

Approved Meeting Minutes

Middle School Building Committee Meeting

December 16, 2013 – 8:15 a.m.

BOE Conference Room, 3rd Floor Annex Building
5 Linsley Street, North Haven, CT

Committee Members in Attendance:

Goldie Adele, Michael Brandt, , Miriam Brody , Lou Coppola, Sr., Gary Johns (committee chairman), David Mikos, Bruce Morris, Joseph Porto, Michelle Spader (committee secretary), Dyann Vissicchio (committee vice-chair)

Absent: Walter Nester, Jr.

Others in Attendance:

Jeffrey Donofrio , Phil Diana, Edward Swinkoski, Diversified Technology Consultants (DTC); Shay Atluru, Rick Morse, Perkins Eastman; Joe Costa, Phil Piazza, and Dr. Robert Cronin

Meeting called to order at: 8:15 am by chairman, Gary Johns.

Motion to approve the minutes of December 2, 2013 meeting: Moved by Bruce Morris and seconded by Joseph Porto. During the discussion, Michelle Spader asked that we add to the meeting minutes from December 9, 2013 that if school should be delayed future Building Committee Meeting will be cancelled. Currently the meeting would only be cancelled if schools were closed. Motion to approve amended meeting minutes by Bruce Morris. The motion passed unanimously.

Chairman Johns announced that after a special town meeting held on Friday, December 13, 2013 David Mikos is now an official member of the Middle School Building Committee.

Now that the hybrid option has been chosen the committees task today is reviewing the costs that have been projected and make any changes that are necessary in order to present the public with the most accurate cost estimate we can.

The Town Meeting is anticipated to be held in late January. At this meeting the town will vote to approve the recommendation the committee has made and authorize the Board of Education to apply to the State Department of Education for a grant and authorize the procurement of an architect to prepare schematic drawings and outlined specs.

At the town meeting the townspeople are voting on the concept we have selected and not the approval of funds for the project. The actual approval of the money for the project will go to town referendum, probably in June.

Dyann Vissicchio reiterated the desire to hold this town meeting at the middle school, rather than the high school so that the townspeople can get a good sense of the condition of the existing middle school.

Review of the cost information ensued. Shay Atluru provided a handout which showed some of the line items that were updated. There was an increase to include a line item for bonding, as well as an increase in line items 5, 6, 30, 32, 43, 45, 47, 52, 61, 64, 65, 68, and 69. The LEED application fee and the lead Silver Certification line items were removed. The LEED Silver Certification was over a \$1 million line item.

The total projected cost now stands at \$46.9 million (formerly \$45.6 million).

At the referendum in June (tentative) we will be seeking an appropriation of the entire cost of the project, including soft costs. Attorney Donofrio explained that accuracy of the number we provide is important so that the townspeople don't feel that the information wasn't accurately presented.

A construction manager was added into the costs. A construction manager was also used for the high school project. Because this is a public project it falls under the Little Miller Act. Public buildings that are used for government purposes are not subject to mechanics liens. Instead, the legislature requires us to obtain payment bonds from the constructor, which will be the construction manager and the constructors subcontractors (cost of the subcontractors payment bonds is included in the actual construction costs) . \$300K was added in for the construction managers bonds. This was estimated because bonding costs on bonds in excess of \$7.5 million are \$6.50 per thousand dollars.

There are 2 different types of construction management project delivery methods. One is 'CMA', which is when the municipality hires a construction manager as an advisor and the municipality holds the trade contracts. There are currently no municipalities in the state of CT set up to hold trade contracts.

The recommended delivery method is 'CM at risk', which is where the construction manager holds the trade contracts and is at risk for the schedule and the guaranteed maximum price, which is the price at which the project is built and it is determined once 90% of the bids are in. All the trade contracts get publicly bid because it is required by state law and town charter. Once approximately 90% of the bids are in we will get a GMP (Guaranteed Maximum Price) proposal from the construction manager. After that, the only way the price can increase is through change orders.

Performance bond protects the owner. In the event that the subcontractor or the construction manager defaults on their contractual obligations we have a surety that we can demand, at no additional cost to the project, someone else come in and perform in lieu of the contractor.

Phil Diana asked what the relationship is between the construction manager and the project manager. Donofrio explained that the number he gave DTC and Perkins Eastman to add in for the town project staff is for the hiring of an outside, independent owners rep. After we go out to bid we seek a person to come in for a predetermined number of hours per week for a scope that the committee deems appropriate. This is similar to a traditional 'clerk of the works' position. This will be someone who acts as the owners eyes and ears , makes sure that RFI's are getting responded to, vets all the monthly

payment applications, goes to the weekly project meetings , lets the owner know about any potential concerns, reviews potential change orders, and advises the owner as to claims. The construction manager has the full responsibility for coordination, scheduling, sequencing the work and for making sure the work is performed according to the plans and specifications of the design team.

Joseph Porto asked about line item 61, which deals with the portables. Rick Morse explains it is still included as a form of contingency for programming, in case classroom accommodations need to be made, for some reason. Atluru added that until you have a construction manager and a project manager on board, who determines the phasing of the work, it serves as a placeholder.

Michael Brandt wanted to clarify that the goal of the town meeting is to provide a comfortable estimate of the project costs despite the fact that we are unsure of what is being built will be 2 stories or 3 stories, what the labs will look like, etc. It will represent an estimate that we are comfortable with and what is built will meet the needs of the town for years to come.

Miriam Brody questioned whether the costs detailed the type of construction method that would be used. (If unitized/modular were used it could decrease construction time). Brody asked if there were any local examples of this form of construction we could look at. The Watkinson School in Hartford is an example of the FROG concept. It is an example of a high performance building erected in a short period of time. It was a 6 month construction time frame. However, the school is much smaller than the North Haven middle school.

Bruce Morris wanted to know if there is a percentage built in for change orders. Donofrio said there is a 6.25% owners contingency and 6.5% construction manager contingency. By state statute, any change orders over 5% are no longer reimbursable. Change orders on the high school were around 1%. However, there is a renovation component associated with this project. You would expect the change orders to be higher on this project, but Donofrio believes there is enough of a cushion between the two contingencies to give some latitude in regards to changes .

Shay Atluru emphasized the importance of watching changes and not making changes after we have finalized our plans and specs. Nothing impacts budget more than changes. Future decisions will need to be made on selection of a construction manager, architects and engineers. Atluru implored the board to make good choices, as the cheapest option is not always the best option.

Michael Brandt mentioned the line item for the auditorium and asked why we didn't have a similar line item for the gyms that are going to be renovated as well as the cafeteria. He also questioned the dollar amount represented for fields and wanted to know what that \$327,000 for fields consisted of. Brandt wanted to know if a turf, multipurpose field needed to be included in the costs before we go to the town meeting. Rick Morse said the line item would need to be taken apart and put into the ed specs. Atluru said it would definitely need to be done before June, but not necessarily by the January meeting. That \$327,000 represents a grass field and not a turf field. As far as the gym and cafeteria goes, those dollar amounts are listed in with the general renovation numbers. Things that are broken out appear separately because of the differing reimbursement rates.

Dyann Vissicchio asked Rick Morse if the numbers relating to the auditorium were based on current square footage. He said it was. Vissicchio asked if we could alter that to increase the auditorium size. Joe Costa said the state limits the reimbursement to half the enrollment, so anything over that the town would not be reimbursed for.

Vissicchio added that she would like to see a video be prepared, similar to what was done to show the need for the new firehouses. If you don't have a child in the middle school you don't necessarily know the conditions that exist and she feels a visual would be helpful to those people who might not necessarily see it or are unable to attend the meeting. Vissicchio and Spader feel strongly about the town meeting being held at the middle school and possibly having some tours of the school prior to the meeting. The chairman asked whether any middle school students are involved in classes that might aid in the videotaping of the school conditions. Mr. Piazza said there are no current classes of that sort in the middle school, but thought it could certainly be a project for some high school students to undertake and he would make some phone calls to get this underway. Mr. Piazza said he would be able to steer them towards the areas of the middle school that highlight the undesirable conditions. Dyann Vissicchio said she will assist with the filming of the middle school.

Vissicchio also thinks it is important to explain how we came to our decision on the option we chose, at a summary level. Spader feels it is important that we stress that the costs of each of the options would be increased, otherwise it would now appear that the cost of the hybrid would be very close to the cost of an entirely new building. Gary Johns thought updating the costs of each of the 4 options is important, as the cost of the entirely new building would probably be even greater an increase than the increase for the hybrid model is.

The committee will have to meet in order to determine exactly what they would like the presentation at the town meeting to include. Johns will work with Mike Freda to discuss the PowerPoint presentation and Dyann Vissicchio said she will put together an outline of what the committee feels should be included.

Brandt sees three tasks ahead of the committee: We must convince the townspeople that this project is necessary, we must demonstrate that we did our due diligence in making our decision, and we must ensure the towns people are clear as to what the committees next steps in the process are.

Michelle Spader asked at what point in this timeline we request that our new construction portion of the project be reimbursed by the state at the higher 'renovate as new' rate. Donofrio explained this would be done thru a grant application, which should be completed before June 30.

The reimbursement rate gets determined when and if the project is approved by the General Assembly. The process is to get the grant application in by June 30, it then gets placed on a priority list in the fall, it then goes on the governors list to the General Assembly around December and then in the spring/early summer the General Assembly votes on it.

It is important to realize that the January meeting is not final approval of the project. Final approval comes at the referendum in June. Between January and June there may be some public meetings

where people may have the opportunity to provide their input. Michelle Spader suggested that perhaps these additional meetings could be held in the evenings, as these early weekday morning meetings are not conducive to those that go into work in the morning.

David Mikos expressed concern that the issues experienced with the high school fields not happen on this project. He wanted to make sure that we would have procedures in place so that this does not happen again. Despite the fact that they had a construction manager and clear specifications, It was determined that demolition debris was left underneath the fields rendering the fields unusable for an extended period of time. There is pending litigation against some of the contractors involved in that project.

Donofrio explained that we depend upon the people we hire and pay to do their jobs. Really the only way to avoid this type of thing is to have more sets of eyes watching the process and have the owners rep on site for a longer duration.

The next Building Committee meeting will be in January 2014 on a date to be determined.

Motion to adjourn at 9:12 am by Bruce Morris . Seconded by Goldie Adele.

Respectfully submitted,

Michelle Spader, Committee Secretary