to adapt and succeed in their future.

MEETING: Electronic / Virtual Regular Board of Education Meeting
DATE: April 20, 2020
TIME: 6:00 p.m.
PLACE: **Electronic / Virtual Meeting: See meeting access details below.**
ADDRESS: Administration Office; 809 East Tinkham Avenue, Ludington, Michigan

REGULAR MEETING

1. CALL TO ORDER & ROLL CALL
☑ Steve Carlson ☑ Bret Autrey ☑ Mike Nagle ☑ Stephanie Reed ☑ Josh Snyder ☑ Leona Ashley ☑ Scott Foster
2. GOOGLE MEET PARTICIPANT CONTROLS
3. AGENDA MODIFICATION
4. CITIZEN PARTICIPATION: Review Board Policy 0167.3: Public Participation at Board Meetings
5. CONSENT AGENDA
 - a. Ratification of Bill Payment - Per Summary Dated April 20, 2020
 - b. Approval of Minutes – Regular, Special, Closed Meetings March 16, 2020
Roll Call Vote: (Y/N) Steve Carlson (Y/N) Bret Autrey (Y/N) Mike Nagle (Y/N) Stephanie Reed (Y/N) Josh Snyder (Y/N) Leona Ashley (Y/N) Scott Foster
6. BOARD COMMITTEE REPORTS
 - a. Personnel/Policy Committee Report April 15, 2020 (Stephanie)
 - b. Finance/Negotiation Committee Report April 16, 2020 (Josh)
 - c. Building & Site Committee Report April 17, 2020 (Mike)
7. SUPERINTENDENT'S REPORT and COMMENTS
 - a. Letters of Agreement: LEA and LESPA
 - b. Continuity of Learning: Distance Learning Plan
 - c. Food Service Program Update
8. DISCUSSION ITEMS
 - a. Emergency Powers Resolution
 - b. Bond Project Construction Schedule and Bid Package #3
 - c. Technology Bid Awards
 - d. Underground Plumbing Bid Award - Bid Package #2
 - e. Material Testing Bid Award
9. ACTION ITEMS (Via Roll Call Vote)
 - a. Emergency Powers Resolution Approval
Roll Call Vote: (Y/N) Steve Carlson (Y/N) Bret Autrey (Y/N) Mike Nagle (Y/N) Stephanie Reed (Y/N) Josh Snyder (Y/N) Leona Ashley (Y/N) Scott Foster
 - b. Technology Bid Awards
Roll Call Vote: (Y/N) Steve Carlson (Y/N) Bret Autrey (Y/N) Mike Nagle (Y/N) Stephanie Reed (Y/N) Josh Snyder (Y/N) Leona Ashley (Y/N) Scott Foster
 - c. Underground Plumbing Bid Award: Package #2
Roll Call Vote: (Y/N) Steve Carlson (Y/N) Bret Autrey (Y/N) Mike Nagle (Y/N) Stephanie Reed (Y/N) Josh Snyder (Y/N) Leona Ashley (Y/N) Scott Foster
 - a. Material Testing Bid Award
Roll Call Vote: (Y/N) Steve Carlson (Y/N) Bret Autrey (Y/N) Mike Nagle (Y/N) Stephanie Reed (Y/N) Josh Snyder (Y/N) Leona Ashley (Y/N) Scott Foster
10. OTHER ITEMS OF BUSINESS & ANNOUNCEMENTS
 - a. WSESD General Fund (GF) Budget: Received WSESD Review of GF Budget April 20; District to review at May Board Meeting; Vote to approve or disapprove by June 1, 2020.
11. ADJOURNMENT
Roll Call Vote: (Y/N) Steve Carlson (Y/N) Bret Autrey (Y/N) Mike Nagle (Y/N) Stephanie Reed (Y/N) Josh Snyder (Y/N) Leona Ashley (Y/N) Scott Foster

Official minutes of the Ludington Board of Education are available for public inspection during normal business hours at the Board of Education's Central Business Office, 809 E. Tinkham Avenue, Ludington, Michigan. The Ludington Area School District is an equal opportunity employer and provider. If you are an individual with a disability who is in need of special accommodations to attend or participate in a public meeting please contact Superintendent Jason J. Kennedy at 231-845-7303 at least 24 hours prior to the meeting or as soon as possible.

Memorandum - Office of the Superintendent

TO: Board of Education
FROM: Jason Kennedy, Superintendent
RE: Regular Meeting ~ Agenda Notes

Regular Meeting

Meeting Notice and Meeting Access Information:

This notice is given and published pursuant to the Executive Order issued by Gretchen Whitmer, Governor of the State of Michigan.

The Board of Education for Ludington Area School District will meet on Monday, April 20, 2020 at 6:00 am for its regular meeting as a virtual meeting (online and/or by phone) to protect the health, safety, and welfare of the citizens of Ludington Area School District from Coronavirus/COVID-19, pursuant to law and Executive Order issued by Governor Gretchen Whitmer.

Public comment will be handled using the participant controls of the Google Meet platform. These will be discussed at the start of the meeting. If you are listening by telephone only, you will be called upon by the host during the time for public participation in the meeting.

To comply with the Americans with Disabilities Act (ADA), any citizen requesting accommodation to attend this meeting and/or to obtain this notice in an alternative format, should contact Superintendent Jason Kennedy, Ludington Area School District at (231) 845-7303 at least twenty-four (24) hours prior to this meeting.

Google Meet Instructions for Participants

To join the conference by telephone:

1. On your phone, dial the teleconferencing number provided below:
 - Phone number: (US)+1 224-814-1306
2. Enter the meeting pin number below when prompted using your touch-tone (DTMF) keypad:
 - Pin number: 331 650 903#

Before the meeting:

1. You will need a computer, tablet, or smartphone with speakers or headphones. You will have the opportunity to check your audio immediately upon joining the meeting.

To join the meeting via video conference or technology device:

1. At the start time of the meeting, click on the link below to join via computer. You may be instructed to download the Google Meet application.

Meeting Link: meet.google.com/gdj-juqm-edc

CITIZEN PARTICIPATION

Review Board Policy 0167.3: Public Participation at Board Meetings

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on District matters.

To permit fair and orderly public expression, the Board shall provide a period for public participation at every regular meeting of the Board and publish rules to govern such participation in Board meetings. The rules shall be administered and enforced by the presiding officer of the meeting.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business, or at the discretion of the presiding officer.
- B. Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name, address, and group affiliation, if and when appropriate.
- C. Each statement made by a participant shall be limited to three (3) minutes duration.
- D. No participant may speak more than once.
- E. Participants shall direct all comments to the Board and not to staff or other participants.
- F. The presiding officer may:
 - 1. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
 - 2. request any individual to leave the meeting when that person does not observe reasonable decorum;
 - 3. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
 - 4. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
 - 5. waive these rules with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.
- G. The portion of the meeting during which the participation of the public is invited shall be limited to thirty (30) minutes, but the timeframe will be extended, if necessary, so that no one's right to address the Board will be denied.
- H. Tape or video recordings are permitted. The person operating the recorder should contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and agrees to abide by the following conditions:
 - 1. No obstructions are created between the Board and the audience.
 - 2. No interviews are conducted in the meeting room while the Board is in session.
 - 3. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.
- I. Each Board agenda will include the following statement, "Public participation shall be permitted only as indicated on the order of business."

Revised: January 21, 2019

Legal: M.C.L.A. 15.263(4)(5)(6), 380.1808

SUPERINTENDENT'S REPORT

Letters of Agreement: LEA and LESPA

The District has worked with each of the Associations to complete Letters of Agreement. These were necessary to comply with the Executive Orders (EO) of Governor Gretchen Whitmer and to receive continued State Aid payments, specifically pertaining to the requirement to pay school employees while

implementing a Continuity of Learning Plan. EO 2020-35 establishes conditions for schools to receive K-12 state aid for the 2019-20 school year. To receive continued state aid payments, schools must adopt and implement an approved Plan. EO 2020-35 requires that each school's Plan "continue to pay school employees." The District has worked collaboratively through this process with both Associations that represent our District's employees.

Continuity of Learning: Distance Learning Plan and Food Service Program Update

We will discuss an update on the District's Continuity of Learning: Distance Learning Plan, as well as a food service program update.

- Review Distance Learning Plan Website
- Food Service Update: 32,828 meals served under the Unanticipated School Closure Food Service Program; 16,262 breakfast meals and 16,566 lunch meals.

DISCUSSION ITEMS

Emergency Powers Resolution (Action Item)

Executive Order 2020-35 temporarily suspends and/or waives certain legal requirements for this school year. As a result, certain board policies are affected; including policies related to curriculum and instruction, such as Policies 2220, 2231, 2521, and 2623; policies related to attendance, promotion, graduation, and grading requirements, such as Policies 5200, 5410, 5421, and 5460; policies addressing professional and administrative staff evaluations, such as Policies 1420 and 3220; and policies relating to school calendar, continuity of operations, and free and reduced price meals, such as Policy 8210, 8300, and 8531. This is just a sampling of policies that have been affected by Executive Order 2020-35.

Boards are not required to amend each and every policy affected by the Executive Order. Rather, Boards may exercise the power granted under bylaw 0131.1 to adopt a resolution granting emergency powers to the Superintendent. These include the power to modify, alter, suspend, or otherwise address the need to vary from certain school policies for the remainder of this school year. These powers would remain in effect for the duration identified in Executive Order 2020-21 and Executive Order 2020-35 and any subsequent extension of those orders, unless otherwise rescinded or extended by the Board upon majority vote.

We will discuss the adoption of a resolution to grant emergency powers to the Superintendent so that each and every Board policy affected by the Executive Order does not have to be amended, only to be amended again after the expiration of the Executive Order. The Superintendent will ensure that the District complies with each Executive Order issued by the Governor through this pandemic, and this will be revisited each month at the regular Board meeting during this pandemic.

Bond Project Construction Schedule and Bid Package #3

The state mandated shutdown of construction and site work activities on our elementary complex site will result in a delay in the timing of the District's occupancy of the new building. Based upon the now minimum six (6) week project delay, the Christman Company now projects that the cost of accelerating the work schedule to ensure an August 2021 occupancy to be between \$500,000 and \$1 million dollars.

The Christman Company has recommended that the District adopt a completion date of November 15, 2021 so that this date can be communicated to bidder's in the final bid package for the elementary school project. The Christman Company believes that this is a safe position for the District to be in so that we are

not overpromising to the community, while also not incurring a significant cost to accelerate the work schedule. This is based on:

- Uncertainty as to when we will actually return to work full speed; Helping to avoid trade contractor overlapping commitments during the re-start period.
- Not over-promising and disappointing the community, while also realizing the great opportunity to potentially receive better and lower bids that do not require a critical August completion.
- The ability to review this decision when we know more and move it up to deliver positive news.
- The uncertainty of whether there would be trade labor available for project acceleration.

The Christman Company does recommend that we request overtime premium hourly rates on the bid form from each bidder for the final bid package. They have also considered other options such as bidding an accelerated schedule as an alternate. For now, we will move forward with a November 15, 2021 occupancy date. If we are able to accelerate the project without incurring significant costs to do so, we will work towards this; however, it is recommended that this new occupancy date be the target.

Technology Bid Award (Action Item)

The District has reviewed bids submitted by four (4) different vendors for technology needs, including UPS equipment, network switches, and other wireless components that support our wifi network. These purchases were already built into the elementary school construction project budget, but because we have access to a federal grant called E-Rate, we can purchase this technology at 20% of cost, and have the other 80% funded from the grant. This provides a savings of \$331,600 on the total project cost of \$414,500.63.

Vector Tech is a company that we work with regularly, and Ruckus Network and Wireless Equipment is only offered by Vector Tech of those that submitted bids. According to Communications by Design, there are many reasons why selecting a single Contractor might be desirable from an Owner perspective.

- By selecting a single Contractor, you are also selecting a single brand of equipment (network and wireless). Generally speaking, in IT, it is desirable to have the management of devices under "a single pane of glass." This means that when monitoring and troubleshooting equipment, using fewer management tools is more efficient and easier. So, if the district decided to accept the Vector Tech Group network proposal and the Moss wireless proposal they would be managed using separate interfaces/tools.
- Selecting a single Contractor to complete the project work requires less coordination. This is not a major issue, but the coordination of the installation of the wireless access points and the installation of network equipment does take some time.
- Less finger pointing in the event of a technical problem, purchasing all of the equipment from one Contractor/Manufacturer removes all excuses regarding interoperability.

A bid summary is outlined in the table below:

Bidder Name	Section 26 33 53 UPS Units	Section 27 21 19 Network Electronics	Section 27 21 33 Wireless Networks	Bid Total	Notes:
Sentinel	\$28,935.00				
Trace3	\$31,610.43	\$471,908.25	\$150,262.20	\$653,780.88	Meraki
VectorTech	\$27,857.69	\$213,639.23	\$138,927.11	\$380,424.03	Ruckus
Moss	\$34,335.05	\$288,393.21	\$121,285.79	\$444,014.05	Aruba/HP

The difference in the project total being recommended for approval from the original base bid amount is the acceptance of several alternates by the District. The District has attached a worksheet below that was used to calculate the project total. As you can see, the main difference is the addition of 5 year warranties in the three bid categories. In addition to that, there is also the acceptance of an alternate for a second power supply in 50% of the provided network equipment. This is to support all of the new network attached devices that will be installed in the new elementary school and renovated HS/MS (speakers, clocks, door access, wireless access points etc.), which will all require power from the network switches.


Vector Tech Group Alternate Breakdown		
Original Base Bid Amount Wireless	\$138,927.11	\$138,927.11
5 Year Warranty Alternate	\$17,417.40	\$17,417.40
Onsite Controller Vs. Virtual	-\$7,196.35	
Wireless Equipment Total		\$156,344.51
Original Base Bid Amount Network	\$213,639.23	\$213,639.23
5 Year Warranty Alternate	\$1,495.10	\$1,495.10
Alternate Optics	-\$8,821.37	
All Edge switches with 2nd power supply	\$24,664.50	
1/2 edge switches with 2nd power supply	\$12,332.25	\$12,332.25
Redundant Building Links	\$6,000.00	
Support Edge Switches 3 year	\$21,869.19	
Support Edge Switches 5 year	\$36,448.65	
Network Equipment Total		\$227,466.58
Original Base Bid Amount UPS	\$27,857.69	\$27,857.69
5 Year Warranty Alternate	\$2,831.85	\$2,831.85
UPS Equipment Total		\$30,689.54
Project Total		\$414,500.63

Underground Plumbing Bid Award - Bid Package #2 (Action Item)

The Christman Company has received bids for Work Category 27A. Bids for the category were received, publicly opened on April 14, 2020 at 3:00 pm, and reviewed by the project team members via an online conference call. Following the opening of the bids, representatives from the Christman Company, GMB Architecture + Engineering, and the District conducted a formal post bid interview with the low responsive bidder. The Christman Company then completed a review of the company's financial records, completed the appropriate background and work history checks, reviewed each company's EMR rating by their insurance company, and reviewed the safety records for each company. The Christman Company used this information to make a bid award recommendation to the District.

The Christman Company is seeking concurrence from the District on the company’s recommendation for contract award for Work Category 27A prior to making an award. This recommendation represents the firm that The Christman Company believes provided the lowest, qualified, responsive bid for the Work Category, after reviewing all proposals, verifying qualifications and financial stability, conducting a post-bid interview with the bidder, and making any appropriate adjustments to pricing.

A summary of the bids received is outlined below:

		Ludington Area Schools New Elementary Bid Opening - BP 2 Underground Plumbing Opened at 3pm on April 14, 2020	
WC	Bidder	Base Bid	WC Budget
27A	Underground Plumbing		\$ 274,766
	Andy Egan DBA Pressures and Pipes	\$ 302,400	
	Rite-Way Plumbing and Heating	\$ 327,575	

Material Testing Bid Award (Action Item)

Budget:

- Material Testing Budget: \$50,000
- Recommended Firm Proposal: Soils and Structures (\$45,000)

The Christman Company has received proposals for Construction Material Testing. These recommendations, summarized below, represent the firm that The Christman Company believes provided the qualified, responsive bid for material testing, after reviewing all proposals and verifying qualifications. The construction manager is seeking concurrence from Ludington Area Schools on The Christman Company’s recommendations for contract awards for these Work Categories prior to making an award.

Proposals received: SME, Driesenga & Associates, Soils & Structures, Nordlund & Associates

A summary of the material testing bids received is outlined below:

	Driesenga & Assoc.		Soils and Structures		West Michigan Testing (Nordlund)	
	Total Hours/ Unit Price	Total Cost	Total Hours/ Unit Price	Total Cost	Total Hours/ Unit Price	Total Cost
Soil Compaction - Foundations	245	\$12,250	40	\$2,800	52	\$3,705
Soil Compaction - Backfill & Floors		\$1,750	30	\$2,100		
Soil Compaction - Site Development			30	\$2,100		
Asphalt Density	40	\$2,200	30	\$2,100	40	\$3,075
Asphalt Extraction			Unit Price: 6	\$2,460	Unit Price: 8	\$1,070
Concrete Ftg./Foundations			60	\$4,200	100	\$6,000
Found. Observation/Rebar Inspect.						
Concrete Floors	600	\$30,000	60	\$4,200		
Concrete Exterior			20	\$1,400		
Masonry Inspections			26	\$2,340	20	\$2,900
Concrete - Test Cyl	330	\$3,300	Unit Price: 600	\$9,600	Unit Price: 100	\$1,500
Steel Reinforcing					32	\$1,920
Structural Inspections	80	\$5,840			8	\$800
Gran. Proctor		230	Unit Price: 2	400	3	450
MI Cone		500	Unit Price: 6	450		
Floor Moisture			20	\$1,400		
RH Tests		\$3,740	30	\$2,250	30	\$1,800
Field/Lab Supervisor			20	\$1,700		
Fireproofing (N/A)					Not Needed: 8	\$800
Admin Services	154	\$5,390	20	\$1,000		
Additional Trip Charges						
Trip Costs	Unit Price: 154	\$15,400				
PM	164	\$14,760				
	Total Hours Only:	Total	Total Hours Only:	Total	Total Hours Only:	Total
	1283	\$95,360	436	\$45,000	282	\$24,020

ACTION ITEMS

Approval of Emergency Powers Resolution

It is the recommendation of the superintendent to approve the following resolution:

NOW THEREFORE, BE IT RESOLVED that the Ludington Area School District Board of Education grants to the Superintendent the following temporary powers to address the COVID-19 emergency:

1. Authority to temporarily waive such Board policies or provisions of Board policies as the Superintendent shall deem necessary to comply with Executive Order 2020-21, Executive Order 2020-35 and with guidance from appropriate health or governmental authorities or necessary for other effective response.
2. Authority to take any lawful actions necessary to comply with Executive Order 2020-35, to ensure the continuation of public education, to provide for the health and safety of students and employees, or to respond to direction from appropriate health and government authorities. Such actions may include, but are not limited to: adjustments to the curriculum and the provision of alternative educational program options; adjustments to the calendar; adjustments to employee work schedules and assignments; adjustments to the delivery of school-provided meals; limitations on access to property owned or controlled by the Ludington Area School District; hiring of providers and/or partnering with other districts or ISDs; applying to any governmental body for financial or other aid as may be available; and applying to any governmental body for waiver of regulations or requirements, compliance with which is affected by the COVID-19 emergency.
3. Authority to enter into contracts without board approval for the purchase of materials, equipment, supplies or services for sanitation, cleaning, technology or other needs directly related to the

COVID-19 emergency situation, provided such action is consistent with all applicable state and federal laws.

NOW, BE IT FURTHER RESOLVED that the Superintendent is directed to keep the Board of Education informed of any actions taken under this emergency authority as soon as is practicable in light of the circumstances.

NOW, BE IT FURTHER RESOLVED that the temporary powers authorized by this Resolution are in effect for the duration identified in Executive Order 2020-21 and Executive Order 2020-35 and any subsequent extension of those orders, unless otherwise rescinded or extended by the Board upon majority vote.

NOW, BE IT FURTHER RESOLVED that execution of this Resolution is conclusive evidence of the Board of Education's approval of this action and of the authority granted herein.

Approval Technology Bid Award

It is the recommendation of the superintendent to approve the following action item:

To approve a contract with Vectortech of Holland, Michigan in the amount of \$414,500.63 for UPS equipment including 5-year warranty alternate, Network Electronics including 5-year warranty alternate and 50% additional edge switch power supplies and Wireless equipment including 5 year warranty alternate to be paid with funds from the 2019 bond proceeds. Contingent upon approval of year 2020 eRate funding.

Approval of Underground Plumbing Bid Award - Bid Package #2

It is the recommendation of the superintendent to approve the following action item:

To approve the award of a trade contract for work category 27A (underground plumbing) to the lowest, qualified, responsive bidder, Andy Eagen DBA Pressures and Pipes, as recommended by The Christman Company, in the amount of \$302,400 and to authorize the superintendent to sign and execute the trade contract between the District and Andy Eagen DBA Pressures and Pipes.

Material Testing Bid Award

It is the recommendation of the superintendent to approve the following action item:

To approve the award of a trade contract for materials testing to the qualified, responsive bidder, Soils and Structures, as recommended by The Christman Company, in the amount of \$45,000 and to authorize the superintendent to sign and execute the trade contract between the District and Soils and Structures.