

**PERMANENT SCHOOL FACILITIES BUILDING COMMITTEE
REGULAR MEETING
FEBRUARY 12, 2009**

The Permanent School Facilities Building Committee held a meeting on Wednesday, February 12, 2009 in conference room B in City Hall. Chairman Woods called the meeting to order at 7:00 p.m.

Committee Members Present

M. Woods, Chairman
Ald. R. Nunno
J. Quish (BOE)
T. Creedon

Also Present

B. Silver, Silver Petrucelli Assoc., A/E
M. Cummings (MPS)
P. Bradbury (MPS)
D. Hourigan, Chairman (BOE)
P. Jorgensen, Silver Petrucelli Assoc., A/E
J. Garagliano (MPS)
A. Ridinger, Paragon Construction
R. Lux, W & M Construction
B. McDonald, W & M Construction
A. Tomasko, W & M Construction
K. Morrissey, W & M Construction

Excused: D. DeFlumeri, Ald. R. Vitali, J. Rohrig (BOE)

Consideration of the Minutes of January 28, 2009

Mr. Quish and Mr. Creedon made and seconded a motion to approve the minutes of the January 28, 2009 as presented. Motion carried unanimously.

Status Report – Phase I – Foran High School – Additions, Renovations, Code Compliance

Mr. Silver reported the last treads were put in and inspected. It was reported the project is now 100% complete and can now be removed from the agenda.

Ald. Nunno and Mr. Creedon made and seconded that the project be declared 100% complete as of February 12, 2009.

Mr. Bradbury reported that only custodial cleaning was now required.

Motion carried unanimously.

Status Report – Phase II – Jonathan Law High School – Boilers

Mr. Silver reported they are waiting for the close out documents; otherwise the project is considered complete. Mr. Silver reported as soon as the documents have been received this item can be removed from the agenda.

Status Report – Phase II – Joseph A. Foran High School – Boilers, Gymnasium Floor

Mr. Silver reported the pool elevator shunt trip has been installed that directs the elevator to the nearest floor in the event of a fire or sprinkler activation and is complete. He reported the exhaust stack for boiler #3 may have to be lengthened because it is too close to the roof. With regard to the gymnasium floor, Mr. Silver reported the inserts and refinishing of the gym floor would be done during the April break (deferred till then as requested by the AD due to high activity), although it is a tentative date since there may be a scheduling problem with the Athletics Department. Concerning the sound system, Mr. Silver reported the new system would be identical to the existing system at Jonathan Law that Mr. Nunno tested with some minor upgrades because of the larger size of the gym at Foran. Mr. Silver reported that the final proposal would be presented at the next meeting. Mr. Silver also reported the existing inadequate system would be used in the natatorium. Mr. Silver reported Bismark Construction has not signed the \$20,000 change order pertaining to the natatorium pool water heating as they are still waiting on G & D who is still considering it. He stated Bismark had requested a 20-day time extension, which the committee had rejected as unwarranted. Mr. Woods also noted this Committee decided to defer decision on the liquated damages of September 1, 2008-October 3, 2008 until the project is totally complete.

Status Report – Phase II – Jonathan Law High School – Science Labs

Mr. Hourigan reported he along with Mrs. G. Stanford (BOE) and Mrs. J. Rohrig (BOE) visited Jonathan Law today. He distributed a punch-list he made as they toured the building. Discussion ensued as to the items on the punch-list. Mr. Hourigan also commented the teachers have stated to him the items that remain pending have impacted their teaching abilities because they cannot properly run a lab. Discussion ensued concerning Rooms 212A and 212B, thermostats, water fountains, room 202, acid tank, air handlers, greenhouse leaks, room 114, exposed internet wires in room 114, window sills not caulked and room 112 – cord to pump safety. Mr. Bradbury reported that some of those items were MPS and not CCC tasks.

Chairman Woods asked if the Committee was required to give notice of non-performance to the contractor.

Mr. Silver responded yes, 7 days notice.

Chairman Woods asked Silver Petrucelli to sent out a letter to the contractor if the work is not completed within one week the Committee would hire another contractor to come in and finish the work and back charge CT Carpentry for the work. Discussion continued concerning the punch list items.

Mr. Bradbury spoke issues concerning the greenhouse, which they are addressing.

Chairman Woods asked if the greenhouse is functional.

Mr. Bradbury responded no. Discussion continued.

Chairman Woods asked when the Committee could expect this project to be 100% complete.

Mr. Jorgensen responded not until at least April when some of the other work is completed.

Chairman Woods asked if the punch list items would be done at that point.

Mr. Silver expressed his concern he did not have a lot of confidence the work would be done by April based on the response they have received to date.

Chairman Woods stated the Committee would need to decide how they wished to proceed. It was the consensus of the Committee to direct Silver Petrucelli to send a letter to CT Carpentry and give them seven (7) days to complete the work otherwise back charge them for the hiring of another contractor.

Mr. Silver stated it was his understanding the Committee was directing him to send a letter to the contractor informing him if the work is not done within seven (7) days the Committee would hire another contractor and back charge them.

Mr. Jorgensen explained the abatement removal from the old gym; the old transite board.

Mr. Quish commented regarding the work stating it really did not require a great deal of work and that the price seemed high.

Mr. Silver stated the latest unit price for other recent bids was \$7.50 per square foot. He explained some of the other proposals on pages 10-11 of the handout, explaining they sought other proposals. Discussion ensued.

Mr. Creedon and Mr. Quish made and seconded a motion to approve the change order in an amount NTE \$8,250 to the CT Carpentry contract for the abatement of the transite panels in the auxiliary gymnasium contingent on the confirmation of the bids that were sought by CT Carpentry. Motion carried unanimously.

Mr. Silver referred the Committee to page 9 explaining what the acid neutralizing tank correction covered and the procedure.

Mr. Quish questioned if there were any as-built drawings and if they had been incorrect, commenting this should have been addressed sooner.

Mr. Silver responded as-builts do not exist.

Mr. Bradbury added the pipe inverts were just not visible, but the contractor did not coordinate their work during construction and this is just another example of how this project typically has gone since the start.

Mr. Quish asked why no one saw the drain line.

Ald. Nunno stated at an earlier meeting this Committee heard the drainage was 13" below.

Mr. Silver responded they do not perform destructive analysis and testing because of the disruption to school. He explained with a drain line it usually is a best assumption adding no inverts were shown. Discussion ensued as to the work.

Mr. Silver referred the Committee to page 8 regarding the Smartboards. He stated they went back to both contractors to see if they were willing to review their prices. He deferred to Mr. Cummings for further comment.

Mr. Cummings explained new product has come out and it is lower in price. He also explained they now have a dual function and can be used as a whiteboard as well adding the new boards have a lot of utility to them. He stated the Smartboard has technology as well as applications and spoke as to the polyvision applications that run on it. He stated basically the new board would adapt itself to others continuing on with detailed information.

Mr. Silver deferred the Committee to pages 23-24 of the handout, which showed the pricing of 18 of the polyvision products, explaining the cost savings. He noted the outlets would need to be moved, 8 at Law and 10 at Foran.

Ald. Nunno and Mr. Quish made and seconded a motion to approve the change order request for 8 Smartboards at Jonathan Law in the amount of \$33,904.

Chairman Woods asked how the Committee is buying these.

Mr. Silver responded by contracting directly from Pro Av.

Chairman Woods asked if they needed to go out to bid. Discussion ensued.

Ald. Nunno withdrew his motion and Mr. Quish withdrew his second based on their discussions.

Ald. Nunno and Mr. Quish made and seconded a motion to go out to bid for the purchase of 8 Eno Whiteboard Smartboards at Jonathan Law High School. Motion carried unanimously.

Mr. Silver will coordinate this with Larry Tomasco as needed.

Status Report – Phase II – Joseph A. Foran High School – Science Labs

Mr. Silver reported Mr. Nardone has been working with Mr. Ridinger and 90% of the Phase II Science punch-list is done. He reported next week the window blinds in the media center would be done. He also reported they are working on some control issues concerning a rooftop issue and that the manufacturer is involved as well.

Mr. Ridinger spoke as to the rooftop issue, explaining the unit periodically is shutting itself down and they are not sure if it is a control issue or manufacturer issue. He also commented there are some air balance issues they are dealing with which should be done by next week.

Chairman Woods asked when this project would be complete.

Mr. Ridinger responded he would like to say next week, but it is predicated on the air problem. He stated if they do not figure out the issue it could take longer.

Mr. Silver referred the Committee to page 12 explaining the Smartboards.

Ald. Nunno and Mr. Quish made and seconded a motion to go out to bid for the purchase of 10 Eno Whiteboard Smartboards at Joseph A. Foran High School.

Mr. Ridinger asked if the purchase could go through his company. He stated he would be willing to work with the Committee if this is just a “turnkey” job.

Mr. Silver responded it would be a savings of \$8,000. Discussion ensued.

Chairman Woods stated after the discussion it would be best to do both purchases the same way, but thanked Mr. Ridinger for the offer.

Motion carried unanimously.

Mr. Silver referred the Committee to page 12 for the change order to BACNET regarding controls improvements requested by staff. He stated the original change order in the amount of \$11,000 goes back to July 2008. He explained BACNET is the recent new standard for Milford. He stated they would recommend the re-negotiated quote in the amount of \$8,366.84 with the back up on pages 13 and 14. He also pointed out the work has been done and would not have to be bid in Phase III.

Mr. Bradbury explained it is network managed as compared to the current system where he has to dial into it.

Chairman Woods asked how many schools have BACNET.

Mr. Bradbury responded both Foran and The Academy, but eventually all schools were go to this system and phase out the existing dial up.

Mr. Creedon and Ald. Nunno made and seconded a motion to approve the change order to the Paragon Contract in the amount of \$8,366.84 for the BACNET controls improvement as requested by staff. Motion carried unanimously.

Mr. Silver referred the Committee to pages 15 & 18 regarding the elevator sump pit and pump.

Mr. Quish asked what a “NH” pipe is.

Mr. Silver responded ‘No Hub’.

Chairman Woods asked what is needed now and why the leak.

Mr. Bradbury explained the elevator wall was cut back at least 12” in order to make an accessible cab size, at which time the foundation seal was broken.

Mr. Ridinger also noted there was a lot of rock in that area.

Mr. Bradbury continued that whatever they disturbed gave a new path for the water to come in. Brief discussion ensued.

Mr. Quish questioned whether the pump would be submersible and also questioned the pricing amount.

Mr. Creedon and Mr. Quish made and seconded a motion to approve the change order to the Paragon contract in an amount NTE \$12,981.69 subject to the re-calculation of the labor rate without labor and overhead and verification of Paragon's actual expended supervision.

Mr. Ridinger stated he would need to have a supervisor on site as he is not currently on site any longer.

Mr. Quish suggested they look at it when it is all done.

Chairman Woods asked Paragon to provide backup when the project is concluded.

Motion carried unanimously.

Mr. Silver pointed out the change order for the new VCT floor finishing, which is a credit in the amount of \$2,500 and stated they were still reviewing it and not ready to recommend it to the Committee.

Mr. Quish asked if the work was complete and if they could back track MPS' custodial labor to see what it actually cost MPS.

Status Report – Phase III – Jonathan Law High School

Mr. Silver explained the bids had been received and the low bidder appeared to be W & M. He went on to introduce those individuals present from W & M Construction Company; Robert Lux, Vice President, Kevin Morrissey, Project Manager, Brian McDonald, Vice President and Andy Tomasko, Superintendent. Mr. Silver stated he has contacted their references and also contacted the City of Norwalk where W & M recently completed a \$3,000,000 school project. He referred the Committee to pages 6-9 of the second handout explaining they require at least a Class Type B General Construction certificate. He stated both Paragon and W & M are qualified for Class Type C, being superior. He continued reading the qualifications for this job.

Chairman Woods asked if the Committee had any discretion to award the bid to anyone else pointing out Paragon's bid is \$21,000 higher, but completion proposed in 150 days as compared to W & M Construction completion in 200 days.

Mr. Silver explained the State requires selection of the lowest qualified bidder.

Mr. Ridinger commented voluntary alternates should play into the consideration. Discussion ensued.

Chairman Woods stated the decision is if the Committee has any discretion as to lowest bidder.

Mr. Silver reiterated the State says lowest qualified bidder.

Mr. Ridinger stated they offered to have the project done at the start of school as compared to January 2010. He stated having a school ready at the start of school is more valuable and went on to explain the value of having a project completed prior to school opening.

Chairman Woods pointed out the Committee does not have funding and that it may end it being less than 150 days before school starts, that is assuming both the Boards of Finance and Aldermen approve it.

Mr. Silver stated State statute does not mention time as a qualifying factor.

Mr. Ridinger reiterated it is a cost savings to the school.

Mr. Quish stated the Committee needed to act in the best interest of the town.

Mr. McDonald (W& M) stated the bid was not based on criteria of time.

Chairman Woods stated regardless of what either parties say, the Committee does not have the discretion at this time.

Mr. Quish stated since W & M came this evening, the Committee should at least hear what they have to say.

Mr. Lux stated they are very interested in this job and would like very much to do the job. He explained how they prepared for this bid and that they have a schedule available tonight to propose that includes a substantial completion date of September 18, 2009.

Chairman Woods stated the Committee could not award this project because they do not have the funding.

Mr. Silver referred the Committee to page 27 and explained the numbers for each of the projects that currently require funding by the Aldermen. He noted that financing and contingency costs are not listed in the figures.

Chairman Woods asked about the Phase IV project.

Mr. Silver explained the Feasibility Study spreadsheet of those phases of work identified back in 2002 as the needs for Jonathan Law. He stated the BOE always advances design fees for subsequent phases when requesting construction funds and that this is a typical bond request.

Chairman Woods asked if it is the consensus of the Committee if they could award this to W & M, would they. He stated once the funding is in place and appeal periods have passed and of course assuming both the Boards of Finance and Aldermen approve this request.

Mr. Quish stated he has brought up in the past a possible proposal for work at Law which has a potential to add valuable space at Law. He explained the idea of the current weight room being moved and utilizing that area for classroom space. Discussion ensued.

Chairman Woods asked if it is the consensus of the Committee to forward these estimates to the Mayor for consideration; it was.

Consideration of Payment Requisitions

Mr. Creedon stated he would not be inclined at this time to consider any payments to CT Carpentry until the work moves forward.

Chairman Woods asked if the other payment requisition was in order and if they would recommend payment.

Mr. Silver reported they had reviewed the other requisition to Bismark Construction and found it to be in order and recommended it to the Committee for approval.

Mr. Creedon and Ald. Nunno made and seconded a motion to approve payment of Bismark Construction Co. (#10) FINAL in the amount of \$23,305.00 for Foran High School Phase I additions/renovations. Motion carried unanimously.

Chairman Woods stated the next meeting of the Committee would be in mid-March.

Mr. Quish stated he would like to receive an update as to what happens with CT Carpentry.

Ald. Nunno and Mr. Quish made and seconded a motion to adjourn at 9:35 p.m. Motion carried unanimously.

Respectfully submitted,

Kathleen K. Huber
Recording Secretary