

Southeast Nebraska Education Agency
Board Meeting
Monday, December 20, 2021 12:00 PM Central

Administration Building- Board Room
320 N 5th St
Beatrice, NE 68310

Notice of the meeting was given in advance by publication and/or posting in accordance with the Board approved method for giving notice of meetings. Notice of this meeting was given in advance to all members of the Board of Education. Availability of the agenda was communicated in the publicized notice and a current copy of the agenda was maintained as stated in the publicized notice. All proceedings of the Board of Education, except as may be hereinafter noted, were taken while the convened meeting was open to attendance of the public.

1. Call to Order

Mr. Alexander, Chairperson of the Board, called the meeting to order at 12:00 PM in the Administration Building Board Room. At the beginning of the meeting, the chairperson announced and informed the public that a current copy of the Open Meetings Act was posted on the west wall of the meeting room.

2. Roll call and determination of a quorum present

Present: Jason Alexander, Dr. Brenda McNiff, Lisa Pieper, Jan Reimer, Jon Zimmerman. Present: 5.

Roll was called by Danielle Fairbanks

It was noted that Paul Grieger- DA Davidson, Derek Aldridge- Perry Law Firm, and Michael Rogers- Gillmore Bell were joining the meeting via Zoom.

3. Approval of meeting minutes for November 15, 2021

I move that the Southeast Nebraska Education Agency approve the meeting minutes from November 15, 2021 passed with a motion by Jon Zimmerman and a second by Lisa Pieper.

Jason Alexander: Yea, Dr. Brenda McNiff: Yea, Lisa Pieper: Yea, Jan Reimer: Yea, Jon Zimmerman: Yea
Yea: 5, Nay: 0

4. Public Forum/Citizen's Requests/Comments

No one spoke at this time.

5. Discussion

There were no discussion items presented by Board members.

6. Action

6.1. Contract approval of BCDM as the architect for the Beatrice Public Schools project as approved by the BPS Board of Education

Mr. Alexander shared that the Beatrice Board of Education heard presentations from two architects, DLR Group and BCDM. McNiff asked why the Board of Education recommended BCDM. Zimmerman and Pieper responded that the Board really liked the presentation and their focus on students and having a fresh set of eyes on the project. Mr. Alexander noted that there are a few items within the contract to hash out still, but that the fee for the project is 5.7%.

I move that the Board of Directors for the Southeast Nebraska Education Agency, should, and does hereby select Beringer Ciaccio Dennell Mabrey, Inc. doing business as BCDM Architects, as the project architect for the proposed new PK-5 elementary school building, approve the architect agreement between the Agency and BCDM, in the form on file with official records of the Agency or with such changes are deemed necessary and in the best interest of the Agency and approved by the Agency Chairperson, or designee, and authorize the Agency Chairperson, or designee, to sign and deliver the architect agreement, any documents, or other agreements called for in such architect agreement, to pay the agreement fees and other related costs and

expenses, and to take all other action necessary to carry such architect agreement into effect passed with a motion by Jon Zimmerman and a second by Dr. Brenda McNiff.

Jason Alexander: Yea, Dr. Brenda McNiff: Yea, Lisa Pieper: Yea, Jan Reimer: Yea, Jon Zimmerman: Yea
Yea: 5, Nay: 0

6.2. Discuss, consider, and take all necessary action with regard to adopting a Board policy for the Construction Management at Risk construction delivery method

Mr. Alexander shared that the Construction Manager at Risk process is the most transparent and allows for the 30 day requirement to kick in. He added that the proposed policy mirrors the Beatrice Public Schools policy that is included in the 7000 Series.

I move that the Board of Directors for the Southeast Nebraska Education Agency should and does hereby adopt and approve a board policy for the Construction Management at Risk construction delivery method pursuant to the Nebraska Political Subdivisions Construction Alternatives Act, Neb. Rev. Stat. §§ 13-2901, et. seq. (the "Act"), in the form on file with official Board records and as presented at this meeting passed with a motion by Dr. Brenda McNiff and a second by Lisa Pieper.

Jason Alexander: Yea, Dr. Brenda McNiff: Yea, Lisa Pieper: Yea, Jan Reimer: Yea, Jon Zimmerman: Yea
Yea: 5, Nay: 0

6.3. Discuss, consider, and take all necessary action with regard to selecting the Construction Management at Risk method of construction delivery for the proposed new PK-5 elementary school project under the Political Subdivisions Construction Alternatives Act

Mr. Alexander noted that the next steps in this process will consist of him working with legal counsel to prepare the RFP. He added that there will be a 30 day waiting period for the RFP process and then meetings will be scheduled to review those and work through the interview process. The timeframe for these will probably be early February.

I move that the Board of Directors for the Southeast Nebraska Education Agency should and does hereby select the Construction Management at Risk construction delivery method pursuant to the Nebraska Political Subdivisions Construction Alternatives Act (the "Act") and Board policy for a proposed new PK-5 elementary school facility (the "Project"), and hereby delegates to and directs the Superintendent of Schools, or designee, for Member Beatrice Public Schools, along with selected legal counsel, to initiate and carry out all actions necessary to comply with the requirements of the Act, including but not limited to the development and issuance of a Request for Proposals for the position of Construction Management at Risk for the Project; provided that the Letter of Interest requirement is waived passed with a motion by Jon Zimmerman and a second by Jan Reimer.

Jason Alexander: Yea, Dr. Brenda McNiff: Yea, Lisa Pieper: Yea, Jan Reimer: Yea, Jon Zimmerman: Yea
Yea: 5, Nay: 0

6.4. Discuss, consider, and take all necessary action with regards to adopting the Construction Management at Risk (CM@R) selection criteria and the point values for the proposed new PK-5 elementary school project and appointing members to the CM@R selection committee

Mr. Alexander shared that the proposed selection criteria items are typical of this process and that the committee will be able to use the percent proposed throughout the selection process. It was noted that Derek Aldridge with Perry Law Firm will be in attendance for the selection committee meetings to walk the group through the review and interview processes.

I move that the Board of Directors for the Southeast Nebraska Education Agency should, and does hereby:

1. Adopt and approve the weight to be given by the Selection Committee to the statutory selection criterion enumerated in subdivisions 1 through 8 below: 1) The financial resources of the construction manager to complete the project- 2.5% 2) The ability of the proposed personnel of the construction manager to perform- 25% 3) The character, integrity, reputation, judgment, experience, and efficiency of the construction manager- 15% 4) The quality of performance on previous projects- 20% 5) The ability of the construction manager to perform within the time specified- 10% 6) The previous and existing compliance of the construction manager with laws relating to the contract- 2.5% 7) The ability and resources of the construction manager to recruit qualified contractors for the Project- 10% 8) The construction manager's proposed efforts schedule for the Project- 15% TOTAL (Not more than 100%)- 100%

2. Appoint the following persons to the Selection Committee to evaluate the proposals received from firms in response to the Request for Proposals for the position of Construction Manager at Risk in accordance with Neb. Rev. Stat. § 13-2910 (must have at least five (5) members): (a) Member(s) of the Agency's Board of Directors: Jon Zimmerman, Lisa Pieper, Jason Alexander, Dr. Brenda McNiff (b) Member(s) of administration or staff of Member Beatrice Public Schools and/or Member ESU 5: Dr. Jackie Nielsen, Assistant Superintendent of Schools, or designee, for Beatrice Public Schools (c) The Agency's architect or engineer: Pat Carson, Architect for BCDM Architects, or designee (d) Any person(s) having special expertise relevant to selection of a construction manager under the Nebraska Political Subdivisions Construction Alternatives Act who is not employed by the Agency, Beatrice Public Schools, or ESU 5, or has or may have a financial or other interest in a construction manager who has or may have a proposal being evaluated: Eric Book (e) A resident(s) of the territory served by the Agency, other than an individual included in (a) through (d) above, who is not employed by the Agency, Beatrice Public Schools, or ESU 5, or has or may have a financial or other interest in a construction manager who has or may have a proposal being evaluated: Neal Tranthem, Trevor, Lee Jeremy Tate passed with a motion by Dr. Brenda McNiff and a second by Jan Reimer.
Jason Alexander: Yea, Dr. Brenda McNiff: Yea, Lisa Pieper: Yea, Jan Reimer: Yea, Jon Zimmerman: Yea
Yea: 5, Nay: 0

6.5. Authorize Beatrice Public Schools to secure builders risk insurance for coverage of BPS and the SNEA

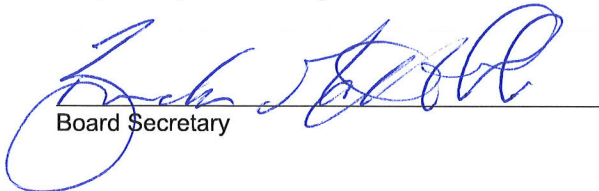
I move that the Southeast Nebraska Education Agency authorize BPS to secure builders risk insurance for coverage of both BPS and the SNEA passed with a motion by Jon Zimmerman and a second by Lisa Pieper.
Jason Alexander: Yea, Dr. Brenda McNiff: Yea, Lisa Pieper: Yea, Jan Reimer: Yea, Jon Zimmerman: Yea
Yea: 5, Nay: 0

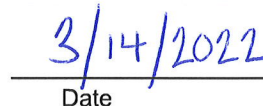
7. Adjournment

I move that the Southeast Nebraska Education Agency adjourn passed with a motion by Jon Zimmerman and a second by Dr. Brenda McNiff.
Jason Alexander: Yea, Dr. Brenda McNiff: Yea, Lisa Pieper: Yea, Jan Reimer: Yea, Jon Zimmerman: Yea
Yea: 5, Nay: 0

The meeting adjourned at 12:31 PM.

Respectfully submitted by Danielle Fairbanks


Board Secretary


Date