

June 8, 2013 Meeting Minutes

SPECIAL MEETING  
OF THE SUPERINTENDENT'S  
SPLOST OVERSIGHT COMMITTEE

Sam Moss Center  
1780 Montreal Rd  
Tucker GA, 30084  
June 8, 2013

Meeting called to order at 10:00am.

Present at the meeting were: Billy Jones, Paul Baisier, Wyvern Budram, Herman Lorenz, Delilah Wynn-Brown, Kimberly Mitchell, Charlie Rogers and Kerry Williams. Absent were: Christine Avers, Cathy Blakeney, Narwana el-Shabazz and Kirk Nooks.

DCSD staff also present: Stephen Wilkins, Kevin Payne and John Jambro

APPROVAL OF AGENDA

The agenda was amended to add an item to amend the by-laws, as necessary, to approve this single Saturday meeting. All members agreed to the agenda as amended.

The Committee discussed amending the by-laws to permit this single weekend meeting. Mr. Lorenz suggested elimination of the prohibition on weekend meetings altogether. After discussion, the Committee unanimously approved a motion to amend the by-laws to permit this meeting as an single exception to the by-laws, and to amend the by-laws only to that extent.

REVIEW OF URS CONTRACT EXTENSION

Mr. Jambro introduced Mr. Kevin Payne, a member of the DCSD Accountability Team, and described his role in procurement and project management for the CIP program.

Mr. Jambro reviewed with the Committee the recommendation of the DCSD Accountability Team to extend URS's contract for one (1) year, based on the Assessment Report prepared by the DCSD Accountability Team. He explained that the Accountability Team will recommend to the Board of Education (BOE) in July to extend the URS contract for one year. He further explained that the goal of the business portion of this meeting is to seek the concurrence of the Committee with this DCSD recommendation.

The Assessment Report was reviewed in detail. It reviewed URS's performance in the following areas:

Contract compliance  
Customer Service  
Financial  
Safety

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Quality  
Time  
Flexibility  
Process and Workflow  
Communication  
Effectiveness

Ms. Wynn-Brown noted the contract compliance matrix distributed to the Committee for review (a printed Excel spreadsheet) was nicely done and tracked URS's contract compliance in a well defined manner.

After a detailed presentation by DCSD staff, the Committee voted unanimously to support the DCSD Accountability Team recommendation to extend URS services for one (1) year. This vote was expressly based primarily on the recommendation of the Accountability Team, which interacts with URS daily, and was also based on past meeting interactions with URS and on the detailed monthly status reports prepared by URS that have been reviewed by the Committee.

The Committee ended the business portion of its meeting at approximately 11 a.m., and moved to the "retreat" portion of its agenda, the purpose of which was to educate the Committee members on the procurement and change order processes employed by DCSD and URS.

#### PROCUREMENT PROCESS PRESENTATION

DCSD staff educated the Committee on its procurement processes by going through a real life example procurement of the Henderson Middle school renovation work.

Mr. Payne led the Committee through an in-depth review of the Henderson MS renovation procurement. During the presentation, a complete informational packet on the procurement was given to the Committee, which included the following documents:

Invitation to bid  
RFP Document  
Pre-bid meeting agenda  
RFP Evaluation forms  
RFP evaluation recommendation memo  
Board Meeting Agenda item and resolution (e-boards)\*

Mr. Payne discussed the procurement process in detail. As a result of questions, he also provided a detailed discussion of the pre-qualification process for contractors, as well as which companies can actually bid on projects. He explained how contractors and architects are notified of projects when they are posted to the DCSD website. Members reviewed the RFP process and how each RFP is tailored for a particular project. There was a discussion about how the information requested in the RFP ties closely to the evaluation process. Information was provided on the addendums, what they included, and how they are posted. There was further discussion on the evaluation form and the evaluation process. Finally, Mr. Payne explained how a recommendation is made and what the process is for posting the Board Agenda Item for each month's BOE meeting.

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\*All information distributed in this procurement can be found on DCSD solicitations web page under business meeting 5/6/13 7:00PM

Issues raised by the Committee members during the in depth review included the following:

1. What is being done to measure past work performance at DCSD, to make it part of the scoring criterion? Answer: Currently there is a scoring mechanism to measure past work performance on past/current DCSD projects to effectively evaluate the RFPs. A plan is in development to track detailed past and current performance to use as a metric of scoring criterion for DCSD solicitations. In the future DCSD will utilize data compiled through our ongoing QA/QC accountability inspections as a key component added to the RFP to focus specific performance criterion to help further measure contractor / professional service firms in more depth.
2. Is there a policy to avoid DCSD employees from securing employment with firms that solicit DCSD bids in hopes of winning a contract? The Committee believes that Fulton County has a policy that no past employees may solicit DCSD for capital improvement projects for a term of 12 months. DCSD is looking into this issue to see if there is policy that can be initiated. The Committee agreed such a policy would be advisable.

Several other discussions centered around the ability to procure work with DCSD, how a firm becomes prequalified, when prequalifications will be up for renewal and the categories of prequalification.

#### CHANGE ORDER PROCESS PRESENTATION

An in-depth review of the change order process and two examples were discussed with the Committee.

The first example was a \$6,474 change order with Evergreen Construction due to errors and omissions at MLK High School.

Each back up page of the change order was discussed in detail, showing the number of approval signatures required. Along with the change order form, each document has a URS review form and architect memo attesting to the reason for the change order along with general contractor pricing backup for review. All change order documents are sent to DCSD's attorney and, once approved, are sent to the Superintendent's office for signature.

The Committee asked if architect errors and omissions are tracked with a deductive mechanism for the DCSD to recoup the cost if the errors. Mr. Jambro responded that currently DCSD contracts for professional design services do not carry such a clause, but there have been ongoing discussions to implement such clauses, with a dollar or percentage metric for tracking changes for recovery.

The second change order that was reviewed was one for SW DeKalb High School's unsuitable soil and Geo-Pier foundation system resolution. This change order is for the SW DeKalb building addition. The Committee was lead through these documents as well. Again, the Committee inquired whether third parties could be held responsible. Mr. Jambro explained in detail why the cost could not be recouped from the parties involved in the current construction.

#### OTHER BUSINESS

No other business was discussed.

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The next regular meeting is scheduled for July 18<sup>th</sup>, 2013.

ADJOURN

A motion to adjourn was made and approved at 1:10 p.m.