

Resolution No. 8.1

The Superintendent recommends that the Board authorize a contract with Energy Optimizers USA, LLC. ("Energy Optimizers") for the District's Facility Improvement Project (the "Project") based upon the authority of O.R.C. 167.081 for contracts procured through a Regional Council of Governments.

Rationale:

1. The District has identified a need for various auditorium lighting improvements at the high school facility, located at 300 South Monroe Street Tiffin, Ohio 44883.
2. O.R.C. 167.081 allows a school district to participate in a construction contract of a Regional Council of Governments (a "COG") without the need to engage in competitive bidding. Specifically, O.R.C. 167.081 states that a regional council may enter into a contract that establishes a unit price for, and provides upon a per unit basis, materials, labor, services, overhead, profit, and associated expenses for the repair, enlargement, improvement, or demolition of a building or structure if the contract is awarded pursuant to a competitive bidding procedure of a multistate consortium of which the council is a member. The Board is a member of the Ohio Council of Educational Purchasing Consortia ("OCEPC"). OCEPC is a Regional Council of Governments established under Chapter 167 of the Ohio Revised Code.
3. Energy Optimizers is an experienced contractor who has provided a proposal for the Project in the amount of \$549,420 (the "Contract Sum"), which is based on qualified unit pricing as set forth in Energy Optimizer's agreement with OCEPC.
4. The Superintendent recommends procuring Energy Optimizers through O.R.C. 167.081.

The Board of Education resolves as follows:

1. Based upon the information provided and exercising the authority given in O.R.C. 167.081, the Board authorizes the procurement of Energy Optimizers without the need to engage in competitive bidding.
2. The Board authorizes the Superintendent, Treasurer, and Board President to work with legal counsel to negotiate and execute a contract with Energy Optimizers for the Project and to sign any related documents for the work in an amount not to exceed \$549,420.

Motion_____

Second_____

AYES_____

NAYS_____