

**PERMANENT SCHOOL FACILITIES BUILDING COMMITTEE
REGULAR MEETING
February 19, 2014**

The Permanent School Facilities Building Committee held a meeting on Wednesday, February 19, 2014 at East Shore Middle School. Chairman Woods called the meeting to order at 7:00 p.m.

Committee Members Present

M. Woods, Chairman
R. Nunno
R. Vitali (BOA)
C. Saley (BOE)
M. Ahrens
M. DeGrego (BOE)
M. Hardiman (BOA)

Also Present

B. Silver, Silver Petrucelli Assoc., A/E
C. Nardone, Silver Petrucelli Assoc., A/E
D. Funaro, Bismark Construction Company
G. Raucci, Bismark Construction Company
C. Williams (MPS)
P. Bradbury (MPS)
K McCarthy, Fuss & O'Neil

Consideration of the Minutes of the meeting held January 8, 2014

Mr. Nunno and Mr. Ahrens made and seconded a motion to approve the minutes of the January 8, 2014 meeting as presented. Motion carried unanimously.

Status Report RE: Elementary Schools Asbestos Abatement Project

Chairman Woods explained how this was delegated to this Committee. He stated work would be done at Joseph A. Foran High School, John F. Kennedy Elementary School ("Kennedy") and if any monies remained, work would be done at West Shore Middle School. Chairman Woods stated Silver Petrucelli had already done the plans for Kennedy. He also pointed out abatement has already been done at Orange Avenue Elementary School, Mathewson Elementary School, Pumpkin Delight Elementary School and Orchard Hills Elementary School. With regard to West Shore, Chairman Woods pointed out that Silver Petrucelli has already done work at that school. He also stated it was the suggestion of Mr. Richetelli and Mr. Bradbury to wait to make sure not to abate any school that may close in light of the upcoming recommendations of the Long Range Planning Committee. He also stated it was important to know what the budget would be for each school.

Mr. Saley asked the square footage at each school.

Mr. Silver provided the Committee with a handout and went on to explain the \$425,000 abatement work estimate from 2011 is only asbestos and lead dust and explained the relatively new rules on PCB's based on EPA rulings.

Mr. McCarthy explained that previously PCBs were not tested for in floors, and was mainly found in windows/window frames. He stated now the EPA is requiring testing of floors, paints, sealers, etc. A brief discussion ensued.

Chairman Woods stated the Committee needed to proceed with abating the lead dust that persists about the ceilings as had been done in prior phases. Discussion resumed.

Chairman Woods questioned whether the Aldermanic Resolution and Ordinance that only specifically mentioned “asbestos” was broad enough to also cover lead dust and PCB’s. The consensus was for Chairman Woods to send a letter to bond counsel for clarification.

Mr. Nunno and Mr. Hardiman made and seconded a motion to commence the work at Foran first.

Mr. Saley suggested the Committee may want clarification regarding the wording on the bonding authorization.

Chairman Woods stated this is an Ordinance and a Resolution to perform the work. He asked Mr. Saley if he was seeking clarification from the City Attorney. Chairman Woods reminded the Committee that time was of the essence in order to get the abatement work done this summer.

Mr. Silver stated if a PCB and lead dust scope is delayed waiting for legal interpretation, and then the change is made after the asbestos is approved for bidding, then the plans would have to be redone and they would have to go back to the Board of Education for approval as well as the State for approval.

Mr. Ahrens asked if the scope of the work covered asbestos and lead, but not PCBs. He also asked if the monies would be enough to cover the proposed work.

Mr. Silver explained the bids from 2011 as well as the schools that were identified by the Board of Education. He stated at Kennedy it was the east wing, which included abatement of the ceilings.

Ald. Vitali asked if the PCB remediation was included in these design proposals.

Mr. Silver replied yes, but that they did not have any prior construction bids for West Shore Middle School, only a preliminary A/E estimate.

Mr. Bradbury stated unabated scope was down to 8 rooms at West Shore and some flooring.

Motion carried 6 yes (Woods, Hardiman, Saley, Vitali, Nunno, DeGrego) and 1 no (Ahrens).

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve the abatement work at Kennedy as the second school.

Mr. Saley asked if there was any urgency to getting the work done.

Mr. Bradbury stated yes, he would like to get the work done at Foran and then Kennedy this summer. He stated at Kennedy there are areas where the ceiling tiles continue to fall in several areas. He also stated Foran and Kennedy are the two schools that have air conditioning and are generally used for summer school every summer. Mr. Bradbury also stated Camp Happiness would like to get back into Foran.

Mr. Saley asked about West Shore Middle School.

Mr. Bradbury stated he would like all three school bid under the one bid for optimal value and timing.

Motion carried unanimously.

Mr. Nunno and Ald. Hardiman made and seconded a motion to select West Shore Middle School as the third school to abate.

Mr. Saley asked about the testing and if the schools could be tested over a weekend, adding he was looking for more clarification.

Mr. McCarthy went on to explain the EPA PCB testing regulations.

Ald. Vitali asked the timeframe for the testing.

Mr. McCarthy stated they could have the results in a week.

Mr. Silver reiterated the A/Es would then prepare construction documents and need local approvals and then go for the required Plan Completion Test with the State Office of School Facilities. He stated after that time consuming process, the City could go out to bid; it would be possibly May or June.

Chairman Woods said he asked Silver Petrucelli to put together a proposal.

Mr. Silver went on to explain the second handout, with separate proposals for each school. He stated if the Committee wished they could approve them as NTE as Fuss and O'Neil's testing numbers were estimates, not fixed fees, as follows: West Shore \$33,670, Foran, \$33,740 and Kennedy \$25,890. He stated he was not asking the Committee to approve the Environmental CA as it is impossible to predict at this point.

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve the proposal of Silver Petrucelli dated February 19, 2014 for the A/E fees, haz mat fees in an amount not to exceed \$33,670 at West Shore Middle School, \$33,740 at Joseph A. Foran High School and \$25,890 at John F. Kennedy Elementary School.

Chairman Woods stated for clarification that the fees for Silver Petrucelli were fixed, but the fees for Fuss & O'Neil were not to exceed numbers.

Mr. Nunno asked if the fees included the 5% mark-up on consultant's services.

Chairman Woods responded yes.

Mr. Saley stated he felt more information was needed and it was important to know what exactly was going to be done. He stated the Committee may not wish to award the contracts until more is known.

Chairman Woods stated the Committee was being asked to approve the design contracts and testing for Foran and if there is no PCB there should be sufficient funds to move on to Kennedy and again, if no PCBs, then the work would move on to West Shore. He also stated that Fuss & O'Neil has stated they would provide the Committee with the results as soon as possible.

Mr. Saley asked why the design contract was not going out to bid.

Note: The Architect's offered to leave the room. Mr. Silver, Mr. Nardone and Mr. McCarthy left the room. (7:46 p.m.)

Discussion ensued regarding the possibility of going out to bid for an architect and abatement firm.

Mr. Silver, Mr. Nardone and Mr. McCarthy returned (8:01 p.m.).

The motion failed 2 yes (DeGrego, Woods) and 5 no (Vitali, Saley, Ahrens, Nunno, Hardiman).

Chairman Woods said a request for qualifications would have to be prepared and distributed and that the attendant delay would jeopardize a May 7, 2014 PCT meeting thus diminishing the chances of getting the jobs constructed this summer.

Status Report – East Shore Middle School Additions/Replacements – Phases I and II

Mr. Funaro reported the space has been prepped for furnishings. He also reported the Fire Marshal and Building Inspector would be out tomorrow and that he anticipated turning that space over. Mr. Funaro stated the zinc and wood paneling has not been installed as yet, but the area can be occupied. He stated he has been told the new bookcases will begin installation on March 3, 2014. He also reported the masonry work is on hold until the weather warms. He stated once the old media center moves into the new space they will begin demolishing the last part of the building. He also noted there will be some punch list items in already substantially completed areas of the building. With regard to the administration wing renovations, Mr. Funaro stated a lot of the work hinges on the weather.

Mr. Saley asked if the total project completion was still on target for June 2014.

Mr. Funaro replied yes.

Chairman Woods asked if that included the change ordered bathroom work.

Mr. Funaro stated he has not received any direction as yet, but expected all work would be completed in June.

Mr. Silver referred the Committee to p. 6 of the handout for an explanation of change orders on the project. He pointed out there were no change orders in December or January.

Mr. Nardone then referred the Committee to p. 7 for the first of three change orders. He stated the first change order was for the roof hatch (backup found on p. 13). He explained the pull down hatch in the ceiling was for servicing the attic AHU equipment. Mr. Nardone explained the building department found language in the mechanical code prohibiting this high a hatch. Mr. Nardone read the language from the regulations.

Mr. Silver stated they only received this today and that their structural engineer had not thoroughly vetted it. He stated he would recommend to the Committee a not to exceed change order, adding they would have Jason watch the installation and sign daily tickets.

Mr. Nunno asked the height from the flat roof to the adjacent octagon hatch.

Mr. Nardone replied it is approximately 2 ½ feet.

Mr. Funaro pointed out it is the only means of access to the equipment in the attic.

Mr. Saley asked if they could seek a code modification.

Mr. Funaro stated it is his experience that they would not allow it because it is a safety issue.

Mr. Bradbury pointed out there is no feasible internal access, that you can only get to that space from the roof.

Mr. Nunno stated he felt if safety was the issue it should be accessed from the inside. He stated he disagreed with spending the money.

Mr. Nardone stated the problem is that it deals with OSHA workplace safety requirements as well.

Ald. Hardiman and Mr. Ahrens made and seconded a motion to approve a change order to the Bismark Construction Company contract in an amount not to exceed \$18,206 to provide the roof hatch into the media center.

Mr. Ahrens questioned the \$5,030.

Mr. Silver stated the Architects felt this steel fabrication proposal is excessive and that is why he is suggesting the Committee approve this change order as a not to exceed. He stated the job superintendent will track the tickets.

Motion carried unanimously.

Mr. Silver referred the Committee to p. 7 of the handout for the change order regarding the tactile warning at the new drop curb.

Mr. Nardone stated the backup was on p. 20. He explained this was placed at door 01 and 02 by the handicap parking space (p. 24) and explained the warning strip.

Mr. Funaro added all the work of the sketch has been done except the tactile warning strip.

Mr. Silver stated additional backup could be found on p. 22, which showed the original higher cost proposal. He stated they worked with Mr. Funaro on this.

Ald. Hardiman and Mr. Nunno made and seconded a motion to approve a change order to the Bismark Construction Company contract in the amount of \$1,474 to provide the tactile warning. Motion carried unanimously.

Mr. Silver referred the Committee to p. 29 of the handout and deferred to Mr. Nardone.

Mr. Nardone stated the plan is actually found in the concrete documents. He stated it is a liquid sprayed material applied to the steel columns so that water does not infiltrate.

Mr. Silver added it protects the cavity wall as well which helps prevent rust.

Mr. Saley asked if this was in the original specifications.

Mr. Corey stated yes in this location the detailing was specific for the adjacent block, but not the columns.

Chairman Woods asked how many steel columns are involved.

Mr. Nardone explained the 8 locations, which are about 13 ft high. He went on to explain how the membrane is formed around the assembly.

Mr. Saley questioned why the inside protection was needed.

Mr. Nardone stated there is no inside protection that this is an exterior orientation.

Mr. Saley asked why it could not just be returned out.

Mr. Nardone stated it is due to the manufacturers details for the waterproofing system.

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve a change order to the Bismark Construction Company contract in the amount of \$3,171 to add the inner wall flashing at the steel columns between the masonry walls.

Chairman Woods asked if it was a fair value.

Mr. Silver replied yes.

Motion carried unanimously.

Mr. Silver referred the Committee to p. 8 of the handout, explaining some of the coming change orders with backup beginning on p. 30-32.

Mr. Nunno and Ald. Vitali made and seconded a motion to approve a change order to the Bismark Construction Company in the amount of \$2,309 to repair the brick parapet walls behind the gravel stop. Motion carried unanimously.

Mr. Silver referred the Committee to p. 33 of the handout.

Mr. Nardone stated the backup could be found on p. 35 for the steel beam repair. He explained the beam holds up the structural wall and that there was an 8" discrepancy between the door and steel beam. He stated the beam is required to bridge over existing door below.

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve a change order to the Bismark Construction Company contract in the amount of \$4,483 to install the beam and stub column.

Chairman Woods asked if it was a fair value.

Mr. Silver replied yes.

Motion carried unanimously.

Mr. Silver referred the Committee to p. 36 of the handout. He stated there have been a lot of discussions regarding patching plaster walls behind the tack boards.

Mr. Nardone explained they had to repair and patch the lower half of the corridors to match. He stated the problem was in the detail and that they did not show patch and match, but that they wanted to maintain continuity.

Chairman Woods asked for a summary as to why this is considered a change order.

Mr. Silver stated the disagreement is with the wage rates. He stated they felt the materials and tickets were excessive.

Ald. Vitali stated he felt the edges could be painted. He also pointed out some of the areas have already been damaged.

Mr. Nardone stated originally it would line up with the steel blocking.

Mr. Saley and Ald. Vitali made and seconded a motion to approve a change order credit to the Bismark Construction Company contract in the amount of \$38,000 to patch plaster walls behind the tackboards to match the existing adjacent wall conditions.

Mr. Silver stated they were recommending \$38,000, but that Bismark was looking for \$52,000.

Mr. Ahrens asked if that was the thought taking it from \$52,000 to \$38,000.

Mr. Funaro stated the tickets represent what was not on the documents. He stated that he probably has another \$10,000-15,000 in tickets for plaster work that is part of Bismark's contract work.

Mr. Silver stated they should be using prevailing rates.

Mr. Funaro stated they are, maintaining they did not overcharge and that this is the prevailing rate, adding the hourly rate is \$84.17. A brief discussion ensued.

Ald. Vitali commented prevailing rate should be just that, prevailing rate.

Mr. Raucci stated it is prevailing rate plus benefits, i.e. workers compensation, FICA, etc., plus markup.

Mr. Funaro stated this is a union contract; there could be a difference in the variation of the rate.

Mr. Raucci suggested the Committee pay the \$38,000, without prejudice, with the possibility of being included at a later date.

Motion carried unanimously.

Mr. Silver referred the Committee to p. 50 of the handout for the next change order.

Mr. Nardone explained the change order for the build out of the existing masonry jambs at B wing, which was performed by Bismark.

Mr. Silver stated the backup could be found on p. 51.

Mr. Hardiman and Mr. Nunno made and seconded a motion to approve a change order to the Bismark Construction Company contact in the amount of \$5,819 to build out the jambs at the exterior windows. Motion carried unanimously.

Mr. Silver referred the Committee to p. 53 of the handout for the next change order for the cast stone sills in 4 rooms in the amount of \$1,661. He pointed out they questioned the shipping costs.

Mr. Saley asked how many linear feet.

Mr. Funaro stated approximately 25-30.

Mr. Nunno and Mr. Saley made and seconded a motion to approve a change order to the Bismark Construction Company contact in the amount of \$1,661 for the cast stone sills. Motion carried unanimously.

Mr. Nardone stated the next change order in the amount of \$1,703 for the installation of wall base in 7 classrooms, for the cutting and patching of the vinyl base and flooring.

Chairman Woods asked the linear feet.

Mr. Nardone stated it totals 400.

Ald. Hardiman and Mr. Ahrens made and seconded a motion to approve a change order to the Bismark Construction Company contract in the amount of \$1,703 for the installation of wall base in 7 classrooms. Motion carried unanimously.

Mr. Silver pointed out some of the change orders being approved tonight date back to last summer.

Mr. Nardone referred the Committee to pgs. 58-61 of the handout for the demolition of wall tiles in 3 former locker/shower rooms.

Mr. Saley and Ald. Hardiman made and seconded a motion to approve a change order to the Bismark Construction Company contact in the amount of \$831 to remove tile on walls to enable other installations. Motion carried unanimously.

Mr. Silver stated the next change order concerns the bathroom work. He explained \$330,000 was the original add alternate bid, with the subs asking \$5,200 for fixed costs escalation due as so much time has passes.

Mr. Funaro stated they estimated an allowance of \$10,000 for supervision plus the markup. He pointed out they have not vetted this as yet.

Mr. Funaro stated the one revision could be found on p. 64. He stated that is the current pricing for the subs.

Mr. Silver reiterated he received this today from Mr. Funaro and that they have not vetted it and did not understand pricing on the toilets, stalls. With regard to the supervision, he stated a supervisor is already on the job site thru June. Mr. Silver also stated Bismark was asking if some bathrooms could be turned over for construction tomorrow.

Mr. Funaro stated they were requesting the extra supervisor time if work is done at night. A brief discussion ensued about doing the work during normal hours yet separated from students.

Ald. Hardiman and Ald. Vitali made and seconded a motion to approve a change order to the Bismark Construction Company contract in the Not to Exceed amount of \$345,778 for the renovation of six bathrooms.

Mr. Funaro pointed out there is a potential for an additional \$17,000 for the tile floor removal. He explained they did not there was unstable mortar 'mud' underneath the old tiles. He stated it would depend on what they run into.

Motion carried unanimously.

Mr. Silver stated there is one upcoming change order regarding the temporary egress and a change order regarding a steel platform for access to the elevated and large roof top air handler. He also explained the conceived catwalk with the guardrail system around it.

Mr. Funaro stated there is still work regarding the fiber cable and computer lab. He stated they cannot move the computer lab until that change order is considered.

Mr. Raucci suggested a not to exceed to be able to move forward with the computer room.

Mrs. Williams stated it is critical the computers are up and running during March and April due to upcoming testing.

Ald. Vitali asked the timeframe.

Mr. Funaro stated it would be approximately 1 week.

Mr. Saley and Mr. Ahrens made and seconded a motion to approve a change order to the Bismark Construction Company contract in a amount not to exceed \$11,977 to replace the fiber optic cable for the computer relocation. Motion carried unanimously.

Status Report – East Shore Middle School Additions/Replacements – Phase III

Chairman Woods stated the FF&E bids were opened last fall and were good until March 4.

Mr. Silver referred the Committee to p. 2 of the handout that continued through p. 5. He stated their interior designer vetted this thoroughly and stated some of the substitutions were not recommended, hence the contract value.

Mr. Saley and Ald. Hardiman made and seconded a motion to approve the contract to WB Mason in the amount of \$295,629.50 for the FF&E. Motion carried unanimously.

Mr. Saley and Ald. Hardiman made and seconded a motion to approve the contract to Omni for the Network Equipment (\$51,508.09) and Security Equipment (\$123,677.39) in the total amount of \$175,185.48.

Ald. Vitali asked if any of that money comes as special grants from the State.

Mr. Silver replied no, but it is eligible for reimbursement.

Motion carried unanimously.

Chairman Woods stated the Committee needed to consider hiring Silver Petrucelli for the Phase III work.

Mr. Silver referred the Committee to p. 2 of the handout for the proposal to administer the construction for all of the fixtures, color selections, electrical, IT, etc.

Mr. Saley and Mr. Nunno made and seconded a motion to accept the \$15,000 fixed fee proposal of Silver Petrucelli dated February 19, 2014 for the Phase III work. Motion carried unanimously.

Mr. Silver stated this did not include any haz mat work as abatement is not included in this phase. He stated miscellaneous budgeted monies could be wrapped up into the contingency. He stated also they will be looking at change order values for the lockers since no bids were submitted in three biddings.

Mr. Saley asked if there was a number on the lockers.

Mr. Funaro stated it was approximately \$44,000.

Mr. Silver referred the Committee to p. 9 of the hand out of William B. Meyer storage rental for December and January in the amount of \$2,835 (\$1,417.50 per month).

Mr. Saley and Mr. Nunno made and seconded a motion to approve a change order to the William B. Meyer contract in the amount of \$2,835 for storage rental for December and January. Motion carried unanimously.

Consideration of Payment Requisitions

Chairman Woods asked Mr. Silver if he could represent to the Committee that all the requisitions had been reviewed and were found to be in order and if payment was recommended at this time.

Mr. Silver replied yes.

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve payment to Bismark Const PH 1 (Gen. Const) (#15) in the amount of \$182,511.00 for East Shore Middle School Expansion and Alterations and Abatement Projects. Motion carried unanimously.

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve payment to Van Zelm Engineers Commissioning (18) in the amount of \$1,482.50 for East Shore Middle School Expansion and Alterations and Abatement Projects. Motion carried unanimously.

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve payment to Van Zelm Engineers Commissioning (19) in the amount of \$1,482.50 for East Shore Middle School Expansion and Alterations and Abatement Projects. Motion carried unanimously.

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve payment to Silver Petrucelli PH 1 CA+ENV CA (#14-135) in the amount of \$13,440.00 for East Shore Middle School Expansion and Alterations and Abatement Projects. Motion carried unanimously.

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve payment to Bismark Construction PH 2 (GEN Const) (#11) in the amount of \$133,856.90 for East Shore Middle School Expansion and Alterations and Abatement Projects. Motion carried unanimously.

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve payment to RNB Enterprises (SMART BDS #52573-2) in the amount of \$11,971.90 for East Shore Middle School Expansion and Alterations and Abatement Projects. Motion carried unanimously.

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve payment to William B. Meyer Moving (#COM-851-3/8) in the amount of \$1,417.50 for East Shore Middle School Expansion and Alterations and Abatement Projects. Motion carried unanimously.

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve payment to William B. Meyer Moving (#COM-851-3/9) in the amount of \$1,417.50 for East Shore Middle School Expansion and Alterations and Abatement Projects. Motion carried unanimously.

Mr. Nunno and Ald. Hardiman made and seconded a motion to approve payment to Silver Petrucelli PH 2 CA+ENV CA (#14-160) in the amount of \$7,440.00 for East Shore Middle School Expansion and Alterations and Abatement Projects. Motion carried unanimously.

The next meeting was tentatively scheduled for March 13, 2014.

There being no further business to discuss, Ald. Hardiman and Mr. DeGrego made and seconded a motion to adjourn at 10:05p.m. Motion carried unanimously.

Respectfully submitted,

Kathleen K. Huber
Recording Secretary