

FWISD CITIZENS' OVERSIGHT COMMITTEE MEETING

Notes

Date: October 13, 2008

Prepared by: Kaylynn Loftis

Purpose: Quarterly Meeting of the Capital Improvement Program Citizens' Oversight Committee

Attendees:

- Victor Garcia – Chair
- Isaac Manning – Co-Chair
- Dionne Bagsby
- Paula Batts
- James DeMoss
- Harold Hebson
- Jack Larson
- Lisa Savage
- Larry Shaw
- Willett Stallworth
- Walter Dansby – FWISD
- Jim Kram – FWISD
- Robert Palmer – FWISD
- Barb von der Heydt – FWISD
- Kaylynn Loftis - FWISD
- Kristabel Lopez – DMJM
- Tom Johns - DMJM
- Danilo Lopez – DMJM
- Conan Mathson - DMJM
- Gary Shuman – DMJM
- Ray Castillo – DMJM

Absent:

- Ben Cruz – FWISD
- Dr. Melody Johnson – FWISD
- Dr. Dan Short
- Daniel Villegas
- MaryEllen Whitlock Hicks
- Ron Wilson – FWISD

The following items were discussed:

1. Call to Order

Committee Chair Victor Garcia called the meeting to order at 6:03 pm. A motion was made by James DeMoss and seconded by Isaac Manning to approve the minutes of the July 14, 2008 Citizens' Oversight Committee meeting.

2. Discussion of Committee Requests for Information and Distribution of Written Responses

One question was submitted by the Committee Members to the Deputy Superintendent, Capital Improvement Program staff and DMJM Program Executive regarding the Owner Controlled Insurance Program (OCIP). A handout was distributed with the answers to the question (attached). Charles Richardson, Executive Director of Risk Management, further addressed the question.

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Question: At our last meeting I asked for the data the District used to make their decision to not use an Owner Controlled Insurance Program (OCIP). This information could be useful if indeed OCIPs provide no additional benefit to owners. If not, then the District needs to reconsider its decision and afford itself the additional protections and potential savings of an OCIP.

After evaluating the records kept by Risk Management following the previous bond program's OCIP it was decided that the costs of an OCIP were not justified in the savings to the District.

The Board of Education has selected Competitive Sealed Proposals (CSP) as the approved procurement method for the Capital Improvement Program. Unlike the approach used during the last bond program, the District will only contract with one GC per bid package under the CSP approach. This will equate to 54 GCs for the entire bond program.

A general contractor selected under the CSP will be required to be experienced, have a good reputation and be financially stable. Contractors that meet this requirement will also have insurance within the required limits. At the time that a GC assumes the responsibility for the project insurance, they are also responsible for the compliance of their subcontractors.

General contractors prefer to handle their own insurance. This is primarily because they have an established relationship with their insurance agents and they know their processes.

Isaac Manning: Why does this question keep coming up? What are the benefits of participating and not participating in the OCIP?

Harold Hebson: Is there a prequalification limit on EMRI?

Not from the District's standpoint. EMRI is taken into consideration along with the contractor's safety program.

Isaac Manning: Will improper insurance limits disqualify a bidder?

Yes, it is a requirement.

Willett Stallworth: Who posed the question?

(Walter Dansby) Jim DeMoss posed the question at the conclusion of our last Citizens' Oversight Committee meeting.

James DeMoss: What happens if contractor goes out of business?

If contractor goes out of business, the District will deal with a bonding company. The requirements for the bonding company will be the same as they would for the contractor.

Mr. Dansby stated that the main reason for not deciding to offer an OCIP is that the cost to the District was too great in the last bond program. During the last bond program, \$4 million dollars of bond money was spent on OCIP claims. The deductible for these claims was \$250,000 and any claim that fell below the deductible would have to be paid with bond dollars. This program is larger and there is a great possibility that the costs would be greater.

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3. Progress Update

- A. Monthly Report, August 2008
- B. Updates to the Monthly Report (Weekly Updates)
- C. Bid Preview Report
- D. Construction of Athletic Tracks

Information on these topics was presented by Tom Johns in a PowerPoint presentation (attached).

Harold Hebson asked for a summary report from principals that indicated the "hot spots" and the specific areas for praise and concern.

Lisa Savage: There were renovations done on 15 middle school tracks and one new track (Meadowbrook MS). What about the other schools?

There will be three additional tracks completed later in the bond program. Two of those tracks will be located at the two new middle schools and the third will be at Kirkpatrick Middle School. The campuses without competitive athletics will not be receiving tracks.

Larry Shaw: About ninety percent of teachers love the whiteboards and the other ten percent hate them. Will the whiteboards be installed in the portable buildings?

(Gary Shuman) There is discussion going on right now to determine if the whiteboards can be installed in the portables using bond dollars.

Dionne Bagsby: Can the teachers that do not like the whiteboards receive training?

Larry Shaw: It's not a question of training. Good training is being provided. The teachers that do not like the whiteboards would just rather have the green/black boards.

E. Safety Program

Rene Rodriguez, CIP Safety Coordinator, discussed the CIP Safety Program. Mr. Rodriguez gave an overview of the purpose and the objective of the safety program. The following are items that Mr. Rodriguez will implement in the CIP Safety Program:

- Drug testing, monthly background checks and badging
- CIP Safety Orientation
- Free bilingual monthly OSHA 10 hour training for all employees working on the Capital Improvement Program and have not completed the training within the last three years
- Development of a child safety program for elementary schools. This program will address school safety during construction.
- Address PTAs prior to the start of construction. This meeting will be used to address the scope of work at the respective school and any changes to pick up and drop off locations
- Alliance with Fort Worth OSHA
- Outreach with local chambers and leadership committees

Mr. Rodriguez stated that the CIP Safety Manual will be distributed to all contractors and their safety program must either meet or exceed the standards set forth in the CIP

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Safety Manual. In the event that a contractor's safety manual does not satisfactorily meet these standards, they will be advised to adopt the CIP Safety Manual.

Harold Hebson: How large is your staff?

The safety staff will consist of Rene Rodriguez and the DMJM Safety Coordinator. The Capital Improvement Program has also contracted with CSR to provide assistance as needed on the safety program.

Harold Hebson: Is that staff going to be large enough? You should design a matrix that will show how many times you believe you will have to be on site. It may show that the requirements will be more than the staff can handle.

The general contractors will have a safety person onsite and that person will report to Rene Rodriguez. Failure of the GC's safety person to coordinate with Rene Rodriguez will result in that person being terminated from the remainder of the job. There will also be a required orientation for all GC's and that orientation will be offered three times per week.

(Mr. Dansby) I would just like to reiterate that CSR will be on staff to assist in any way needed with the safety program.

Larry Shaw: What training will be done with the employees of a building before construction starts?

The scope of work will be given to all staff and there will be barriers positioned to keep all staff and students out of construction areas.

(Kristabel Lopez) I would just like to state that Rene Rodriguez comes to us from the Dallas bond program. The structure of the program there was similar to the structure that is here. We learned during that program the structure works. There were no projects delayed due to the lack of training of the contractors.

Issac Manning: Are all registered sex offenders felons?

All contractors will undergo an extensive background check. The background check is conducted by FC Background.

(Ray Castillo) The background check that all contractors will undergo will include a sex offender check.

Dionne Bagsby: Sex offenders are felons.

Lisa Savage: Will subs have to check in with school office?

No. The subs will check in with the GC and the GC will check in with the school office. This will keep down the number of people going to the front office to check in.

Larry Shaw: Will the contractors ever be in a school when they are not working?

No.

4. Future Meetings

The next meeting of the Capital Improvement Program Citizens' Oversight Committee is scheduled for Monday, January 12, 2009 at 6:00 pm. Walter Dansby thanked the Committee for their continued commitment and hard work on behalf of Dr. Johnson.

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5. Adjournment

The meeting adjourned at 7:10 pm.

APPROVED
 01/12/2009
Victor Garcia, Chair Date

Cc: All attendees
DMJM Document Control
