

LUZERNE COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES

BOARD MEETING

Tuesday, July 16, 2024

5 PM-Executive Session 5:15 PM Work Session 5:30 PM Board Meeting

Join Zoom Meeting <https://us06web.zoom.us/j/89530853308?pwd=DAUOLUS06gMknTNRCbbeSsyNH8DqaP.1>

Meeting ID: 895 3085 3308

Passcode: 542195

Dial Option: 1-646-558-8656

BUSINESS SESSION

AGENDA

Pledge of Allegiance *(all rise)*

1. Roll Call
2. Public Comment Catherine R. O'Donnell, Esq., Board Chair
3. Approval of July 16, 2024, Board Agenda Catherine R. O'Donnell, Esq., Board Chair
4. **ACTION ITEMS**
5. **Executive Committee** Catherine R. O'Donnell, Esq., Board Chair
 - A. Bid, Gymnasium Floor Refinishing
 - B. Bid, Exterior Lighting Replacement
 - C. Bid, Water Line Replacement
 - D. Resolution, Authorization of New E-Signatory
6. **Adjournment** Catherine R. O'Donnell, Esq., Board Chair

5. EXECUTIVE COMMITTEE ACTION ITEMS (5A-5D)

5A. Recommend Approval of Bid, Gymnasium Floor Refinishing

Recommend the Luzerne County Community College Board of Trustees approve the award of the Gymnasium Floor Refinishing project bid to the lowest responsible bidder: Miller Flooring Company in the amount of \$56,610.00. In addition, the architect and engineering fees payable to A+E Group JV, in line with the agreement in place (6% for this project cost) in the amount of \$3,396.60 will be incurred. An 8% contingency fee (\$4,800.53) for the contractor and related architect and engineering services could be incurred, for a total project cost of \$64,807.13. The 8% contingency is not a definite expenditure, however, available if necessary. If it is not utilized as part of the project, the funds will be returned to the available funds for other projects.

5B. Recommend Approval of Bid, Exterior Lighting Replacement

Recommend the Luzerne County Community College Board of Trustees approve the award of the Exterior Lighting (Building 1 to Prospect Street) Replacement project bid to the lowest responsible bidder: Apollo Group, Inc. in the amount of \$124,530.00. In addition, the architect and engineering fees payable to A+E Group JV, in line with the agreement in place (6% for this project cost) in the amount of \$7,471.80 will be incurred. An 8% contingency fee (\$10,560.14) for the contractor and related architect and engineering services could be incurred, for a total project cost of \$142,561.94.

The 8% contingency is not a definite expenditure, however, available if necessary. If it is not utilized as part of the project, the funds will be returned to the available funds for other projects.

5C. Recommend Approval of Bid, Water Line Replacement

Recommend the Luzerne County Community College Board of Trustees approve the award of the Water Line (Lower Campus) Replacement project bid to the lowest responsible bidder: Franchelli Enterprises, Inc. in the amount of \$281,582. In addition, the architect and engineering fees payable to A+E Group, JV, in line with the agreement in place (5.50% for this project cost) in the amount of \$15,487.01 will be incurred. An 8% contingency fee (\$23,765.52) for the contractor and related architect and engineering services could be incurred, for a total project cost of \$320,834.53.

The 8% contingency is not a definite expenditure, however, available if necessary. If it is not utilized as part of the project, the funds will be returned to the available funds for other projects.

5D. Resolution Authorization of New E-Signatory

Recommend the Luzerne County Community College approve the following Resolution to Authorize the President as a New E-Signatory for Luzerne County Community College.

RESOLUTION

BE IT RESOLVED, by authority of the **Board of Trustees** of the Luzerne County Community College, and it is hereby resolved by authority of the same, that **John Yudichak**, who is the **President** of the above named body is authorized and directed to sign any and all contracts, agreements, grants and/or licenses (hereinafter collectively referred to as contract(s)) with the Pennsylvania Department of Education (Department); and

BE IT FURTHER RESOLVED, that the body consents to the use of electronic signatures by the above named individual and that no handwritten signature from the above named individual shall be required in order for any contract with the Department to be legally enforceable and that by affixing his/her electronic signature to an electronic file of the contract via the Department's e-grants system, the above designated authorized individual shall have effectively executed and delivered the contract, binding the **Luzerne County Community College Board of Trustees** to comply with the terms of said contract; and

BE IT FURTHER RESOLVED, that no writing shall be required in order to make the contract valid and legally binding, provided that the Department and all other necessary Commonwealth approvers affix their signatures electronically and an electronically-printed copy of the Contract is e-mailed or is otherwise made available to the body by electronic means; and

BE IT FURTHER RESOLVED, that the body will not contest the due authorization, execution, delivery, validity or enforceability of the electronic Contract under the provisions of a statute of frauds or any other applicable law. The Contract, if introduced as evidence on paper in any judicial, arbitration, mediation, or administrative proceedings, will be admissible as between the parties to the same extent and under the same conditions as other business records originated and maintained in documentary form and the admissibility thereof shall not be contested under either the business records exception to the hearsay rule or the best evidence rule; and

BE IT FURTHER RESOLVED, that the body will notify the Department's Bureau of Management Services promptly in the event that the above named individual is no longer authorized to execute agreements on behalf of the body electronically and that the Department shall be entitled to rely upon the above named officer's authority to execute agreements electronically on behalf of the body until such notice is received by the Department's Office of Chief Counsel.