

**SCHOOL FACILITIES BOARD**  
**April 15, 2004**  
**Phoenix, Arizona**

The School Facilities Board held a board meeting at the School Facilities Board Offices, 1700 West Washington, Suite 230 Phoenix, Arizona 85007. The meeting began at approximately 3:35 P.M.

<u>Members Present</u>	<u>Guests Present</u>
Wright, John, Vice-Chair	None
Conley, Patrice	
Davidson, Frank	
Granillo, Pete	
Keenan, Brooks	
Vaughan, G. Keith	
<u>Members Absent</u>	
Van Sittert, Logan, Chair	
McGee, Kate	
Vicki Salazar, Superintendent's Representative (non-voting)	
<u>Staff Present</u>	
John Arnold, Deputy Director of Finance	
Deborah Dominguez, Executive Assistant	
Kristen Landry, Public Information Officer	
Gerry Breuer, Liaison	
Judith Darknall, Assistant Attorney General	

- I. Call to Order  
 The Board Vice Chair, John Wright, called the meeting to order at approximately 3:35 P.M.
  
- II. Roll Call  
 There were six Board Members present at this meeting.
  
- III. Exception to Commenced Policy for the Washington Elementary School District  

John Arnold discussed the definition of “commenced” and how it applies to four deficiency corrections projects in which the construction phase was never finalized. Mr. Arnold explained that staff believes these projects merit an exception to the “commenced” policy as the projects have been designed and the paperwork was completed to issue change orders, however, they were never finalized.

John Arnold stated that all previous change orders were to expand or enhance an already existing contract. These projects have never been under construction. Instead of bidding them to a new contract, staff suggests change ordering them into the contractor on site's contract. There is not enough time to hard bid these projects.

Brooks Keenan asked if the Board could determine how these projects were left behind. Mr. Arnold stated that originally a number of factors contributed to this including: the architect did not design them as part of the original package. The Project Management Firm did not bring this to the SFB's attention until June 2003. The change orders were completed, but never processed. He added that every district was reminded of the June 30, 2003 deadline to make sure all projects were accounted for, and the district also did not realize these had not been done.

Pat Conley clarified that these had already been through conceptual schematics, design phase, and into construction documents before the June 30 deadline and the only steps remaining were bidding, pricing, and construction.

Peter Granillo asked if these were considered change orders last June. Mr. Wright stated that once staff became aware of them, it was too late to bid them so they prepared them as change orders to an existing Washington contract. Mr. Granillo asked why the board was going through the process now if they were awarded as change orders. Mr. Wright stated that they were never awarded as a change order to an existing contract. Mr. Arnold agreed that these were never finalized. Mr. Granillo stated that because of the high amounts it would be beneficial to bid them. Mr. Wright explained that because of the lack of time, staff did not believe they could bid the projects and have them done by the June 2004 deadline. Mr. Arnold added that the contractor on site does believe he can have these completed by the 2004 deadline.

Pat Conley asked if the pricing provided was current. Mr. Arnold stated that these were the original prices, but the contractor will still honor them minus the insurance costs.

Frank Davidson moved that the board go into executive session to seek legal advise. Pat Conley seconded motion passed on a 6-0 voice vote.

Executive session was held from 3:50 P. M. to 3:55P.M.

Frank Davidson moved that the board deviate from the established SFB policy and define these projects as having commenced prior to the June 30, 2003 deadline. Keith Vaughan seconded.

Pat Conley stated she did not believe the board was making much of a deviation as the steps in the process were completed up to the construction phase. Keith Vaughan and Frank Davidson both expressed their comfort with this decision.

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Peter Granillo stated that he is very uncomfortable with it because he believes someone should have known that these four projects were still open.

Motion passed on a 5-1 roll call vote with Peter Granillo against.

XIII. Public Comment  
None

Adjournment

There being no further business Board Vice Chair, John Wright, adjourned the meeting at approximately 4:00 P.M.

Approved by the School Facilities Board on \_\_\_\_\_, 2004

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Logan Van Sittert, Chair