

Wachusett Regional School District (WRSD) Building Committee Meeting 4/28/04

In Attendance: Roger Boddie (URS), Catherine Collins, Frank Fiore (URS Construction Manager), Roger O. Hoit (SHR Architects), Duncan Leith, Mike McLarney (URS), Maria Millett, Tom Pandiscio (Principal, WRHS), Steve Penka (WRSD), Joseph Raimondo (SHR), Ralph Rondinone, Michael Tsotsis, and Emerson W. Wheeler, III.

The meeting was called to order at 6:05 pm.

Public Hearing

No member of the public was present.

Approval of Minutes

MOTION: To approve the meeting minutes of March 31, 2004. Motion approved unanimously.

Architect Update

Roger prepared a revised budget dated 4/28/04, which was distributed for review.

Roger said the general contractor gave the Committee until 6/1/04 to review the alternates. The alternates bear on other costs to this project, including consideration of contingency factors. For example, the bleachers on the field, which is alt. 4. If new bleachers were bought it could save additional money from having to work on the current bleachers, including the earth/dirt moving work. The cost of new bleachers is \$270,000; it is anticipated we could save approximately \$100,000 if the retaining wall does not need to be done; the retaining wall would have to be done if the current bleachers are kept instead of purchasing new ones. Thus, Roger requested we consider a timely decision on the alternates.

As to the contingency amount we have set aside, approximately 8.1% is set-aside in our current budget dated 1/15/04. Approximately 2.5% - 5% is sufficient for our size project per Roger. If we consider the alternates, the contingency will go down to about 4.233%. The alternates are: #1 the field facility – this is already done; #2 the turf fields, #3 the field lighting, #4 bleachers, and #5 the track. #6 is the oil tank. The discussion centered on alternates 2 – 5. Mike McLarney agreed with Roger on doing the alternates. Ralph R. voiced positives in doing the alternates as they are very visible and affect the school's appearance. Duncan also remarked about the Shrewsbury HS and its beautiful appearance, in support of the alternates being done. Mike T. also spoke in support of approving the alternates, agreeing with the visible enhancement to the school, in addition to the fact that the students need these items. He discussed the need to think long term with these items, as the turf is better for the fields, long term, than grass. He indicated that there was no reason why we could not vote on the alternates tonight. The next

scheduled meeting for this Committee is 5/26, but that is also a school committee meeting, so it was suggested by Mike that we vote on the alternates tonight.

URS has no hesitation or questions on the alternates.

MOTION: To amend the budget and further to approve alternates 2, 3, 4 & 5. Motion by Cathy, seconded by Duncan. Approved unanimously.

Thus, after moving the funds from the contingency fund for the alternates, the contingency fund balance is \$4,175,000.

General Contractor update

Roger provided the update for the GC.

The concrete slab in the middle of the courtyard is being done, along with the asbestos abatement, trench area work, trees down and construction fence installed in a number of areas during the school vacation. Thus, a number of items being worked on are now visible and the public can see the project is under way.

Roger then raised the legal letters with CJM, which was further discussed by Steve P. CJM submitted a sub bid for the installation of resilient flooring. The sub bid was in the amount of \$599,000. Steve said that CJM did not comply with the state bidding laws with respect to the time frame in which CJM had to provide a signed contract and provide other information to TLT, so TLT did not sign a contract with CJM and notified the architect. A discharge letter was sent to CJM on 3/19/04, and since that time CJM has objected to the discharge, and a claim made to CJM's bond company.

The next lowest bidder for the work is approximately \$110,000 higher than the CJM bid, but the WRSDBC is not required to accept it, as there were only 2 other bidders for the work.

Much discussion centered on what options were available, the pros and cons of the options, including whether we could revoke the discharge and request CJM to pay the attorney fees of the WRSDBC.

Roger indicated he had other jobs with CJM and could still work with CJM, but TLT was not at all that happy with CJM.

Roger said a quick course of action would be to take the matter to the AG's office and ask for a hearing on that issue – whether CJM complied with Chapter 149 and therefore whether we are within our rights to discharge CJM.

Steve P. relayed Leo McCabe's information. Leo McCabe, attorney for this matter for WRSD said there was a 4 step process to the withdrawal of the discharge and Leo recommended the WRSDBC reconsider because of our time and financial concerns with

this issue with CJM if we continue the discharge, and the fact that the work does not need to be done on the project at this point in time, but is scheduled for later in the project. Nevertheless, CJM did not comply with the statutory requirements.

Frank (URS) agreed with Roger, to continue with the discharge of CJM, because there will probably be problems with the sub later on in the project.

Further discussion continued. Mike T. then suggested we continue our current position and ask Leo to consider the best approach – whether to have the AG's office get involved, or let the current process continue and we take the work out for a re-bid. The Committee agreed.

The schedule from SHR was just sent to URS who indicated there was a late start, but a good catch up with the phases. (The schedule was required to be submitted by the GC.)

As to testing services (Ex. 9) the recommendation was made by SHR to the WRSD to hire 2 companies for the first 3 expenses on the budget (soils testing, concrete testing and materials testing). URS concurred with the 2 companies recommended.

MOTION: To use Miller Engineering and Testing as the primary engineering and testing firm for the project, and Geotechnical Services Inc for the evaluation of sub grade conditions and the identification and removal of unsuitable soils. Motion by Duncan, seconded by Ralph R. Unanimously approved.

Update on the Intel materials – (donated materials for use in the building). The majority of the pieces in the trailer were electrical and are being looked at. Some of the pieces are not appropriate for this building and some can be used. Some of the light fixtures can be used as temporary lighting in the construction process. The GC is reviewing everything now. The major item is the boiler. It doesn't meet the minimum requirements and therefore could jeopardize our \$1.4 million reimbursement. Whether we can sell it was discussed as the terms of the gift may restrict sale of the boiler. The requirements stipulate that it be used for charitable or municipal use. SHR will continue to contact several vocational high schools to see if the materials that we can't use can be used at these other facilities.

URS (Mike) handed out their progress report, which will be handed out with updated information on a monthly basis. The reports are based on the billed amounts, not the checks written. The Committee is to review the reports and provide any comments or questions to Mike. Mike's cell is 617 218 7893. Mike (URS) said that 95% of what's being reported as being done (by the GC) is actually being done and the project is proceeding nicely. Frank (URS) agreed that the progress made by TLT is good, they are paying attention to what needs to be done, but URS would like to see it speed up a bit. Frank said the courtyard work is moving along, the tree cutting is moving along very fast and next week the courtyard will still be progressing and then we will see the site work and the equipment use.

The abatement of asbestos around the gym and courtyard and near the corridor around the gym is being done and Frank sees them moving along and thinks some time will be made up. So, at this point, it looks good with regard to the timing of the project. Frank commented that his relationship with TLT is good so far.

As to the traffic difficulties, Tom P. said that the parking lot is used up. Parking seems to be ok, but the school lost the two-road access to the parking area, so it will be a problem for the next 4 weeks with 2 buses on the road, as that area is too narrow.

URS (Mike) said that all are very conscious with safety issues. Tom agreed that it works and is not unsafe. The police are very cooperative and in the following 4 weeks they will lose 80 cars because the seniors will be gone, so the problem will lessen.

Budget review

MOTION: To amend the budget to accept the changes suggested by SHR. (Modifying 7 subsections of the construction cost.) Motion by Emerson, seconded by Ralph, and unanimously approved.

URS bill for \$48,000 is in line with the contract (\$16,000 per month for February through April). **MOTION:** To approve this bill. Motion made by Duncan, seconded by Maria. Unanimously approved.

SHR bill for \$51,397.35 is also in line with the contract and does not include the \$9700 held over from the last meeting. **MOTION:** To approve this bill. Motion by Ralph, seconded by Duncan. Unanimously approved.

Another SHR bill for \$1,686.54, which was not on the agenda, but was already billed, a bill from 12/03 that needed approval. **MOTION:** To approve this bill. Motion by Emerson, seconded by Duncan. Unanimously approved.

TLT bill for \$160,834.58. Roger (SHR) reviewed the requisition submitted (for general conditions, additional bonds, and metals for the plumber) and had no problem with the bill. URS concurred. **MOTION:** To approve the bill. Motion made by Duncan, seconded by Maria. Unanimously approved.

Leo McCabe's bill for \$1,385. for legal matters. **MOTION:** To approve the bill. Motion by Emerson, seconded by Duncan. Unanimously approved.

Intel transfer bill for \$9827 was approved by this Committee on 10/30/03, but not all of the custodial time was available. Thus, the new bill for \$1912.95 for over time of custodians for the Intel work (to put material in trailers) is a bill from the District. **MOTION:** To approve the bill. Motion by Ralph, seconded by Duncan. Unanimously approved.

Steve Penka pointed out that the \$9827 bill was totaled incorrectly (bill was for truck rentals, gravel, lumber). The correct total is \$10,227.92. **MOTION:** To approve the payment of the additional \$400.92. Motion made by Maria, seconded by Duncan. Unanimously approved.

Several Amendments to the contract were reviewed for work done that was over and above the contracted work. Amendment #1 for \$3025. amends the contract with SHR to pay for the extra work required by the town of Holden for the Planning Board. **MOTION:** To recommend to the awarding authority to increase the contracted amount to SHR by the amount of \$3025 and amend the contract to reflect this change. Motion made by Duncan, seconded by Emerson. Unanimously approved.

Amendment #2 (Ex. 4) for \$21,975 for the additional survey work required. **MOTION:** To recommend to the awarding authority to increase the amount and amend the contract with SHR in the amount of \$21,975. Motion made by Maria, seconded by Duncan. Unanimously approved.

Discussion on the Town of Holden requests for this traffic study and survey.

Amendment #3 (Ex. 5) for \$3790 for SHR to cover the request of the conservation commission for the extra work. **MOTION:** To recommend to the awarding authority to increase the amount and amend the contract with SHR in the amount of \$3790. Motion made by Duncan, seconded by Ralph. Unanimously approved.

MOTION: To process and pay the 3 bills noted above as Amendments 1, 2 and 3 after the awarding authority approves and signs the 3 Amendments. Motion made by Cathy, seconded by Maria. Unanimously approved.

Ground Breaking Date

Tom P will look at the school schedule to help determine the best date. Ralph asked and it was agreed that the date could be made public once agreed upon. The request was made to try to schedule for a Wednesday. Tom indicated that some students would attend. Invitations would be sent to all politicians. The School Committee is interested in the date being set. It was agreed that we would aim for a date in early June.

Construction signs

Comments were made on the construction signs, including whether names need to be added. The towns will be listed in alphabetical order. It was discussed that it is customary to include the names of the Building Committee members and even the Principal. As Tom sits on the Committee, he will be added to the signs as well in his "ex-officio" status as a Committee member; the Superintendent's name will not be added per the Superintendent's request. **MOTION:** To add the WRSDBC member names, including John Rokicki who previously chaired the Committee before resigning. Motion made by Emerson, seconded by Duncan. Unanimously approved.

The contact list has been updated.

The change order process has been cleaned up and was distributed at the meeting.

MOTION: To approve the revised version of the change order process. Motion made by Duncan, seconded by Emerson. Unanimously approved.

Two letters submitted regarding the Holden play fields were distributed to the Committee for informational purposes only. No action needed.

Regarding the modular disposals, bids were requested as the District intends to sell the modulars. It was estimated that the classrooms could be sold for approximately \$1.2 million and estimated \$180,000 for the cafeteria. At least one commercial bidder already is interested in some/all of the modulars. The money from the sale of the modulars comes back into the project and may reduce the note/borrowing for those modulars. Steve Penka provided this information to the Committee for informational purposes only. No action needed.

As to the next meeting, as 5/26/04 is the school committee meeting, the building committee meeting needs to be changed. After discussion the next meeting date was set for Wednesday, June 2, 2004 at 6 pm.

Permit Fee

The Town of Holden Permit Fee was discussed. Mike T. suggested a small committee meet with Dennis Lipka to discuss the fee and peer review with him. Roger agreed to go, as well as Duncan, Ralph and Mike T. The group will try to have the fees decreased down from \$205,500 and eliminate the peer reviews.

Both SHR and URS find the peer review to be a very unusual request. Additionally, URS said 3 other schools that they worked with paid nothing for the permit fees. Roger agreed to call the state about the peer reviews to verify whether there is any state requirement for peer reviews.

Other matters

The Superintendent's previous request for funding an Assistant Principal position who would also help oversee the project at the school was discussed. The request was for \$160,000 -- \$80,000 per year for 2 years of the project.

Duncan and several other committee members discussed this proposed budget issue at length. **MOTION:** To fund an administrative oversight full time equivalent position for activities conducted for the building project in the amount of \$80,000 for 1 year. Motion made by Ralph, seconded by Duncan. Cathy opposed the Motion, all others approved the Motion.

A letter from SHR to Dennis Lipka regarding the gas with NYSTAR was brought to the committee's attention for informational purposes only. No action needed.

MOTION: To adjourn the meeting. Motion made by Ralph, seconded by Duncan. Unanimously approved.

Meeting adjourned at approximately 8:50 pm.