

**ESSER Committee Meeting**  
**April 26, 2022 4:35 PM**  
Central Services Board Room

1. Call to Order - Ms. Stace Karge
2. Moment of Silence/Pledge of Allegiance - Ms. Stace Karge
3. \*Approval of Committee Minutes
4. RFQ reviews for ESSER 3 Capital Projects
5. Other Discussion
6. Adjournment

## **ESSER Committee Meeting**

**February 1, 2022 5:00 PM**

Central Services Board Room

The ESSER Committee met on Tuesday, February 1, 2022, in the Central Services Board Room where Mrs. Stace Karge called the meeting to order at the approximate hour of 5:04 p.m. She welcomed everyone to the meeting.

### **PRESENT:**

Jim Inman, District 1

Anita Hale, District 4

Ina Maxwell, Director of School

Stephanie Barnes, CAO

Tony Brock, District 5

Absent: Chris King, District 6

Stace Karge, District 9

Angela Randolph, Federal Programs Director

Heather Mullinax, Media

Kacee Harris, CFO

- 1. Call to Order** – Mrs. Stace Karge
- 2. Moment of Silence / Pledge of Allegiance** – Mrs. Stace Karge
- 3. Elect a Chairman**  
Brock nominated Karge.

**VOICE VOTE:** Brock (mover-yes)  
Karge (seconder-yes)  
All Ayes

**MOTION:** Carried unanimously

- 4. Approval of Committee minutes:** No minutes, first meeting of newly formed committee.
- 5. Architectural/Engineering Services for ESSER 2.0 Capital Projects**

**Karge:** I'm going to just turn this over to you Dr. Maxwell and go from here.

**Maxwell:** Ok, thank you Ms. Karge and members. What we are here today for is 2 things we need to try to accomplish. The first is architectural and engineering services for our ESSER 2.0 capital projects. And what I'm going to do, I'm going to turn this over to Ms. Kacee Harris. And Ms. Harris, if you will lead us through this particular part please.

**Harris:** We put a request for proposals for this project. We had 3 companies respond to that. We gave this to you all last week to start reviewing and we just need recommendation of which one of these companies you would like for us to go through the next step with. You'll notice there are no prices included in this process. With services like this, it's based on qualifications which is what they've highlighted in their literature. We then enter into negotiations with them and the price is pretty standard industry wide.

**Karge:** I've got no dog in the fight, but I know we've worked with Uplands quite a bit and they've done a fantastic job for us. I would be leaning, just knowing their quality and their relationship with us and they are a local company as well. I would lean towards Upland. Mr. Brock do you have any thoughts? It's hard without a price.

**Brock:** That is absolutely important, and we do have a good relationship with them. Looking at some of the designs, I was impressed with MBI. So many of the other buildings look like schools, pretty standard and industrialized, I'm sorry, I like a little character. CCHS could certainly benefit for something like that.

**Harris:** Let me clarify, we're going to do this process twice. This set is for the playgrounds, HVAC, doors and windows and everything in ESSER 2. We've got a few more steps in ESSER 3 before we'll do another RFQ, take more proposals and bring those back to you for projects in ESSER 3. Which is CCHS auditorium and South reno. Just to clarify.

**Brock:** Thank you, that helps. Would there be any cost savings if the same company got both projects?

**Harris:** I would not imagine. These firms have a national code of ethics that says a price will not enter into their work. And that's why we have to do a request for qualifications. I don't we get a quantity discount.

**Inman:** Is a lot of their services based on the amount of the project? On a percentage basis?

**Harris:** It's on a percentage base, real basic industry standard, about 6%. If they have to bring in, say, an electrical engineer as well as some basic services, maybe upwards of 10%. It could vary.

**Karge:** Why can't we ask them for a price bid?

**Harris:** Well, we really aren't supposed to by their code of ethics. We're supposed to pick the most qualified company, enter into a price negotiation, and see what they have to offer. If we cannot reach an agreement then we can come back and say this didn't work out, let's enter into negotiations with this one. That's just kind of the process with this type of professional service. It's a little bit different than what we're used to.

**Karge:** I've always been impressed with Upland and I like the fact that they are a local company. If we can keep our money in our area, that's always going to be a default for me. All things being real.

**Brock:** Is there any way around that? When one has no idea what savings might be offered one company to another, there's no way around that? We pick based on qualifications and seems to be the best thing but we have no idea that we just choose the most economical one.

**Harris:** I think the idea, while price is always a factor in government, and we know that all too well. I think the idea is you pick on qualifications first. And then if you don't like the price, go down from there. Our historic, your average project percentage is 6%. Historically with us in recent history. I'm trying to think of one... I think the electrical work we're having done at North is in the very early staging of engineering, it requires quite a bit of specialty work beyond walls and joints and that type of thing. So, that's going to be a little bit higher.

**Brock:** How long is the process? Let's say we did choose one and they go through a study and come up with a price tag. I'm sure we won't delay any longer than we have to but is that a matter of days, weeks, months?

**Harris:** I think it could be a matter of days, if that long. All 3 of these that responded got a copy of the projects that we're considering in ESSER 2 and I think gave us a ballpark pretty quickly. By the amount of study they've already done to prepare these documents, I think it could be a fast process.

**Inman:** I know what you're thinking. Tell them all 3 to give us a price. And we'll choose from that.

**Karge:** As far as qualifications, they are all qualified. All very impressive. Again, my default is, ok if all things are basically equal then what's not equal? What's not equal is that we've got a known quantity versus 2 unknown quantities. You've got a local company versus 2 out of area companies. It just seems to me that would make more sense not knowing price. And price would always come before anything else to me so, not having the price, you're flying blind.

**Brock:** That's the part I don't like.

**Karge:** I agree. But I understand what you're saying.

**Brock:** Oh, absolutely. Let me be clear. If I have to choose a door, I'm going to choose the local door. But I want it to be the right door as well as far as bang for the buck. We're spending money that we will never get in. I want to make sure we get as much value from it as possible.

**Karge:** I just keep looking at past projects and you go back to Uplands. Everything is Cumberland County. South, North, Pleasant Hill, Cumberland County High School, Stone Memorial High School,

Crab Orchard, Martin. They know our schools intrinsically and that has to have some weight to it. That's my recommendation is that we start with Upland. What say you?

**Inman:** I'm not on the committee, I don't have a vote, but I was getting ready to say with Mr. King not here, how are we going to break the tie? We've got 1 for one and 1 for the other.

**Brock:** No but when we get to the auditorium there's got to more studying and I want to know what kind of vision the company might have. These air conditioning units are different. It's not cosmetic, it's function. I have no problem with going with a local company. I just hope the numbers received sounds awfully reasonable, otherwise I'm going to suggest we get another bid and if that's the way we have to play the game, if that's what this is, I would much rather know that there were companies bidding for this rather than just handing something just based on some glossy little portfolios they've put together.

**Karge:** What is our deadline? What time, I'm assuming we need to get moving on this like yesterday?

**Inman:** Uh, yeah.

**Maxwell:** For ESSER 2, the deadline is June 2023.

**Karge:** To get it spent?

**Maxwell:** Yes. So, it's my understanding, after we do the request for qualifications, then the next step would be the bidding process? Help me Kacee?

**Harris:** So, this is in place of a bid. It's very unusual. I think I've heard of the county going through this process 1 time in the 5 years that I've been here. We've not been through this process in the 5 years I've been here. It's kind of new territory for all of us. After the recommendation just kind of the flow that it will follow-Recommendation from the ESSER Committee would then go to the full board and then from there we could pursue the price negotiation. Or of the ESSER Committee so chose to speed it up, we could probably go ahead and enter into a preliminary price negotiation based on their recommendation and have ALL of that to bring to the board and we could really take the final action and selection with the board. From there they would start, once the board approves it and we're all on the same page about the different prices and fee, then they will start drawing up the specs for each project and they will write the bids for each individual project. That's when the wheels will really start turning, is after that board approval.

**Karge:** Ok, so, I don't really fill entirely comfortable with us making this kind of recommendation with it just being the 2 of us. I would like to see if we can maybe do a special called and maybe get the board in on this. I just really think we need to get a couple more voices. Make sure we're all thinking along the same lines or close to the same lines before we make a decision. That's my thought. My gut says this, but I could be totally off with what the board thinks.

**Inman:** Well, I'm like Tony, if it comes push to shove, I'm going to vote, I'd push for a local company first. But I think your recommendation could still go to the board. Anita, she said the same thing. That's 4 that has said the same thing. Local first. If we're not happy with what they come up with then we can go to another one.

**Brock:** Stace, I think that the board would end up the exact same position as we are, so I am comfortable, if you do put your motion back in place to go with Uplands, I will second it.

**Karge:** So, do we have drawings for the auditorium? Did I miss that on any of these?

**Inman:** No, that a different...

**Harris:** That comes up in our ESSER 3 discussion. We had one from 2006 that just a visual we've got in a file here. It's not been planned.

**Karge:** So, this is just this first part, ok.

**Brock:** We don't have much information...cause otherwise I'll tell a company anything until I see what they've got, and they put a price tag on it. If it breaks hearts of companies, so be it.

**Harris:** Those projects in ESSER 2 versus ESSER 3, much different.

**Karge:** Ok, then I'm going to go ahead and make the motion that we recommend Upland Design Group for ESSER 2.

**Brock:** I second that.

**Karge:** All right, all in favor?

**Brock/Karge:** Aye.

**Karge:** Ok, motion passes.

**Brock:** And I'm sorry to slow that down. That does not seem right to me.

**Karge:** I'm with you.

**Inman:** Well, I have never seen this before. To me, it's always been, they come in, we tell them what we want, and they do the configuration and they come back with prices for us and then we vote on who we want. That's the way I've always seen it done.

**Mullinax:** You choose who does the drawings for you and you get the prices.

**Karge:** That's right.

**Inman:** Yeah, it's just weird.

**Maxwell:** We've never been allowed to spend federal money on things like this before.

**Inman:** That's true.

**Brock:** Are there Federal guidelines that we're following?

**Harris:** Inaudible due to several that are over talking her.

**Karge:** All right, Dr. Maxwell, budget.

**Maxwell:** Ok, so the next item on your agenda is the ESSER 3.0 budget. Yes, it was approved last week, thank goodness. It was approved as submitted and the board voted on August 27<sup>th</sup> I believe. That was the board meeting date. The state approved it as written. Ms. Randolph and Ms. Harris are here to take questions. You have a copy of it, and this was what was submitted. I will turn it over to the 2 of them to go from there.

**Karge:** I don't have any questions. We've gone over this at nauseam. Emphasis on the nauseam. I'm good with this. We just need to get final approval by the board, correct? Or is it already done?

**Maxwell:** Actually, it was approved August 27<sup>th</sup>.

**Harris:** During the timeline of things that have kind of transpired since then we do have one revision. It's the exact same budget with the one revision and that is highlighted in attachment B in your packet.

**Randolph:** We did not find out until September 29, which we submitted August the 27<sup>th</sup>. And we did not find out until September 29, when we were working within ESSER 2 that we needed a separate line item for architectural fees. So, that is the revision that we are going to need to make for ESSER 3.

**Karge:** So, the money amount is the same, it's just changing lines?

**Randolph:** Correct, we're just having to shuffle to a different line item for those needs.

**Harris:** And basically, what we had to do, we had originally planned \$750,000 for continuing our HVAC upgrades and that came in to be about the total we are estimating we are needing for engineering. We pulled that from the HVAC line and put it up on the architectural engineering line.

**Karge:** Do we need to vote on that or are we good for just revising that?

**Harris:** I think it would be beneficial if the ESSER committee, so chose, to send it as amended to the budget committee which is meeting Thursday.

**Brock:** I'll make that motion.

**Karge:** I second that. All in favor?

**Karge/Brock:** Aye.

**Karge:** Ok, motion passes.

**Brock:** Hey guys, my commendation to those of you who've worked and come up with all of this.

**Harris:** There will be a party when it's all spent.

**Brock:** Well done.

## **Other Discussion**

**Karge:** I have something for other discussion. I would like and this falls under ESSER. I would like to be able to see the complaint that was lodged. I would like to be able to have that just for our records?

**Inman:** Well, I will handle that one. Then you can follow up, ok?

**Maxwell:** Ok. That sounds good.

**Inman:** Whenever the gentlemen that was doing the investigation interviewed me, I told him point blank, as soon as I'm allowed to have a copy of it, I want to see a copy of the complaint. I have not heard anything from him. But, did everybody get a copy of that (all in attendance said yes)? If you'll l

look at all of that point by point of what the complaint was and his answer to it. That basically tells you...

**Brock:** But we can't see the original complaint?

**Inman:** Well, I've not received anything yet.

**Maxwell:** I emailed Danny Bounds who was on that and Brinn Obermiller who was also the 2 that interviewed me. I asked them this week if they would email a copy and Mr. Bounds email bounced back that he's out of the office and I have not heard from Ms. Obermiller. I did ask them initially also if I could get a copy of it and I don't have a copy of it.

**Brock:** Are you going to pursue that?

**Maxwell:** Oh, absolutely I will continue to pursue that.

**Brock:** Don't let that go.

**Maxwell:** No.

**Brock:** Can I say one thing while we're on this?

**Maxwell:** You sure may.

**Brock:** My commendations to everyone possibly impacted or felt accused in any way. And to be totally vindicated is a good feeling. But it leaves a bitter taste in your mouth when you know you've been accused of something ugly. And even though it's shown to be untrue, it leaves a bitter taste. Congratulations on your totally victory, coming clear on that. It certainly appears to be that is wasn't done without some malice.

**Inman:** I never had any doubt that that's what the answers were going to be. Ms. Ina's experience in Federal Programs, I guarantee you, not just Ina but all of them, they sent them so much information, I guarantee you they've never had that much information in their laps before. I guarantee it.

**Brock:** It filled an entire case or paper.

**Inman:** A whole box, yeah!

**Karge:** All right, any other discussion? Moving on. Anyone else? I too would like to congratulate everyone that worked on the ESSER, the ESSER funds. These are truly once in a lifetime gifts and to know that are going to such great use for years and years and years to come. To be making good on some promises that were made a very long time ago, to be able to see that on the horizon for CCHS in particular is really exciting. So, thank you for all of your hard work and continued work. I know this is just the beginning. And thank you for your leadership Dr. Maxwell.

**Brock:** 60 years!

**Karge:** Any other discussion?

### **Adjournment**

**Karge:** Do I have a motion?

**Brock:** Motion to adjourn.

**Karge:** I second it. This meeting is adjourned. Thank you all for coming.

**VOICE VOTE:** Brock (mover-yes)  
Karge (seconder-yes)  
All Ayes

**MOTION:** Carried unanimously

**Meeting was adjourned at 5:26 p.m.**

---

**Dr. Ina Maxwell**  
**Director of Schools**

---

**Mrs. Stace Karge**  
**Chairman of Director of Schools Evaluation Committee**

---

**Diane McCartney**  
**Executive Assistant for the Director of Schools and BOE**