

LCCC Board of Trustees Board Meeting

October 26, 2021 Board Action Items

- **Board Minutes, August 2021**
- **Board Agenda October 2021**
- **5A- Ratification, Firefighter Training Agreement and Waiver**
- **5B-Wilkes Barre Center Renovations Change Order**
- **7A-Ratification, Change Order Credit**
- **7B-Bid #500-Operating Room Table**

Name: Luzerne County Community College Board of Trustees Board Meeting
 Date: Tuesday, August 31, 2021
 Time: 6:00 PM

Location: Luzerne County Community College, Educational Conference Center, Nanticoke PA and Zoom Link

AGENDA ITEM	NOTES	ACTION TAKEN/FOLLOW UP ACTION NEEDED
Pledge of Allegiance	Meeting opened with the Pledge of Allegiance.	
1. Roll Call	<p>Present: Joan M. Blewitt, Ph.D.; James Dennis; Lynn M. Distasio; Holly A. Evanoski, Secretary; Bernard W. Graham, Ph.D.; Paul Halesey; Erin K. Keating, Ed.D.; Joseph Lettiere; Catherine R. O'Donnell, Esq., Vice Chair; Daniel C. Rodgers, Board Chair; Anthony Seiwel; Susan E. Unvarsky; David James Usavage; Brian Stahl, Esq., College Solicitor.</p> <p>Excused: George Brown, August Piazza</p>	
2. Public Comment	<p><i>Daniel C. Rodgers, Board Chair, reported prior to the start of the August 31, 2021, Board meeting an Executive Session was held to discuss personnel and litigation issues.</i></p> <p>2. Daniel C. Rodgers, Board Chair, opened the floor for public comment.</p>	2.No comments.
3. Approval of June 22, 2021, Board Minutes	3. Daniel C. Rodgers, Board Chair, recommended approval of the June 22, 2021 Board meeting minutes.	<p>3. Approved.</p> <p>Motion made by Catherine R. O'Donnell, Esq., Vice Chair; seconded by Bernard W. Graham, Ph.D.</p> <p>Vote was all "yes". Motion carried.</p>

AGENDA ITEM	NOTES	ACTION TAKEN/FOLLOW UP/ACTION NEEDED
<p>4. Approval of August 31, 2021, Board Agenda</p>	<p>4. Daniel C. Rodgers, Board Chair, recommended approval of the August 31, 2021 Board agenda.</p>	<p>4. Approved. Motion made by Erin K. Keating, Ed.D.; seconded by Lynn M. Distasio.</p> <p>Vote was all "yes". Motion carried.</p>
<p>5. Report of Officers and Agents President's Report</p>	<p>President Leary reported the College officially kicked-off the 2021-2022 academic year, welcoming our new and returning students to Luzerne County Community College. There are exciting festivities planned throughout the month of September to welcome our students back to campus and at our seven centers. President Leary noted 4 College Trailblazers were in audience and invited to introduce themselves to the Board. Students in attendance were Kasie Weidner, Mahtab Peimany, Nikita Cordova, and Kelsey Leck. At this time, President Leary and the LCCC Board of Trustees officially welcomed the students to the College and wished them an incredible academic year.</p> <p>President Leary the College held a College-wide Inservice program, for all faculty, staff and administration. Strategic Planning was the main focus of the program. Staff participated both in-person and virtually in several of the strategic planning activities that were held throughout the program. In addition, an Adjunct Inservice was held which focused on the role of Adjunct Faculty in the development of our new strategic plan. Also, last week, the College sponsored the Hazleton Chamber Red Carpet breakfast and I spoke on the expansion of our Hazleton Center with new opportunities for students.</p> <p>Luzerne County Community College will hold a September 11th remembrance ceremony and brick dedication on Friday, September 10, at 11 a.m., at the College's Walk of Honor at the</p>	

LCCC Public Safety Training Institute. Mrs. Brominski will speak more about this program during her report in just a few minutes.

On October 1, our annual history conference will offer a theme of "Football in Northeast PA with a number of presenters on the history and legacy of the impact on the culture of our region.

Lastly, in October I will be attending the ACCT National Leadership Congress as well as the Pennsylvania Commission for Community Colleges Council of Presidents meeting in Harrisburg.

Treasurer's Report

Vice President Baur presented the Treasurer's Report. Operating Fund for year ended June 30, 2021. Revenue over projected expenses are well over \$2 million. Tuition came in close to what was originally budgeted.

Operating (Expense) Fund - Salaries and benefits came in under budget as to what we expected to expense. Salaries came in under 14% and benefits under 4% - we did have a large increase in early retirement incentives from what was predicted due to additional retirements.

Bookstore: We came in \$81,000 over revenue over expenses and commission will come in at \$200,000.

Food Service: Food Service was projected to be overbudget by \$212,000 due to salaries and benefits, we came in with a savings even though there was a loss. Yenchu, those decisions in long term investments will service the College and its student long term.

Foundation Report

Rebecca Brominski, Executive Director of Institutional Advancement and Foundation, reported on the following upcoming special events and activities. On Friday, September 10, 2021, at 11 a.m. at the Walk of Honor, everyone is invited to

attend the September 11th Remembrance Ceremony commemorating the 20th Anniversary. Back by public demand, the 32nd annual Alumni Craft Festival will be held on Saturday, October 16, 2021. This is a wonderful community event that brings many people on campus in addition to being one of the major fundraisers for the LCCC Alumni Association.

The annual Scholarship Dinner will be held on October 20th at the Woodlands. This is the largest fundraiser for the Foundation and it is our hope we can count on the Board's continued support. This semester over 300 students are returning to class as scholarship recipients.

On Friday, October 22, the College will celebrate the 15th Anniversary of the Schulman Gallery with a signature Red Carpet Event. This year we will showcase an exhibit titled, Tunnel Vision, highlighting the mining industry and honor the memory of Dr. Schulman at the event.

Catherine R. O'Donnell, Esq., Vice Chair, encouraged the members of the Board of Trustees to show their support to the College and the students by attending the upcoming scholarship dinner. 100% participation by the Board is incredibly important and encouraged the Board's participation.

Dr. Cheryl Lesser, Vice President of Academic Affairs, announced it is with humility, with pride that the Middle States Commission on Higher Education has reaffirmed accreditation at Luzerne County Community College.

We were reaffirmed with no recommendations. Dr. Lesser stated being part of many evaluation teams she has never had this experience and this is the first time in the history of LCCC we have gone through this process with no recommendations. We have received commendations from the Middle States Team on all 7 standards. This is an amazing feat for CORE Team and

Middle States Update

	<p>the 100 people who wrote the self-study and was part of the virtual Team visit.</p> <p>Vice President Lesser stated the Middle States Team in its commendations, stated that they wanted to "commend the Board of Trustees on their commitment to the mission, on the leadership of the College to their openness to the community, on educational effectiveness, on planning, on budgeting, on student support services and academic excellence, and operational effectiveness, everywhere they commented on how we operate. They committed to what we wrote as our strengths and supported that. They added additional opportunities and that is the information that will be used for strategic planning. Congratulations to everyone!</p> <p>Trustee Joan M. Blewitt, Ph.D. stated this is monumental; noting she has served on many committees and teams and she has never yet seen excelling on every standard with no recommendations. Congratulations to everyone who worked so very hard to make this happen; it is really a proud moment.</p> <p>Trustee Bernard W. Graham, Ph.D., stated 40 years of academic experience, he has served on many teams he has never seen a report with no recommendations.</p> <p>President Leary stated it is truly a collective effort, expressing his appreciation to the faculty, staff, students and Board of Trustees. At this time President Leary expressed his appreciation to Dr. Cheryl Lesser, Vice President of Academic Affairs, for her leadership.</p>	
<p>ACTION ITEMS</p> <p>5. Report of the Executive Committee</p> <p>5A. Ratification of Wilkes-Barre Center Expansion Renovation Bid</p>	<p>Daniel C. Rodgers, Board Chair, presented the Executive Committee report.</p> <p>5A. Board Chair Rodgers recommended the Luzerne County Community College Board of Trustees ratify and reaffirm</p>	<p>5A. Approved. Motion made by James Dennis; seconded by Bernard W. Graham,</p>

<p>5B. Ratification of the Science Lab Furniture for the Wilkes-Barre Center.</p>	<p>approval to award the Wilkes-Barre Center expansion renovation bid to the lowest responsible bidder: D&M Construction Unlimited, Inc. in the amount of \$419,400. In addition, a 5% project contingency (\$20,970) and hemmler + camayd architects will be compensated in line with our agreement for miscellaneous services in the amount of \$32,983.71 for a total project cost of \$473,353.71.</p> <p>5B. Board Chair Rodgers recommended the Luzerne County Community College Board of Trustees ratify and reaffirm approval to award Science Lab Furniture for the Wilkes Barre Center to the preferred, standard science lab furniture vendor, Kewaunee Scientific Corporation in the amount of \$65,203.00.</p>	<p>Ph.D.</p> <p>Vote was all "yes". Motion carried.</p> <p>5B. Approved. Motion made by Erin K. Keating, Ed.D.; seconded by Paul Halsey.</p> <p>Vote was all "yes". Motion carried.</p>
<p>5C. Ratification of Shamokin Center Flooring Bid</p>	<p>5C. Recommend the Luzerne County Community College Board of Trustees ratify and reaffirm approval of the Shamokin Center Flooring Replacement Bid to the lowest responsible bidder Bognet, Inc. in the amount of \$88,777.06. In addition, a 5% contingency (\$4,438.85) to be included for a total project cost of \$93,215.91.</p>	<p>5C. Approved. Motion made by Catherine R. O'Donnell, Esq., Vice Chair, seconded by Lynn Distasio.</p> <p>Vote was all "yes". Motion carried.</p>
<p>5D. Ratification of Greater Susquehanna Center Science Lab Change Order -- Permit Fees</p>	<p>5D. Recommend the Luzerne County Community College Board of Trustees ratify and reaffirm approval of the Greater Susquehanna Center science lab change order to Bognet, Inc. in the amount of \$6,205.22 for permit fees associated with the project.</p>	<p>5D. Approved. Motion made by Bernard W. Graham, Ph.D.; seconded by Holly E. Evanoski, Secretary.</p> <p>Vote was all "yes". Motion carried.</p>
<p>5E. Ratification of Greater Susquehanna Center Science Lab Change Order</p>	<p>5E. Recommend the Luzerne County Community College Board of Trustees ratify and reaffirm approval of the Greater Susquehanna Center science lab change order to Bognet, Inc. in the amount of \$5,263.24 for the change in lighting cost associated with the project.</p>	<p>5E. Approved. Motion made by David James Usavage; seconded by Joan M. Blewitt, Ph.D.</p> <p>Vote as all "yes". Motion carried.</p>

6. Report of the Academic Committee	6. Bernard W. Graham, Ph.D., Chair, LCCC Academic Committee, noted there was no action items to present at this time.	
7. Report of the Finance Committee	7. Susan E. Unvarsky, Chair of the LCCC Finance Committee, presented the following report.	
7A. Recommendation to approve RFP for Scholarship Application, Maintenance and Award Software	7A. Committee Chair Unvarsky recommended the Luzerne County Community College Board of Trustees approve the proposal for Scholarship Application, Maintenance and Award Software to Scholarship Solutions, LLC d/b/a Awardspring in the amount of \$25,290.00 for three years.	7A. Approved. Motion made by David James Usavage; seconded by James Dennis. Vote was all "yes". Motion carried.
7B. Recommend Approval of Third- Party Administration of Medical Insurance	7B. Committee Chair Unvarsky recommended the Luzerne County Community College Board of Trustees approve the proposal to award the Third-Party Administration of Medical Insurance to Evolve Insurance Advisors in the amount of: Year 1 - \$6.25 per member or flat rate of \$1,616 per month; Year 2 and Year 3 - \$6.50 per member or flat rate of \$1,700 per month. This is a three-year contract effective September 1, 2021 through September 1, 2024.	7B. Approved. Motion made by David James Usavage; seconded by Joan M. Blewitt, Ph.D. Vote was all "yes." Motion carried.
8. Report of the Human Resources Committee	8. Board Chair Rodgers stated the LCCC Human Resources Committee, had no action items at this time.	8. N/A
9. Report of the Legislative Committee	9. Catherine O'Donnell, Esq., Chair, LCCC Legislative Committee, stated there were no action items to report.	9. N/A
Informational Items		
1. Public Comments	1. Board Chair Rodgers opened the floor for public comments.	1. There were no public comments.
2. Unfinished Business-Previous Meeting	2. N/A	2. No action required.
3. Executive Committee	3. N/A	3. No action required.
4. Human Resources Committee	4. Board Chair Rodgers noted the information on appointments and leave reports are included with the Board agenda.	4. No action required.
5. Communications	5. Board Chair Rodgers noted all communications were included	5. No action required.

	in the Board packets.	
6. Adjournment	6. Board Chair Rodgers asked for a motion to adjourn.	6. Motion made James Dennis; seconded by Paul Halsey. Vote was all "yes". Motion carried.

**LUZERNE COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES
BOARD MEETING**

**Tuesday, October 26, 2021
Educational Conference Center – Dining Room**

5 p.m. Executive Session 5:30 p.m. Work Session 6 p.m. Board Meeting

Zoom Link for Work Session & Board Meeting:

<https://zoom.us/j/93003918834?pwd=b0gwaVFWSU0xakMvM09HVVB5NExWQ0T09>

Meeting ID: 930 0391 8834

Passcode: 888095

Dial Option: +1 646 558 8656

AGENDA
BUSINESS SESSION

Pledge of Allegiance *(please stand)*

1. Roll Call

2. Approval, Previous Board Minutes – 8-31-21 Daniel C. Rodgers, Board Chair

3. Approval, Board Meeting Agenda – 10-26-21 Daniel C. Rodgers, Board Chair

4. REPORT OF OFFICERS & AGENTS

President's Report

Thomas P. Leary, President

❖ Treasurer's Report – No Report

❖ Foundation Report

❖ CDL Program Update

Rebecca Brominski, Executive Director, Foundation
Sue Spry, Associate Vice President, Academic Affairs

ACTION ITEMS:

5. Executive Committee Report Daniel C. Rodgers, Board Chair

5A. Ratification, Firefighter Training Agreement & Waiver

5B. Wilkes-Barre Center Renovation Change Order

6. Academic Committee Report Bernard W. Graham, Ph.D., Committee Chair

7. Finance Committee Report Susan E. Unvarsky, Committee Chair

7A. Ratification – Change Order Credit

7B. Bid #500-Operating Room Table

8. Human Resources Committee Report August Piazza, Committee Chair

9. Legislative Committee Report Catherine O'Donnell, Esq., Committee Chair

INFORMATIONAL ITEMS

1. **Public Comment**
2. **Unfinished Business of Previous Meeting** Daniel C. Rodgers, Board Chair
3. **Executive Committee – Informational Item(s)** Daniel C. Rodgers, Board Chair
4. **Human Resources Committee:** August Piazza, Committee Chair
-Information on Appointments/Leave Report (see page 4)
5. **Communications** Daniel C. Rodgers, Board Chair
6. **Adjournment** Daniel C. Rodgers, Board Chair

5. EXECUTIVE COMMITTEE ACTIONS ITEMS (5A-5B)

5A. Ratification of Agreement and Waiver for Firefighter Training Waiver

Recommend that the Luzerne County Community College (LCCC) Board of Trustees ratify and reaffirm approval of entering into the Luzerne County Flood Protection Authority Waiver, Release of Liability, Assumption of Risk and Indemnification Agreement related to offered fire fighter courses described within the document. The City of Nanticoke, LCCC, and Luzerne County Flood Protection Authority will all enter into this agreement. Each participant of the stated courses will be required to sign a Waiver, Release of Liability, Assumption of Risk to participate.

5B. Ratification of the Wilkes-Barre Center Renovation Change Order

Recommend the Luzerne County Community College Board of Trustees ratify and reaffirm approval of the change order to D&M Construction Unlimited, Inc. in the amount of \$24,299.97 for electrical, drywall, and plumbing needs identified during renovation.

7. FINANCE COMMITTEE ACTION ITEM (7A-7B)

7A. Ratification of Academic Storage Building Change Order Credit

Recommend the Luzerne County Community College Board of Trustees ratify and reaffirm approval of the change order credit from Dutchman Contracting LLC in the amount of \$12,656 for adjustment of work identified during the construction project. The costs associated with the change order provide a credit totaling \$12,656.

7B. Bid #500 – Operating Room Table

**Bid opening - Monday, October 25th, 2021. Recommendation and supporting documentation will be presented for review during the October 26th Work Session.*

INFORMATION ON RECENT APPOINTMENTS

New Hires since August 31, 2021

Administration

Mary Kate Orzolek, FT Temporary Emergency Extension Center Administrator, Berwick and Greater Susquehanna Extension Center, \$52,616.20/yr, September 6, 2021
Joshua Rieder, PT Student Financial Accounts Advisor, \$22.96/hr, September 7, 2021
Sabrina Richards, PT Extension Center Administrator, Berwick Extension Center, \$28.17/hr, September 20, 2021
George Lutz, PT Extension Center Administrator, Hazleton Extension Center, \$28.17/hr, October 11, 2021

Faculty

Russell Bigus, FT Temporary Instructor of Biology, Fall 2021 Semester, \$41,769.99/yr, August 26, 2021
Maria Carr, FT Temporary Instructor of Biology and Chemistry, Fall 2021 Semester, \$36,739.00/yr, August 26, 2021
Kristin O'Donnell, FT Assistant Professor of Dental Hygiene, \$ 40,089.00/yr, August 26, 2021
Lora Roebuck, FT Temporary Instructor of Mathematics, Fall 2021 Semester, \$36,739.00/yr, August 26, 2021
Alyssa Coleman, FT Digital Services Librarian, \$48,433.00/yr, September 27, 2021
Edward Hernandez, FT Bilingual Retention Specialist, \$44,079.00/yr, October 18, 2021

Classified

Lisa Novitski, FT Temporary Student Records Manager, \$53,256.34, August 23, 2021
Angela Munley, FT Data Processing Technician, Payroll, \$43,723.80/yr, September 27, 2021
Sarah Powell, FT Custodian, \$18,325.00/yr, September 27, 2021

LEAVE REPORT STATUS

Separations from Employment

Kelly Foran, FT Director of Berwick and Greater Susquehanna Centers, September 6, 2021
John Fabiseski, FT All One Recovery Education Institute (AREI) Certified Recovery Specialist, September 10, 2021
Roxann Durham, PT Student Facilitator KEYS Program, September 14, 2021
Maureen Savner, FT Faculty, Dental Hygiene, October 8, 2021
David Wasilewski, FT Faculty, Mathematics, October 22, 2021
Doris Gyeski, FT Secretary, Counseling, October 31, 2021

From: Paula Labenski/luzerne
To: joanblewitt@kings.edu, tissueed@comcast.net, gbrown@wilkes-barre.pa.us, "Lynn Distasio" <LDistasio@prorehab.org>, bernard.graham@wilkes.edu, paulhalesey@aol.com, hevanoski84@gmail.com, erln.keating@ofsd.cc, "Joseph Lettiere" <jlettieri@HazletonCando.com>, cro@odonnell-law.com, tselwell@ldcepa.com, "drodgers" <drodgers@ptd.net>, apiazza45@yahoo.com, susan.unvarsky@prudential.com, firstgradetsach@aol.com, Tom Leary/luzerne@luzerne, "Kevin Walsh" <kwalsh@hkqlaw.com>, "Plabenski@luzerne.edu"
Cc: lissandra.bertagnoli@prudential.com, Jessica Spisak/luzerne@luzerne, Natalie Staron/luzerne@luzerne

Date: Wednesday, September 15, 2021 03:42PM

Subject: LCCC BOARD POLL - ACTION REQUIRED

History: ➔ This message has been forwarded.

BOARD POLL - RECOMMENDATION TO APPROVE THE AGREEMENT AND WAIVER FOR FIRE FIGHTER TRAINING

Members, LCCC Board of Trustees:

As a follow-up from the August 31, 2021 Board of Trustees meeting, Attorney Kevin Walsh, College Solicitor, worked with the other parties to revise the [Agreement and Waiver for Fire Fighter Training](#) as discussed in executive session. The College's insurance company confirmed that Luzerne County Community College has sufficient coverage.

Attached for your review is a package with the recommendation and rationale cover sheet, the revised agreement, the revised waiver, and the evidence of insurance.

I ask that you carefully review the supporting documentation and submit your vote to Paula Labenski, Executive Assistant to the President and Board of Trustees by email to plabenski@luzerne.edu, or call 570-740-0388 by Monday, September 20, 2021. If you have any questions, please don't hesitate to contact the President's office at 570-740-0388.

Thank you.

Tom

Thomas P. Leary, President

Paula M. Labenski
Executive Assistant to the President and Board of Trustees
Luzerne County Community College

Poll Vote Requested

Recommend approval of Agreement and Waiver for Fire Fighter Training

Recommend that the Luzerne County Community College (LCCC) Board of Trustees approve entering into the Luzerne County Flood Protection Authority Waiver, Release of Liability, Assumption of Risk and Indemnification Agreement related to offered fire fighter courses described within the document. The City of Nanticoke, LCCC, and Luzerne County Flood Protection Authority will all enter into this agreement. Each participant of the stated courses will be required to sign a Waiver, Release of Liability, Assumption of Risk to participate.

Rationale:

William T. Finnegan, Jr., Esquire represents the City of Nanticoke, Jeff Rockman represents the Luzerne County Flood Protection Authority (FPA), and Kevin M. Walsh, Attorney represents Luzerne County Community College (LCCC). Nanticoke is working with LCCC to do fire training in September and then again in October 2021. The FPA has graciously offered to let them use two of their buildings, which are slated for demolition later in the year, to perform their fire training. The FPA has requested that the City and LCCC execute the attached Agreement [revised based on August 31, 2021 Board of Trustees meeting] and provide Certificates of Insurance as provided for in the Agreement.

They have also requested that all participants execute the attached Waiver [revised based on August 31, 2021 Board of Trustees meeting]. The properties would be used for a short period of time on September 22 and then perform actual training on September 26 with an additional training on October 9 and 10, 2021 [updated since the August 31, 2021 Board of Trustee meeting].

A Certificate of Insurance evidencing appropriate coverage is also in place.

WAIVER, RELEASE OF LIABILITY, ASSUMPTION OF RISK

I, the undersigned, am currently enrolled as a student at the Luzerne County Community College ("LCCC") and am taking a course entitled, "Firefighter Survival" or "Rapid Intervention Crew Exercises" (the "Course").

I, the undersigned, understand that as part of the Course curriculum, I will be participating in certain fire search, rescue and survival drills at two currently unused lots, with buildings situate thereon, which are owned by the Luzerne County Flood Protection Authority (the "Authority") and located at 2 East Poplar Street, West Nanticoke, Pa. and 9 South Mill Street, West Nanticoke, Pa. (collectively, the "Premises").

I, the undersigned, understand that the fire search, rescue and survival drills to be conducted on the Premises will include inherently dangerous activities such as conducting forcible entry, breaching walls, cutting holes in the floor and roof with saws, using artificial theatrical smoke to simulate a fire and conducting rope training for the purpose of removing a victim from the basement (the "Event").

I, the undersigned, understand that the Event, and my participation in same, will be conducted under the auspices and supervision of the Nanticoke City Fire Department, a department of the City of Nanticoke, a Pennsylvania municipality located at 2 E. Ridge Street, Nanticoke, Pa. 18634 (the "City").

I, the undersigned, understand that as a condition precedent to my participation in the Event, the Authority requires that I execute this Waiver, Release of Liability and Assumption of Risk Agreement and I agree to do so.

I, the undersigned, represent that I have hospitalization insurance and do hereby release the Authority, its officers, directors, employees and agents; LCCC, its trustees, officers, directors, employees and agents; and the City, its officers, directors, employees and agents, from any and all liabilities or causes of action for any injuries or illness which I may incur or otherwise suffer during or after my participation in the Event.

This release covers all injuries or illnesses occurring during or because of the activities engaged in by the undersigned during the Event, including any injuries which might result from physical abuse from third-party participants or other individuals in or around the Premises where the Event is being conducted.

This release is intended to release all injuries, damages, or lawsuits to the undersigned person or property, whether known, unknown, foreseen, unforeseen, patent, or latent which the undersigned may have against the LUZERNE COUNTY FLOOD PROTECTION AUTHORITY, LUZERNE COUNTY COMMUNITY COLLEGE and the CITY OF NANTICOKE. The undersigned understands and acknowledges the significance and consequence of such specific intentions to release all claims, and

hereby assumes full responsibility for any injuries, damages, or losses that may occur from the above-mentioned Event.

By signing and dating this document I HEREBY ACKNOWLEDGE that I HAVE READ THE CONTENTS of the release and that I HAVE SIGNED INTENDING TO BE LEGALLY BOUND.

Participant Name (please print)

Signature of Candidate

Date

**LUZERNE COUNTY FLOOD PROTECTION AUTHORITY
WAIVER, RELEASE OF LIABILITY, ASSUMPTION OF RISK
AND INDEMNIFICATION**

WHEREAS, the Luzerne County Flood Protection Authority (the "Authority"), is the owner of two certain currently unused lots, with buildings situate thereon, located at 2 East Poplar Street, West Nanticoke, Pa. and 9 South Mill Street, West Nanticoke, Pa. (collectively, the "Premises");

WHEREAS, the Luzerne County Community College ("LCCC") is a public community college with its main campus located at 521 Trailblazer Drive, Nanticoke, Pa.;

WHEREAS, the Nanticoke City Fire Department, is a department of the City of Nanticoke, a Pennsylvania municipality, and is located at 2 E. Ridge Street, Nanticoke, Pa. 18634 (the "City");

WHEREAS, LCCC is offering courses entitled, "Firefighter Survival" and "Rapid Intervention Crew Exercises" (collectively the "Course"), as more fully described in the Course curriculum which is attached hereto as Exhibit "A" and incorporated herein;

WHEREAS, participants in the Course will, under the auspices of the Nanticoke City Fire Department (the "City"), enter upon the Premises on September 22 and 26, 2021 and on October 9 and 10, 2021, or on such other dates as shall be mutually agreed upon by the parties in writing, for the purpose of conducting search, rescue and survival drills consisting, among other things, of conducting forcible entry, breaching walls, cutting holes in the floor and roof with saws, using artificial theatrical smoke to simulate a fire and conducting rope training for the purpose of removing a victim from the basement (the "Event");

WHEREAS, the Authority has conditionally agreed, subject to the approval by the Authority's Board and subject to the execution of this Waiver, Release of Liability, Assumption of Risk and Indemnification by the LCCC and the City, to allow their students, representatives, employees, officers, directors and/or agents to enter upon the Premises for the purpose of conducting the Event;

AND NOW, the LCCC and the City hereby accept the Authority's offer to allow their students, representatives, employees, officers, directors and/or agents to enter upon the Premises for the purpose of conducting the Event;

IN CONSIDERATION of the mutual covenants described herein, LCCC and the City do hereby release, waive, discharge and covenant not to sue the Authority or any officer, employee, agent or servant thereof regarding any and all claims and liabilities which arise or may arise as a result of their entry upon and presence at the Premises and its conduct of the Event;

Attachment 5A

The LCCC and the City agree to obtain a signed Waiver from each participant in the Event, in the form attached hereto as Exhibit "B" and incorporated herein, and to provide same to the Authority prior to the occurrence of the Event;

LCCC and the City individually and/or jointly agree to promptly reimburse the Authority for any damage that either/both may cause to the Premises while engaged in activities other than those specified in and permitted by this Agreement;

LCCC and the City individually and/or jointly further agree to indemnify and hold harmless the Authority, its officers, directors, shareholders or agents, employees, consultants and subcontractors from and against any and all liabilities, damage or expenses including, without limitation, any and all legal costs and expenses whatsoever in connection with any personal injury or property damage arising out of or in any way connected with their negligence, reckless, intentional or unintentional acts or omissions by either/both the LCCC and the City as a result of their entry upon and presence at the Premises and their conduct of the Event.

LCCC and the City shall each provide liability insurance covering the Authority and the Premises for any bodily injury or property damage caused by the negligence of the LCCC and/or the City or their agents in connection with the Event. LCCC and the City shall each provide the Authority with a Certificate of Insurance evidencing its liability insurance, which shall describe the amount and scope of coverage and which shall name the Authority as an additional insured thereof.

This Waiver, Release of Liability, Assumption of Risk and Indemnification Agreement is intended to be binding upon parties hereto and respective successors, assigns, representatives, Board Members, Supervisors and all volunteers and Authority employees.

[Signatures submitted on the following pages.]

CITY OF NANTICOKE, INDEMNITOR:

William Brown, Council President

Date: _____

Kevin Coughlin, Mayor

Date: _____

ATTEST:

William Finnegan, Esquire
City Solicitor

Date: _____

STATE OF PENNSYLVANIA
COUNTY OF LUZERNE

I, _____, Notary Public in and for said
County in said State, hereby certify that _____
whose Name(s) is/are signed to the foregoing instrument and who is known to me, acknowledged
before me on this day that being informed of the contents of this Agreement, has/have executed
the same on the day the same bears date. Given under my hand and official seal on this ___ day
of _____, 2011.

Notary Public

Attachment 5A

LUZERNE COUNTY COMMUNITY COLLEGE, INDEMNITOR:

Date: _____
, President

Date: _____
, Esquire

LCCC Solicitor

STATE OF PENNSYLVANIA
COUNTY OF LUZERNE

Notary Public in and for said
County in said State, hereby certify that _____
whose Name(s) is/are signed to the foregoing instrument and who is known to me, acknowledged
before me on this day that being informed of the contents of this Agreement, has/have executed
the same on the day the same bears date. Given under my hand and official seal on this ___ day
of _____, 2021. _____

Notary Public

LUZERNE COUNTY FLOOD PROTECTION AUTHORITY, INDEMNITEE

Date: _____
Dominic Yannuzzi, Chairman

ATTEST:

Date: _____
Christopher B. Slusser, Esquire
Authority Solicitor

STATE OF PENNSYLVANIA
COUNTY OF LUZERNE

I, _____, Notary Public in and for said
County in said State, hereby certify that _____
whose Name(s) is/are signed to the foregoing instrument and who is known to me, acknowledged
before me on this day that being informed of the contents of this Agreement, has/have executed
the same on the day the same bears date. Given under my hand and official seal on this ___ day
of _____, 2021.

Notary Public



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/09/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Joseph J. Joyce Associates, Inc. 8 North Main Street Pottsville PA 18840-0606		CONTACT NAME: Lisa Przypok PHONE (A/C, Ext.): (670) 655-2831 FAX (A/C, Ext.): (670) 655-4686 E-MAIL ADDRESS: lprzypok@joyceinsurance.com	
INSURER(S) AFFORDING COVERAGE INSURER A: Argonaut Insurance INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:		NAIC # 19901	

COVERAGES **CERTIFICATE NUMBER:** Master 21-22 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

LINE	TYPE OF INSURANCE	AUTO/BIURO/STED	POLICY NUMBER	POLICY EFF. DATE (MM/YY)	POLICY EXP. DATE (MM/YY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROTECT <input type="checkbox"/> LOC OTHER:	Y	PE463981801	01/07/2021	01/07/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADJ INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Employee Benefits \$ 1,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY		PE463981801	01/07/2021	01/07/2022	COMBINED SINGLE LIMIT (Per accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ PIP-Work loss benefits \$ 1000/5000
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED: <input type="checkbox"/> RESTRICTION: <input type="checkbox"/>		PE463981801	01/07/2021	01/07/2022	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICEMEMBER EXCLUDED? (Identify in #14) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			PER EMPLOYEE \$ OTHER \$ EL DISEASE - SA EMPLOYEE \$ EL DISEASE - POLICY LIMIT \$
A	Educators Legal Liability		PE463981801	01/07/2021	01/07/2022	Each Occurrence \$1,000,000 General Aggregate \$3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Reserve Schedule, any to attach if more space is required)
 Certificate Holder is additional insured for General Liability for use of the building located at 2 East Poplar Street West Nanticoke, PA and 8 South Mill Street West Nanticoke, PA.

CERTIFICATE HOLDER Luzerne County Flood Protection Authority 300 Laird Street, Suite A-1 Wilkes-Barre PA 18702	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	--

BOARD POLL:	Firefighter Training Waiver
DEADLINE:	Monday, September 20, 2021
POLL VOTE BY EMAIL:	September 15, 2021
"Yes" votes:	15
"No" votes:	0
No response	
APPROVAL DATE:	Approved 9/15/21

	YES	No	Abstain
1. DR. JOAN BLEWITT	x		
2. GEORGE BROWN	x		
3. JAMES P. DENNIS			
4. LYNN M. DISTASIO	x		
5. HOLLY A. EVANOSKI	x		
6. DR. BERNARD W. GRAHAM	x		
7. PAUL HALESEY	x		
8. DR. BRIN K. KEATING	x		
9. JOSEPH F. LEITHERE	x		
10. ATTY. CATHERINE R. O'DONNELL	x		
11. AUGUST J. PIAZZA	x		
12. DANIEL C. RODGERS	x		
13. ANTHONY SEIWELL	x		
14. SUSAN E. UNVARSKY	x		
15. DAVID JAMES USAVAGE			

From: Paula Labenski/luzerne
To: joanblewitt@kings.edu, gbrown@wilkes-barre.pa.us, tissuedd@comcast.net, ldistasio@prorehab.org, paulhalesey@aol.com, "Holly Evanoski" <hevanoski84@gmail.com>, bernard.graham@wilkes.edu, jlettire@hazletoncando.com, drodgers@ptd.net, "Cathy O'Donnell" <cro@odonnell-law.com>, tselwell@ldcepa.com, aplazza45@yahoo.com, firstgradeteach@aol.com, erin.keating@ofsd.cc, "Susan Unvarsky" <susan.unvarsky@prudential.com>, Tom Leary/luzerne@luzerne, "Kevin Walsh" <kwalsh@hkqlaw.com>, "Plabenski@luzerne.edu"
Cc: Cheryl Baur/luzerne@luzerne, Natalie Staron/luzerne@luzerne, Jessica Spisak/luzerne@luzerne

Date: Wednesday, September 29, 2021 02:45PM

Subject: LCCC Board Poll - Action Required

History: → This message has been forwarded.

[BOARD POLL - Recommendation to Approve Wilkes-Barre Center Renovation Change Order](#)

Members, LCCC Board of Trustees:

I am requesting the authorization of the LCCC Board of Trustees to approve the Wilkes-Barre Center renovation change order to D&M Construction Unlimited, Inc. in the amount of \$24,299.97 for electrical, drywall, and plumbing needs identified during renovation.

I ask that you carefully review the supporting documentation and submit your vote to Paula Labenski, Executive Assistant to the President and Board of Trustees by email to plabenski@luzerne.edu, or call 570-740-0388 by **Monday, October 4, 2021**.

If you have any questions, please do not hesitate to contact the President's office at 570-740-0388.

Thank you.

Tom

Thomas P. Leary, President

Paula M. Labenski
Executive Assistant to the President and Board of Trustees
Luzerne County Community College

521 Trailblazer Drive
Nanticoke PA 18634
Direct Phone Line: 570-740-0388

Toll Free: 1-

800-

Recommend approval of Wilkes-Barre Center Renovation Change Order

Recommend the Luzerne County Community College Board of Trustees approve the change order to D&M Construction Unlimited, Inc. in the amount of \$24,299.97 for electrical, drywall, and plumbing needs identified during renovation.

Rationale:

Change Order #1 Summary and Explanation:

Electrical: \$4,684.44

Scope of work was identified at a progress meeting after bids had been received. This could not be identified in the preliminary assessment of the job scope as much of it is within the walls and identified as room function was further defined. Cost is for demolition of additional devices, additional outlets (duplex and quad) in multiple locations required for the project, media circuits, replace breakers in existing panels, MC cable in concealed walls and above ceiling, materials, and labor.

Drywall: \$6,455.01

Cost is for the relocation of two (2) existing windows (removal and re-installation), for the science lab which were not part of the original design. Cost includes demolition and cuts into the existing wall, reframing as needed, patch and repair work, tape and spackle, materials and labor.

Plumbing: \$13,160.52

Cost is for work required to relocate and install new drain lines due to existing unforeseen conditions. The original plan was to access plumbing lines from the ceiling of the lower level however, upon opening up the ceiling, a need for modification of that plan was discovered. In order to get the correct pitch of the drain lines, and have better access to the existing floor joists, work will be done from the room being renovated. This work requires demolition of existing sub-floor and restructuring of a beam (in three or four locations) that supports and runs perpendicular to the floor joists and the plumbing to allow for drain line installation. Additional plumbing is required, materials, and labor.

TOTAL: \$24,299.97

The previously approved project contingency is \$20,970, which will cover a portion of the costs associated with this change order. The remaining balance of \$3,329.97 will be paid from previously allocated capital funds. Per College policy for change orders, Board of Trustees approval is required to move forward appropriately.



AIA Document G701[®] – 2017

Change Order

PROJECT: (Name and address) Wilkes-Barre Center Renovations Luzerne County Community College Wilkes-Barre Center 2 Public Square Wilkes-Barre, PA 18702	CONTRACT INFORMATION: Contract For: General Construction Date: 07/26/21	CHANGE ORDER INFORMATION: Change Order Number: 001 Date: 09/23/21
OWNER: (Name and address) Luzerne County Community College 1333 South Prospect St. Nanticoke, PA 18634	ARCHITECT: (Name and address) hemmler + carnyad architects 512 Lackawanna Ave. Scranton, PA 18503	CONTRACTOR: (Name and address) D & M Construction Unlimited, Inc. 107 N. Turnpike Road Dalton, PA 18414

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

Advanced Electrical Services:

Safe off of existing panels

- demolition of devices shown to be removed
- E101 – Added – demo one quad outlet, retain circuit, E202 – Added – Add one quad outlet, one TV outlet stub
- Added – Add three duplex receptacles in office near Market Street, Added – Add one duplex receptacle in Testing Lab
- necessary breakers in existing panels for new circuits
- Material and installation of new branch circuits shown
- material and installation of telecom and TV stubs
- MC Cable concealed in walls and above ceiling. THHN Copper conductors
- Ivory receptacles
- Labor from 7AM to 3:30 PM

Rossi Plumbing

D & M Construction Unlimited, Inc:

As per addendum number 5 we will install the sanitary drain as shown to the new lab tables. The work listed on this proposal is additional work that needs to be performed and was not included in the original proposal. The total of additional pipe that will now be needed is 150 linear feet. In addition to the pipe we will now need to cut a total of 180 linear feet for flooring to allow pipe to be installed in joist bay as shown. We will also need to drill through numerous floor joist as required to allow work to be completed. The plumbing contractor break down is as follows 32 man hours at 82.28 for a total of 2633.26 and material for 375.00 with a subtotal of 3008.26 then he added 10 percent markup for a total of 3309.09.

Summit Drywall:

As per addendum number 5 our drywall and metal stud subcontractor will install windows that were left onsite as shown in walls at new locations. The breakdown on the subcontractor Summit Drywall is as follows total of 2 men for 38 hours each at a rate of 72.00 for a total of 5,472.00. Material for this scope of work is 350.00. The stocking and clean up of this work is 145.00. The man hours shown include the demo of wall section installation of new studs, installation of window frame and installation of window.

The original Contract Sum was	\$ 419,400.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 419,400.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 24,299.97
The new Contract Sum including this Change Order will be	\$ 443,699.97

The Contract Time will be increased by Zero (0) days.

The new date of Substantial Completion will be

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

hemmler + camayd architects
ARCHITECT (Firm name)
Brian Doran
SIGNATURE
Brian Doran, AIA, LEED AP,
Principal
PRINTED NAME AND TITLE
09/23/21
DATE

D & M Construction Unlimited, Inc.
CONTRACTOR (Firm name)
Matthew Van Wert
SIGNATURE
Matthew Van Wert, President
PRINTED NAME AND TITLE
9/23/21
DATE

Luzerne County Community College
OWNER (Firm name)
Thomas P. Leary
SIGNATURE
Thomas P. Leary, President
PRINTED NAME AND TITLE
DATE



Construction Change Order

107 N Turnpike Rd, PO Box 132 Dalton GA 30414

Ph - 570-880-0960 Fax - 570-208-5734 Email - contact@dandmconstruction.com

Luzerne County Community College Wilkes Barre Center Renovation	Price Valid
Project Number 21.041	30 days
Date: 9/16/2021	Approval Date 10/16/2021

CHANGE ORDER SUMMARY

Contractor/Subcontractor Name	Total (from cost breakdown)	Markup on sub (if applicable)**	Total
1. Advanced Electrical Services	\$4,135.00	\$ 413.00	\$4,548.00
2.			\$0.00
3.			\$0.00
4.			\$0.00
5.			\$0.00

Total (LME/S) \$4,548.00

Bond Increase \$136.44

(Only Where Applicable)

TOTAL THIS CHANGE \$4,684.44

Change Order Description

Safe off of existing panels

- demolition of devices shown to be removed

- E101 - Added - demo one quad outlet, retain circuit, E202 - Added - Add one quad outlet, one TV outlet stub
- Added - Add three duplex receptacles in office near Market Street, Added - Add one duplex receptacle in Testing Lab

- necessary breakers in existing panels for new circuits
- Material and installation of new branch circuits shown

- material and installation of telecom and TV stubs
- MC Cable concealed in walls and above ceiling, THHN Copper conductors
- Ivory receptacles
- Labor from 7AM to 3:30 PM

Advanced Electrical and Communications, LLC 700 100 0215 1000 0215
Phone: 570-880-0890 Fax: 570-209-5734 E-mail: rob@dandmconstruction.com

TO: D&M Construction Unlimited
1512 Upper Fords Pond Road
Clarks Summit, Penna. 18411
T: 570-880-0890 F: 570-209-5734 C: 570-899-2081
E: matt@dandmconstruction.com rob@dandmconstruction.com

ATTN: Mr. Rob Belardi, Jr. / Mr. Matt VanWert / Mr. Bryan Gaughan / Mr. Dustin Rudloff

RE: AEC Proposal 6465
PCO #1
LCCC - 2 Public Square
Wilkes-Barre, Penna

September 14, 2021

Thank you for the opportunity to quote the electrical work for these project changes. Pricing based on E101 & E202 provided in Addendums 5.

We will provide:

- Safe off of exiting panels
- demolition of devices shown to be removed
- E101 – Added – demo one quad outlet, retain circuit, E202 – Added – Add one quad outlet, one TV outlet stub
Added – Add three duplex receptacles in office near Market Street, Added – Add one duplex receptacle in Testing Lab
- necessary breakers in existing panels for new circuits
- Material and installation of new branch circuits shown
- material and installation of telecom and TV stubs
- MC Cable concealed in walls and above ceiling. THHN Copper conductors
- Ivory receptacles
- Labor from 7AM to 3:30 PM

We will not provide:

Excavation, back fill, restoration, concrete for duct banks, cutting and patching for floor boxes/underground for island/counter/desk feeds, concrete cut or patch, Low voltage communications cables, rough in, network equipment or programming, Low voltage communications network equipment or programming, additional patch panels, site walk through prior to bid, weekend, holiday or off hours labor premiums, cutting, patching, painting, temporary power or lighting, utility fees, utility connections or risers, utility consumption charges, storage, trailer connections (power/telephone), security systems of any type, AV equipment or installation, AV balancing, adjusting or commissioning, dumpster fees or recycling certificates, roof penetrations or patching, control panel programming or installation, surveying, grading, E&S Controls, traffic control (vehicular and/or pedestrian), flaggers, performance or payment bonds, special insurances, Permit or inspection fees, parking fees, rigging or setting of HVAC equipment, HVAC Control wiring, cabling or rough-in, fire alarm system, fire alarm devices or cabling, ansul system wiring or installation, exhaust fans or ductwork.

We look forward to assisting you with this facility growth. The electrical investment relative to the above scope of work would be \$4,135.00 US Dollars. Thank you for your consideration

Labor: \$2,780.00
Material \$940.00
10% M/U: \$415.00





Construction Change Order

107 N Turnpike Rd, PO Box 132 Dalton PA 18414

Ph - 570-893-0990 Fax - 570-209-5734 Email - contact@dandmconstruction.com

Luzerne County Community College Wilkes Barre Center Renovation	Price Valid
Project Number 21.041	30 days
Date: 9/16/2021	Approval Date 10/16/2021

CHANGE ORDER SUMMARY

Contractor/Subcontractor Name	Total (from cost breakdown)	Markup on sub (if applicable)**	Total
1. Rossi Plumbing	\$3,309.09	5 330.90	\$3,639.99
2. D&M Construction Unlimited	\$9,137.21		\$9,137.21
3.			\$0.00
4.			\$0.00
5.			\$0.00

Total (L/M/E/S) \$12,777.20

Bond Increase \$383.32

(Only Where Applicable)

TOTAL THIS CHANGE \$13,160.52

Change Order Description

As per addendum number 5 we will install the sanitary drain as shown to the new lab tables. The work listed on this proposal is additional work that needs to be performed and was not included in the original proposal. The total of additional pipe that will now be needed is 130 linear feet. In addition to the pipe we will now need to cut a total of 180 linear feet for flooring to allow pipe to be installed in joist bay as shown. We will also need to drill through numerous floor joist as required to allow work to be completed. The plumbing contractor break down is as follows 32 man hours at \$2.28 for a total of 2633.26 and material for 375.00 with a subtotal of 3008.26 then he added 10 percent markup for a total of 3309.09.



Construction Change Order

107 N Turpike Rd, PO Box 192 Dalton PA 16414

Ph - 570-880-0980 Fax - 570-209-5734 Email - contact@dandmconstruction.com

Luzerne County Community College Wilkes Barre Center Renovation	Price Valid
Project Number 21.041	30 days
Date: 9/22/2021	Approval Date 10/22/2021

CHANGE ORDER SUMMARY

Contractor/Subcontractor Name	Total (from cost breakdown)	Markup on sub (if applicable)**	Total
1. Summit Drywall	\$5,967.00	\$ 300.00	\$6,267.00
2.			\$0.00
3.			\$0.00
4.			\$0.00
5.			\$0.00

Total (L/M/E/S) \$6,267.00

Bond Increase \$188.01

(Only Where Applicable)

TOTAL THIS CHANGE \$6,455.01

Change Order Description

As per addendum number 5 our drywall and metal stud subcontractor will install windows that were left onsite as shown in walls at new locations. The breakdown on the subcontractor Summit Drywall is as follows total of 2 men for 38 hours each at a rate of 72.00 for a total of 5,472.00. Material for this scope of work is 350.00. The stocking and clean up of this work is 145.00. The man hours shown include the demo of wall section installation of new studs, installation of window frame and installation of window.

ROSSI MECHANICAL SYSTEMS
1010 DELAWARE STREET
MAYFIELD PA 18433
PHONE 570-344-1313 FAX 570-675-5415

TO: D & M Construction

RE: LCCC

Labor Costs

2 men / 2 days	\$64.81/ hr x 32 hours	\$2,073.92
	x 1.2697	\$2,633.26

Material

Additional pipe/fittings/hangers and supports **\$375.00**

Total **\$3008.26**

Mark up 10% **\$3309.09**

5B

BOARD POLL: Wilkes-Barre Center Renovations
DEADLINE: Monday, October 4, 2021
POLL VOTE BY EMAIL: Wednesday, September 29 2021
"Yes" votes:
"No" votes: 0 _____
No response
APPROVAL DATE:

	YES	No	Abstain
1. DR. JOAN BLEWITT	✓		
2. GEORGE BROWN	✓		
3. JAMES P. DENNIS			
4. LYNN M. DISTASIO	✓		
5. HOLLY A. EVANOSKI	✓		
6. DR. BERNARD W. GRAHAM	✓		
7. PAUL HALESEY	✓		
8. DR. ERIN K. KEATING	✓		
9. JOSEPH F. LETTIERE	✓		
10. ATTY. CATHERINE R. O'DONNELL	✓		
11. AUGUST J. PIAZZA	✓		
12. DANIEL C. RODGERS	✓		
13. ANTHONY SEIWELL	✓		
14. SUSAN E. UNVASKY	✓		
15. DAVID JAMES USAVAGE			

From: Paula Labenski/luzerne
To: "Blewitt Joan" <JoanBlewitt@kings.edu>, gbrown@wilkes-barre.pa.us, "tissuedd@comcast.net" <tissuedd@comcast.net>, ldistaslo@prorahab.org, "Holly Evanski" <hevanoski84@gmail.com>, paulhalsey@aol.com, erin.keating@ofsd.cc, "Bernard Graham" <bernard.graham@wilkes.edu>, "Cathy O'Donnell" <cro@odonnell-law.com>, drodgers@ptd.net, "tselwell@ldcepa.com" <tselwell@ldcepa.com>, jlettieri@hazletoncando.com, firstgradeteach@aol.com, "Susan Unvarsky" <susan.unvarsky@prudential.com>, aplazza45@yahoo.com, teary@luzerne.edu
Cc: Jessica Spisak/luzerne@luzerne

Date: Tuesday, October 19, 2021 06:29AM

Subject: ACTION ITEM - LCCC BOARD POLL VOTE - CHANGE ORDER CREDIT

BOARD POLL - RECOMMENDATION TO APPROVE ACADEMIC STORAGE BUILDING CHANGE ORDER CREDIT

Members, LCCC Board of Trustees:

Upon review and approval by the LCCC Board of Trustees Finance Committee during its' committee meeting yesterday October 18th; I am requesting a Board poll be conducted to approve the Change Order **CREDIT** from Dutchman Contracting LLC in the amount of \$12,656 for adjustment of work identified during the construction of the Academic Storage Building (Pole Barn). Per College Change Order Policy, Board of Trustees approval is required to appropriately move forward with the project.

I ask that you review the supporting documentation and submit your vote by email to Paula Labenski, Executive Assistant to the President and Board of Trustees at plabenski@luzerne.edu, by Thursday, October 21, 2021. Upon approval, this item will be presented for formal ratification and reaffirmation during the Board's October 26th Board meeting.

If you have any questions, please don't hesitate to contact the President's office at 570-740-0388.

Thank you.

Tom

Thomas P. Leary, President

Paula M. Labenski
Executive Assistant to the President and Board of Trustees
Luzerne County Community College

521 Trailblazer Drive
Nanticoke PA 18634
Direct Phone Line: 570-740-0388

Toll Free: 1-

800-

Recommend approval of Academic Storage Building (Pole Barn) Change Order

Recommend the Luzerne County Community College Board of Trustees approve the change order CREDIT from Dutchman Contracting LLC in the amount of \$12,656 for adjustment of work identified during the construction project. The costs associated with the change order provide a CREDIT totaling \$12,656.

Rationale:

During the construction of the Academic Storage Building (Pole Barn), the application of an epoxy coating of the concrete floor was questioned. The administration, architect, and end users reviewed the consideration and determined that the epoxy coating on the concrete floor was NOT NECESSARY for the overall function of the building. This resulted in a CREDIT of \$21,000. With the removal of the epoxy coating, the concrete floor needs to be sealed at a cost of \$5,500.

It was also determined, to protect the gutters installed on the building, to add stainless steel snow guards to the project that were not originally designed because the roof does not drain over doors and the prior pole barn did not have them. The stainless steel snow guards will be a durable solution for protecting the gutters, which were required on this building for the storm water management plan and add a cost of \$2,844. The overall change order results in a CREDIT of \$12,656.

The project savings adds to the available capital funds previously allocated for projects. Per College policy for change orders, Board of Trustees approval is required to appropriately move forward.

AIA Document G701 - 2017

Change Order

PROJECT: (Name and address) Luzerne County Community College New Fols Bldg Luzerne County Community College Main Campus Nanticoke, PA 18634	CONTRACT INFORMATION: Contract For: General Construction Date: 05/07/21	CHANGE ORDER INFORMATION: Change Order Number: 001 Date: 10/11/21
OWNER: (Name and address) Luzerne County Community College 1333 E. Prospect St. Nanticoke, PA 18634	ARCHITECT: (Name and address) Lumaker + curryll architects 512 Lockswanna Ave. Scranton, PA 18508	CONTRACTOR: (Name and address) Dobinson Contracting, LLC 276 N. Ridge Rd. Reinholds, PA 17969

THE CONTRACT IS CHANGED AS FOLLOWS:
(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to associated Construction Change Directives.)

Epoxy Flooring labor and material cost:
DEDUCT: \$21,900

Concrete sealer with prevailing wage labor:
ADD: \$5,500
CREDIT: \$15,500

Install snow guards:
ADD: \$2,844


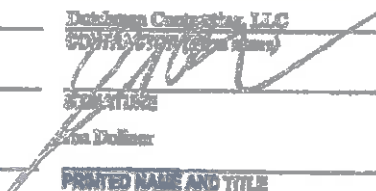
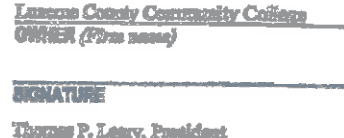
Total Credit: \$12,656.00

The original Contract Sum was	\$ 454,667.00
The net change by previously authorized Change Orders	0.00
The Contract Sum prior to this Change Order was	\$ 454,667.00
The Contract Sum will be decreased by this Change Order in the amount of	\$ 12,656.00
The new Contract Sum including this Change Order will be	\$ 442,011.00

The Contract Time will be increased by Zero (0) days.
The new date of Substantial Completion will be

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

<u>Lumaker + curryll architects</u> ARCHITECT (Firm name)	<u>Dobinson Contracting, LLC</u> CONTRACTOR (Firm name)	<u>Luzerne County Community College</u> OWNER (Firm name)
 SIGNATURE	 SIGNATURE	 SIGNATURE
Brian Doran, AIA, LEED AP, Principal	Tom Doliner	Thomas P. Leary, President
PRINTED NAME AND TITLE	PRINTED NAME AND TITLE	PRINTED NAME AND TITLE
10/11/21 DATE	10-11-2021 DATE	 DATE

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October 11, 2021

Luzerne County Community College
1333 South Prospect St
Nanticoke PA 18634

Change Order #1

We propose to make the following changes to the New Pole Barn for Luzerne County Community College:

Remove the epoxy flooring	(\$21,000)
Add concrete sealer	\$ 5,500
Add snow guards	\$ 2,844

Original Contract Value	\$454,667
Amount of this change order #1	(\$12,896)
Revised Contract Total to Date	\$442,011

By signing this document, I agree to the above changes.

Dutchman Contracting LLC Representative
signature/date

Luzerne County Community College Representative
signature/date

BOARD POLL:	Change Order CREDIT
DEADLINE:	Thursday, October 21, 2021
POLL VOTE BY EMAIL:	Tuesday, October 19, 2021
"Yes" votes:	14
"No" votes:	0
No response	
APPROVAL DATE:	October 19, 2021

	YES	No	Abstain
1. DR. JOAN BLEWITT	✓		
2. GEORGE BROWN	✓		
3. JAMES F. DENNIS	✓		
4. LYNN M. DISTASIO	✓		
5. HOLLY A. EVANOSKI	✓		
6. DR. BERNARD W. GRAHAM	✓		
7. PAUL HALESEY	✓		
8. DR. ERIN K. KEATING	✓		
9. JOSEPH F. LETTIERE	✓		
10. ATTY. CATHERINE R. O'DONNELL	✓		
11. AUGUST J. PIAZZA	✓		
12. DANIEL C. RODGERS	✓		
13. ANTHONY SEIWELL			
14. SUSAN E. UNVARSKY	✓		
15. DAVID JAMES USAVAGE	✓		

(14)



Attachment 7B

RECOMMENDATION

Recommend approval of Operating Room Table

Recommend the Luzerne County Community College Board of Trustees approve the award of the Operating Room Table bid to the lowest responsible bidder Skytron, LLC in the amount of \$39,533.20.

Rationale:

The table will replace our current broken Operating Room Table. The company was contacted regarding repair. We were informed the table was obsolete and there were no parts available. The table is utilized for positioning skills in our Surgical Suite in the Health Science Center for Surg 101, Surg 102 and corresponding labs preparing the students for their clinical rotations.



TO: Thomas P. Leary, President
FROM: Len Olzinski, Director of Purchasing
RE: Bid # 500 – Operating Room Table
DATE: October 25, 2021

Bid # 500 was advertised on October 1, 2021 and specifications were sent to two (2) vendors. The bids were opened on October 25, 2021.

Two (2) vendors replied: Skytron, LLC in the amount of \$39,533.20. Southwest Medical was disqualified because they did not provide a bid security.

Attached is the recommendation letter from Dr. Deb Vilegi Payne, Dean of Nursing and Health Sciences. I concur with her review and recommendation that we award the bid to Skytron, LLC in the amount of \$39,533.20.

Rationale:

The table will replace our current broken Operating Room Table. The company was contacted regarding repair. We were informed the table was obsolete and there were no parts available. The table is utilized for positioning skills in our Surgical Suite in the Health Science Center for Surg 101, Surg 102 and corresponding labs preparing the students for their clinical rotations.

Thank you.

CC: Cheryl Baur, Vice President of Finance

October 25, 2021

Dear Mr. Olzinski,

After reviewing the Invitation to Bid #500, Operating Room Table, I am recommending the Skytron Elite 6302. The price is \$39,533.20. The table will replace our current broken Operating Room Table. The company was contacted regarding repair. We were informed the table was obsolete and there were no parts available.

The table is utilized for positioning skills in our Surgical Suite in the Health Science Center for Surg 101, Surg 102 and corresponding labs preparing the students for their clinical rotations.

Thank you for your assistance,

Dr. Deborah Vilegi-Payne

Dean of Nursing and Health Sciences