

PUBLIC BUILDING COMMITTEE

Meeting Minutes

June 3, 2019

Subject to Approval

Chairman Ostop called the Regular Meeting of the Public Building Committee to order at 7:00 p.m. on Monday, June 3, 2019 in the Board of Education Conference Room at 933 Hopmeadow Street, Simsbury, CT.

Present – Chairman Ostop, Messrs. Cortes, Salvatore, Kelly, Derr, and Egan. Mr. Dragulski joined the meeting at 7:05 p.m.

Guests – Messrs. LaClair and Shea; and for Downes Construction Company – Jeff Anderson, Chester Grabowski, and Mark Wichmann, Sr. Project Manager; for Kaestle Boos - Freddie Khericha and Enrico Chiarillo, Sr. Project Manager

Excused - Mr. Walter due to a meeting conflict.

No comments for the public audience.

1. Minutes of the May 6, 2019 Meeting

Mr. Kelly made a motion to approve the May 6, 2019 Regular Meeting Minutes, as written. Mr. Salvatore seconded the motion and it was passed unanimously.

2. Board of Selectmen Liaison Report – Cheryl Cook

Liaison Cooke was not present.

3. Henry James Memorial School Project – Phase III

Mr. LaClair highlighted that a color coded document contained in the email packet has now been formalized by Downes following a meeting with Messrs. Ostop and LaClair and most remaining questions relate to MEP. Chairman Ostop suggested recording the email document as part of the minutes. Mr. LaClair noted following the meeting it was agreed the construction contingency would remain at 3% as noted in the signed A133 Agreement. He continued that for staff and general conditions, Downes indicated the original \$885,364 would go forward. It was decided to come back to MEP.

Mr. LaClair reviewed a note would be deleted in No. 23 from Exhibit B with some verbiage added. He said Item 29 focused on Downes request to not have retainage on various parts of the CM's work with the only exception noted by the Town Attorney for allowances shown as a strike through with the verbiage forwarded by the Town Attorney. Items 31 and 34 were similar and Mr. Anderson confirmed that 34 was deleted and 31 reworded and he read 31 into the record:

“Allowance reallocations within the GMP may be permitted with approval from the Building Committee. Any additional funding that is required for allowances will be from the owner's contingency and the remaining funds within allowances at project conclusion will be credited to the owner.”

Also in Exhibit B, Mr. LaClair noted and it was confirmed that the fire pump would be excluded with no testing recommendation required. He continued and confirmed in No. 24 liquidated damages would remain. Mr. LaClair noted for 2nd shift supervision, PBC is looking for what the allowance would be for and Downes and provided background referring to Appendix D of the RFP, Section 2.14 for staffing, which is attached for PBC review.

Returning to MEP coordination, Mr. LaClair discussed the response to the increased construction cost and referred to the original RFP blank line amount in the Downes proposal and PBC is looking for a better understanding regarding the Downes request for \$105,765 with further discussion by email. Chairman Ostop noted a discussion with subcontractor M. J. Daly following their MEP coordination meeting with Downes indicating to him that Daly is involved in completing MEP modifications only in 4 small areas of the project; Mr. Khericha's perspective was they would do major coordination for the 4 areas – media center, home economics, auditorium, and wood shop. Mr. Anderson indicated Daly is not involved with the whole project; Mr. Ostop believed it was only the fire sprinkler system. Mr. Salvatore asked for more information on what is additional. Mr. Anderson noted the project is now \$2 Million more work to be performed and an \$18.7 Million original project would have a different result; their goal is to utilize an MEP coordinator specializing on that aspect throughout the project. Mr. Salvatore asked what the difference was from the original project regarding the \$105K. Mr. Anderson indicated their staff would continue to be involved and a 10% increase in project value is worth something for their staff considering the \$2 Million increase from a narrative to a full set of construction documents they try to capture everything in the narrative. Mr. LaClair clarified there were no MEP schematics in August and the narrative didn't happen until October. Mr. Salvatore asked what specifically was not anticipated. Mr. Anderson responded they would have to dive into the specific words of the narrative vs. final plans. Mr. Salvatore asked what would involve 1100 hours more coordination. Mr. Anderson responded it would be a specialist

with background in mechanical, electrical or plumbing to manage the MEP trades, reviewing phasing associated with the 4 main areas, and supervising them to insure the coordination process is properly implemented and the increase is because they are processing \$2 Million more in work. Mr. Egan asked if the value of \$100K is 10% greater than what was contained in the original proposal for general conditions. Downes responded that with about \$900K for general conditions, it is just over 10%. Mr. Derr noted 1) an issue regarding the MEP coordinator at \$105K; and 2) are there any other issues regarding the 2nd shift supervisor. Mr. LaClair commented that he and Mr. Ostop were not sure a 2nd shift supervisor would be needed. Mr. Anderson indicated they have factored in 1/3 of Saturday work, as well as after-hours work. Mr. Derr noted that the \$105+K and \$103+K were left blank in the original proposal which could have caused rejection of the proposal; the Town has not yet agreed to either proposal. Mr. Derr asked where the funds would be best used given the MEP coordination has not increased substantially with \$105K not justified so far. Mr. Anderson indicated 80 hours/month were planned for the MEP coordinator; they analyzed the project at \$16.8 Million to finish it within the allocated timeframe, with a math equation for the 2nd shift supervisor of 1/3 of total fulltime hours for the project times the superintendant rate. Mr. Derr responded that made more sense. Mr. LaClair noted that on Downes' RFP price proposal form the specific line for MEP coordination was left blank. There was no 2nd shift supervision line, but a line for premium time as may be required was listed as "by trade" with no dollar amount. Mr. Anderson indicated that premium time analysis was part of their scope and if they are working Saturday, they need to be there which requires a 2nd shift. Mr. Dragulski believed this amount is due to the project value increasing and their cost to process the additional project value. Mr. Anderson noted they needed to find a specialist so remaining staff can concentrate on the other divisions. Mr. Dragulski noted they do not have \$2 Million of MEP increase and it must be something else, e.g. another \$100K is needed to manage the project. Mr. Anderson noted that for the general conditions of \$885K, 10% would be \$88,500. Mr. Cortes indicated the point is that if the costs increase, the BOS and public are entitled to understand why and PBC needs to be able to explain why this was done. The Committee discussed the 1/3 of total man hours of 984 hours of the full time supervisor allowance proposed at \$103,292 for a 2nd shift supervisor. Mr. Anderson noted this is an allowance and PBC would be informed if it is not utilized. Mr. Derr discussed the project increase from \$16.8 Million to \$18.7 Million because trade costs have increased. Mr. Anderson noted they have to put in place \$2 Million more construction. The Committee noted Downes and Kaestle did not originally have documents and it was not anticipated costs would go up. Mr. Egan asked if staff and general conditions would be left the same in anticipation of MEP coordination. Mr. Anderson responded when he came into the project the general conditions were that much higher. Chairman Ostop noted that the original Downes staff guaranteed in the original interviews that staff would not change, and now they have; for a construction manager at risk why are the numbers changing now - Downes says it is not because new people have come in, but for a CM at risk the numbers should not change. Mr. Anderson responded they are amending the contract for a guaranteed maximum price to the Town. Mr. Salvatore responded that PBC is trying to get specific justification as to why; and does Downes need 18 hours/week of 2nd shift work, e.g. a Saturday and 2 hours every day for 14 months. Mr. Dragulski asked if contractors work on Saturday will the Town be charged overtime. Mr. Anderson confirmed the contracts are written so that is not allowed and to meet the required completion date; half of the total hours are for Saturdays and the other half flexible as needed.

Mr. Cortes made a motion of approval for a 2nd shift supervisor allowance not to exceed \$103,292 as confirmed by a daily sign-in sheet. Mr. Salvatore seconded the motion and it was passed unanimously.

Mr. Anderson discussed the \$100,800 allowance in the GMP for the MEP supervisor stating coordination was isolated to assure a smooth process throughout the project. Mr. Ostop asked how PBC would know where those dollars are spent. Mr. Anderson responded the trade contractors have to perform an MEP coordination process and Downes manages that for a project that is now \$2 Million larger, which they insure in guaranteeing the project; the MEP person specializes in project management of the trades to improve the overall process for the Town and they will provide timesheet backup as to how the allowance money is spent. He added their numbers would have been higher at the RFP stage for this larger project; and they will have fulltime a supervisor, project manager and assistant project manager, with the MEP supervisor part time. Mr. Dragulski disagreed with calling this MEP at 80 hours/month for 14 months, and instead suggested calling it something else. Mr. Anderson noted this is additional staff being provided supporting implementation of work. Mr. Egan believed the new project value was reassessed in the GMP amendment resulting in a new value for staff of \$906,553 or about a \$21K increase. Mr. Anderson indicated additional staff of 10% would be \$88,500.

Mr. Egan wanted a better understanding but believed it was the right course to increase staffing and eliminate the MEP coordination line item. Chairman Ostop noted MEP should not be in the contract. Mr. Salvatore added increased supervision should be billed accordingly within \$88,500.

Mr. Salvatore made a motion to increase the general conditions compensation for additional supervision and project management due to the increased value of the contract not to exceed the allowance of \$88,500. Mr. Cortes seconded the motion and it passed unanimously.

Mr. Anderson reviewed their project update with today's MEP discussion changes and will provide the Committee with a new project update.

Mr. Kelly made a motion to recommend the Town Manager sign the contract once the revised project update is received by PBC. Mr. Egan seconded the motion and it passed unanimously.

- a. Project Update and Guaranteed Minimum Price Amendment Responses – Downes Construction Company

Mr. Wichmann provided a project update with a detailed copy to be attached to these Minutes. He indicated that he will provide the first detailed schedule by the next building committee meeting.

Chairman Ostop asked about putting up safety and sign-in signs at the project site as people are now entering the site and he has provided sample signage. Mr. Anderson agreed indicating they have a process.

Bid Package #28.1 – Fire Alarm Status: Downes received a change order the electrical subcontractor, but recommends to rebid the fire alarm package and PBC agreed. This package is no longer a set-aside requirement.

Mr. Cortes made a motion to rebid the fire alarm systems. Mr. Egan seconded the motion and it passed unanimously.

b. Pay Application # 2 – Downes Construction Co.

Mr. Anderson noted a typo not showing Mid State's requisition for \$82,500 less retainage would be \$5,775 less for \$197,495 less previous payments of \$21,360 for a revised number of \$176,135.36. Mr. Salvatore noted PBC needs a breakdown of general conditions and hours and that things are reimbursable as itemized. Mr. Anderson indicated they have a set value based on general conditions. Mr. LaClair will check requirements in the general conditions of the contract.

Mr. Egan made a motion that previous approvals of additional costs are contingent upon finding out if it is a lump sum or reimbursable general conditions value, including for the general conditions additional supervision allowance increase up to \$88,500 and for the 2nd shift supervisor.

The Committee explained that for all previous projects, the general conditions are reimbursable and the documents need to be reviewed.

Mr. Egan made a motion to table the request for payment. Mr. Salvatore seconded the motion and it passed unanimously.

Mr. Cortes requested documents be signed by the architect.

Mr. Anderson asked if the Committee could approve the subcontractors billing and their pre-construction fee so they can pay the subcontractors and move forward. Chairman Ostop indicated an invoice must be received.

Mr. Kelly made a motion authorizing the Chairman to approve an invoice for the subcontractors and the remaining pre-construction fee as it is received by email tomorrow with members emailed. Mr. Derr seconded the motion and it passed unanimously.

Mr. LaClair indicated the ground breaking ceremony is set for June 10th at 11:30 a.m. at Henry James with all PBC members invited, and the BOE Chair, PBC Chair, BOE members, and Town Manager.

- c. Invoice # 16018.04-9 Kaestle Boos Associates, Inc.

Mr. Derr made a motion to approve payment of Invoice #16018.04-9 in the amount of \$8,976.56 to Kaestle Boos. Mr. Egan seconded the motion and it passed unanimously.

Mr. Derr asked if Mr. Khericha will remain on the project. Mr. Khericha introduced Mr. Chiarillo and stated he would remain a phone call away and he is following up on questions from the State.

The Committee requested for future meetings that a copy of work in progress be regularly provided for attachment to the minutes.

4. Eno Memorial Hall Renovations

Mr. Shea indicated an update will be provided in July.

5. SCTV Relocation

Remains on the Agenda.

6. Old Business

None.

7. New Business

Chairman Ostop noted the next Regular Meeting is scheduled for July 1, 2019 at 7:00 p.m. in the Board of Education Conference Room. Messrs. Derr and Salvatore will not attend. Rescheduling the meeting was discussed.

8. Adjourn

Mr. Derr made a motion to adjourn the meeting at 8:25 p.m. Mr. Salvatore seconded the motion and it was passed unanimously.

Respectfully submitted,

Janis Prifti

Commission Clerk