

PUBLIC BUILDING COMMITTEE

Regular Meeting Minutes

December 9, 2019

Subject to Approval

Chairman Ostop called the Regular Meeting of the Public Building Committee to order at 7:00 p.m. on Monday, December 9, 2019, in the Board of Education Conference Room at 933 Hopmeadow Street, Simsbury, CT.

Present – Chairman Ostop, Messrs. Cortes, Derr, Salvatore, Kelly, Burns, Walter, Egan, and Dragulski

Guests – Mr. Shea; Andy O’Brien, Director of Operations, Simsbury Public Schools; for Downes Construction Company – Mark Wichmann, Sr. Project Manager, and Thomas Romagnoli, Assistant Director of Operations; and for Kaestle Boos – Jennifer Mangiagli, Project Architect

No public audience comments.

1. Minutes of the November 4, 2019 Regular Meeting

On page 5, #6. Approval of 2020 Meeting Dates, is revised to add: “A copy of the meeting date schedule for 2020 is attached.”

Mr. Kelly made a motion to approve the November 4, 2019 Regular Meeting Minutes, as amended. Mr. Salvatore seconded the motion and it passed with Messrs. Derr, Walter, and Burns abstaining.

Minutes of the November 18, 2019 Special Meeting

Mr. Cortes made a motion to approve the November 18, 2019 Special Meeting Minutes, as written. Mr. Egan seconded the motion and it passed unanimously.

2. Board of Selectmen Liaison Report

BOS representative was not present.

3. Henry James Memorial School Project

a. Construction Manager Project Update – Downes Construction Co.

Mr. Wichmann provided updated COP detail on page 2 of their report, noting \$10,783.23 pending change order requests, total anticipated GMP of \$18,497,772.55, construction manager's contingency of \$531,610 and currently tracking pending COPs of about \$43,622; and the current COP log was provided as part of the packet. Regarding the schedule, he reported Phase 1 is successfully complete with work continuing on a minor punch list into Phase 2, which is going well – floors opened up, media center work progressing, and auditorium rough electric work proceeding, along with drywall/taping.

Mr. Wichmann advised the Town has requested creation of a space for 3 offices in 1 room, which are not in the original drawings. Mr. O'Brien explained it is the result of water issues and there are personnel who do not want to work in the existing space. Chairman Ostop clarified that BOE needs to approve scope changes first and then it comes to PBC for approval. Regarding budget, Mr. Wichmann anticipated it would come out of contingency. Mr. Derr asked about the pending insurance claim for the roof leaks; Mr. Shea advised the claim is currently open, as all costs have not yet been identified. Mr. O'Brien added the impacted classrooms have been rolled into Phase 2 eliminating the need to house people elsewhere. Mr. Wichmann explained because a teacher did not want to occupy Room 234, the school asked them to create a workspace for her room in Phase 2 instead of another room, resulting in unknown effects in other rooms. Mr. Wichmann noted for the room not worked on a heating loop bypass was done, and the MJ Daly contract was altered with no cost impact realized so far. Mr. Derr asked regarding the insurance company impact if there was a way to assess/estimate how much insurance would cover and what the Town's cost might be. Mr. Wichmann responded they could provide an estimate to Mr. Shea prior to the next meeting. Mr. Derr continued the Committee does not want to have the insurance claim mushroom into an opportunity to change project scope – PBC needs to maintain control of scope changes and costs. Chairman Ostop pointed out that scope changes proposed must be approved by BOE. Mr. Romagnoli clarified the immediate need is for a swing space to set up some temporary areas because the cleaned up water damaged area displaced 1 or 2 people who are now in shared space, and the temporary swing space would allow people to work more efficiently. Ms. Mangiagli noted it is a complicated situation because of what occurred during construction, but KB is not involved in nor billing for design of those spaces. Mr. O'Brien noted this ties into the larger scope, including abatement and restoration, insurance, etc. which needs to

be figured out asap. Mr. Wichmann added he requested a copy of the builder's risk policy so Travelers could continue their analysis. Mr. Shea explained their counsel asked why Downes needed the policy and the insurance policy has a \$100K deductible and they currently have incurred about \$25K in costs with remediation and restoration costs unknown; and Mr. O'Brien is now working with the environmental consultant to determine the remediation plan and specification and then they would ask for a price from Downes, but the work would not be done until summer. Mr. O'Brien noted that Downes has asked for a special meeting on Wednesday prior to the weekly building committee meeting to talk with TRC about what specifically needs to be remediated due to moisture concern impacts, e.g. removal of stained and impacted drywall and ceiling panels. Mr. Egan asked if costs exceed \$100K will insurance require expert witnesses to perform work so they pay the claim. Mr. Shea responded that is unknown at this time. Mr. Salvatore was concerned about 1) schedule impact for the swing space and Downes did not anticipate any; and 2) insurance related delays in order for Downes to move forward. Mr. Shea responded when the scope and pricing information will be provided to the insurance company. Mr. Wichmann advised that in September he created a scope of work based on his understanding of what might need to be done in order to stay ahead. The Committee noted \$25K has been spent so far. Mr. Romagnoli did not know what the total number might be, with the swing space requiring some temporary walls, sound control, doors, and they will use allowance money for that and track costs so the Principal is back in operation and authorization from PBC for the temporary space is needed - Mr. Wichmann noted those materials arrive Thursday with swing space construction beginning Friday; and it appears restoration abatement would occur in summer. Ms. Mangiagli added if KB needs to be involved in the summer remediation, an electrical engineer may be involved, but KB needs to see the scope first. Chairman Ostop clarified that it is basically part of the insurance plan to move into temporary space; Mr. Dragulski was concerned that there are no documents; Mr. Salvatore believed they are just dividing one room.

Mr. Burns made a motion as part of the insurance plan to approve Downes setting up temporary space as requested by Henry James School and with Downes providing a clear accounting of every hour and every piece of material used in a clear cost trackable schedule in order to determine the exact cost. Mr. Cortes seconded the motion and it was approved unanimously.

Mr. O'Brien has requested scheduling a special meeting to discuss the extent of work in the counseling suite and on the 2nd floor with KB, Downes and TRC in order to better understand the scope of work. Ms. Mangiagli explained that for work outside of their scope requires authorization and they do not yet understand what needs to be remediated. The Committee agreed KB, Downes, TRC, and Town representatives should get together and bring the results to PBC at the next meeting. Ms. Mangiagli wanted PBC to understand they will track KB's time at this point for the meeting, which insurance will need to know. Mr. Romagnoli added they will develop a scope for approval and report back to PBC; Mr. Wichmann believed the amount of space involved is small, and will allow them to examine a gypsum sample and potential tile issues. Mr. Wichmann clarified TRC represents the Town with a change likely in their

agreement. Mr. Shea noted there is time on the schedule with actual work associate with this remediation occurring in summer.

Chairman Ostop provided verbal authorization from the Committee to KB to develop a plan.

Mr. Wichmann discussed Change Order Proposal No. 16 for (\$1,674) and Downes decided to run it through their contingency. He was requested to only include COPs in the meeting package as the backup for the change orders is about 400 pages; however, the Committee indicated they need to see the backup in order to approve the change orders. Mr. Wichmann had the backup available, but was told to reduce paper. Mr. Egan was concerned about accounting direction because where work has been done or coming out of an allowance, what if PBC disagrees with something already done, is the amount agreed to, or the work agreed to, with someone other than the Committee agreeing to work being done. Mr. Romagnoli indicated to stay on schedule they would need to meet more than once a month in a subcommittee, which they were doing with Mr. LaClair. Chairman Ostop asked why are some COPs dated September. Mr. Wichmann noted the COP is established in the system at a certain date and Mr. Romagnoli added they have a CM contingency and allowance with the Town that relies on Downes to keep the project moving. Chairman Ostop felt that items over a certain dollar amount should require Committee approval. Mr. Wichmann referred to Article 6 in the contract allowing use of the contingency up to \$5K and was willing to discuss it further. Mr. Shea asked about Change Order No. 16 which Mr. Wichmann described as a change condition taken out of the construction contingency, as allowed by the contract, and off the table currently. Mr. Romagnoli continued they met with KB and vetted change orders from the last meeting as a team creating this agenda and it is on Downes and KB to administer/support the documents. It was agreed that going forward Downes will provide PBC the COPs for discussion on the action item list with full backup ahead of time. When #16 is properly vetted, Downes will bring it forward.

Mr. Derr made a motion accepting the Downes Change Order Proposal Document Nos. 16, 19, 20, 21, 22, 23, 29, 38, 43, 46, 62, 66, 67, 68, 70, 71, 77, and 80, as provided, with the understanding the Committee will receive backup tomorrow; and if something jumps out in review, the Committee will revisit it individually at the next PBC meeting. Mr. Walter seconded the motion and it was passed unanimously.

Mr. Wichmann confirmed that the costs related to the water damage so far have been taken out of the contingency.

Mr. Shea advised Mr. Wichmann to send the backup to him and copy Carol Mitchell. Mr. Burns advised he has not been receiving meeting notifications and Mr. Shea will have that corrected. Mr. Wichmann will send an email with a link to Carol for members to access the backup; Mr.

O'Brien will test the access tomorrow. Mr. Eagan asked about COP No. 62. Mr. Wichmann responded it is the result of a system survey requirement paid for in the contract, but resulting in the cost for additional power as value added; and the survey was provided to the design team. Ms. Mangiagli indicated that no telecommunications were in KBs scope with a lump sum for telephone systems and that normally the survey is done upfront. Mr. O'Brien asked about COP No. 70 for the copper backbone. Mr. Romagnoli indicated when techs went through wires and cabinets they found additional backbone for value added. Ms. Mangiagli reiterated telecommunications was not included in the scope with any additional work anticipated to come out of owner's contingency; however, she still has to sign off on a change order, which is difficult, as KB is not involved in the decision.

b. Pay Application #8 – Downes Construction Co. (dropbox with files)

Mr. Derr made a motion to approve payment to Downes Construction Co., LLC for Application #8 in the amount of \$2,630,516.90. Mr. Egan seconded the motion and it passed unanimously.

Mr. Romagnoli provided a roof logistics plan with narrative showing the new auditorium, areas to be protected, ladder access, showing that stored material will be supported by insulation and plywood. He felt it was important to show a more formal plan of where work will be performed on the roof with some roof removal and patching to support a new HVAC unit with new flashings.

Mr. O'Brien discussed safety concerns related to parking area drainage at the main entrance to the parking area with catch basins that are not operating and when they became non-operational. Mr. Wichmann responded they bid on that work with BOE at the job beginning and at the Town's request they removed/replaced controls, but they are still very bad. Mr. Romagnoli noted the existing survey shows water is not draining despite changes made and believes the pipes need to be cleaned and were not because of the construction project. Mr. Wichmann indicated the quote to do the work is about \$3K and will come out of the contractor's allowance. Mr. Derr noted it is a pre-existing condition and not related to this contract and should come out of contingency along with required pumping. Mr. Wichmann was concerned about the integrity of the dry wells, line to first basin out, excavating, removing sediment, creating sump, re-stoning, and vacuuming line between; they have asked the Town to join them to perform an inspection; and will provide pictures to the Committee.

Mr. Derr made a motion to approve the quote received by Downes to have catch basin work and pumping performed for about \$3K and taken out of contingency. Mr. Kelly seconded the motion and it passed unanimously.

Mr. Egan walked the property and recommended the opportunity to other members. He followed up that if the scope is changed, it should be done now, noting in the courtyard he saw beautiful new construction which combined with the other half is not at all uniform; and classrooms not updated are not very functional for teachers. Members discussed visiting the site. Ms. Mangiagli noted that if scope were added to, State reimbursement should be looked at carefully, as the State typically pays only for renovation projects. The Committee will consider holding a future meeting at the school.

c. Project Architect, KBA Report

Discussion with Ms. Mangiagli throughout the meeting.

d. Kaestle Boos Invoice #16018.04-15

Mr. Cortes made a motion to approve payment to Kaestle Boos of Invoice #16018.04-15 in the amount of \$8,976.56. Mr. Egan seconded the motion and it was passed unanimously.

e. VanZelm Engineers Invoice #0046767

Mr. Kelly made a motion to authorize the Chair, pending receipt of their report, to approve payment to VanZelm Engineers of Invoice #0046767 in the amount of \$2,130.60. Mr. Burns seconded the motion and it passed unanimously.

4. Simsbury High School Roof Replacement Project

a. Jacunski Humes Revised Proposal

Chairman Ostop reviewed that his authorized negotiations with Mr. Jacunski resulted in the fee being reduced from \$63K to \$59,900. Mr. Jacunski noted they also included a plumbing engineer in their work. He provided in their package an estimate from Silktown Roofing; and also a proposal from EnviroMed for hazmat/asbestos testing, which the Town is responsible for. He noted while they are still working on obtaining additional roof drawings, EnviroMed will

proceed with a number of exterior roof 6” x 6” test cuts after snow melts, which are planned for Monday, 12/16 between 7 and 3:30 p.m. with minimal noise. He indicated Silktown would be responsible for patches not leaking. As requested by Mr. Shea, he spoke to Rich Szewczak about the additional roof load for solar in the future who confirmed it is not an issue; Chairman Ostop verified that as well with the State. Mr. Jacunski indicated the State only provides reimbursement for a 20-year roof system but will include an add alternate for a 30-year system that can be used in a future State audit. He provided the Committee with a Preliminary Project Schedule graph attached noting paperwork filed at beginning 02/20 would keep the project on schedule with motions required from the Town, BOE, and PBC and following the test cuts and hazmat testing results that take about a week, he will update budget estimates. Mr. Shea verified the Committee would need to act on the proposal at the next meeting. Chairman Ostop requested receiving the budget update ASAP and it will be emailed to members.

a. Jacunski Humes Proposal – Silktown Roofing & EnviroMed

Mr. Jacunski reviewed Silktown’s proposal for 12-14 cuts is not to exceed \$3,075 and they are not responsible for existing roofing and falling water. He reviewed EnviroMed cannot give a defined number as it is based on the number of cuts taken; and there may be some painting of doors/frames; and an estimate of \$3,380 with abatement of hazardous materials in Phase 2 at about \$1K+.

Mr. Kelly made a motion to approve Silktown’s roof proposal for \$3,075. Mr. Egan seconded the motion and it was approved unanimously.

Mr. Cortes made a motion to approve EnviroMed’s proposal not to exceed in Phase 1 \$3,380. Mr. Burns seconded the motion and it passed unanimously.

5. Eno Memorial Hall

Mr. Shea reported all sound equipment is installed, except they are still waiting for 2 of 4 speakers on order, which they hope will be installed by the next meeting.

6. SCTV Relocation

SCTV relocation remains on the agenda

7. Old Business

None.

8. New Business

None.

9. Adjourn

Mr. Kelly made a motion to adjourn the meeting at 9:00 p.m. Mr. Derr seconded the motion and it passed unanimously.

Respectfully submitted,

Janis Prifti

Commission Clerk