

**PERMANENT SCHOOL FACILITIES BUILDING COMMITTEE
REGULAR MEETING
MARCH 6, 2008**

The Permanent School Facilities Building Committee held a meeting on Thursday, March 6, 2008 in Conference Room B in City Hall. Chairman Woods called the meeting to order at 7:00 p.m.

Board Members Present

M. Woods, Chairman
Ald. R. Vitali (7:12 p.m.)
D. DeFlumeri
T. Creedon
C. Kopazna (BOE)
Ald. R. Nunno
J. Quish (BOE)

Also Present

W. Silver, Silver Petrucelli Assoc., A/E
P. Bradbury (BOE) (7:17 p.m.)
R. Michael Cummings (BOE)
J. Garagliano, Principal (Jonathan Law)
F. DiBacco, VP, CT Carpentry Corp
M. Fontaine, VP, CT Carpentry Corp

Consideration of the Minutes of February 21, 2008 meeting.

Mr. DeFlumeri and Mr. Creedon made and seconded a motion to approve the minutes of the February 21, 2008 meeting as presented.

Ald. Nunno stated he would abstain from the vote since he was not present at that meeting.

Motion carried 6-0 with 1 abstention (Nunno).

Status Report – Phase I – Jonathan Law High School

Mr. Bradbury reported that the sound proofing will be installed next week after the CAPT tests.

Status Report – Phase I – Foran High School (Stair Treads)

Mr. Silver reported 9 treads at the #3 stairway are done and set and 3 treads on the #2 stairway will be done during the April break. It was noted there does not appear to be any problem with any other treads at this time.

Status Report – Phase II – Foran High School (Science Labs)

Chairman Woods brought Ald. Nunno and Mr. Quish up to speed as to what happened at the February meeting. He explained the bonding issue and that the request for supplemental funding would go to the Board of Finance at the end of March and hopefully to the Board of Aldermen for their April meeting. Chairman Woods explained in order to avoid further delays this Committee decided at the February meeting to go forward with a “mini” contract with Paragon. Chairman Woods continued with his explanation as to what transpired at the February meeting. A brief discussion ensued.

Chairman Woods asked where the contract is.

Mr. Silver replied it would be at Paragon's Office tomorrow (3/7/08). Mr. Silver explained the mini-contract and future April contracts would result in six pay requisitions each month to align with the three different funding sources.

Status Report – Phase II – Foran High School (Boilers)

Mr. Silver reported the work is going well and noted there are no change orders.

Mr. Bradbury added they are getting ready to demo the first boiler and chiller. He stated he believed the cooling tower is on order and the chiller is in transit.

Chairman Woods asked the expected completion date of this project.

Mr. Bradbury replied he believed it would be June.

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

Mr. Bradbury reported the two boilers have been sectioned together. He noted the old boiler is leaking and they continue to treat it with "kid gloves". He also reported the contractors are doing a great job.

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

Mr. Silver referred to pages 4 and 5 of the handout and gave an explanation of where they are. He also referred to pages 6-9 of the handout for Connecticut Carpentry's explanation. Mr. Silver also reported they have met with the principals along with Mr. Cummings leading the way in an attempt to get any classrooms ready to begin in early June. He spoke as to some of the dates and what they are looking at. He stated they would continue to work with the principals and Mr. Cummings. Mr. Silver introduced Mr. Frank DiBacco and Mr. Mark Fontaine from Connecticut Carpentry Corporation.

Mr. Fontaine stated there were two major issues they did not count on when they submitted their bid and went on to explain their company's hardship, but stated these issues are their mistakes. He went on to explain the electrical bid, which they sent out to electrical contractors. He stated there is a \$105,000 discrepancy, which he went on to explain. Mr. Fontaine stated the other issue was with the cabinets, which he stated is a big component of this contract. He spoke as to the installation, which was excluded from the subcontractor's bid and continued with his explanation. He stated the difference is \$90,000. Mr. Fontaine also commented that typically there are always some small issues, however, the bottom line here is that this bid puts them at a loss for the project creating a hardship for their company.

Chairman Woods explained the Committee has to decide how they wish to proceed and what if any direction to take. He noted the bid of \$3,149,400 would go up \$195,000.

Ald. Vitali asked the representatives from Connecticut Carpentry if they were satisfied with these numbers.

Mr. Fontaine explained their low bid, noting they bid it tight because they wanted the work.

Chairman Woods explained they have dealt with this before, dealing with a less egregious error, although Connecticut Carpentry is freely admitting it was an error. He stated this Committee needed to decide what they would do.

Mr. Creedon asked if they accepted this could the other contractors challenge this. Chairman Woods noted even with the error they are still the low bid.

Mr. Creedon asked if the other bidders were notified they were not the low bidder.

Mr. Silver explained they are made aware when the bids are opened. He also noted the bids are available on-line with the bid number. A brief discussion ensued.

Chairman Woods asked about the purchasing rules.

Mr. Silver stated he spoke with the City's Purchasing Agent. He spoke as to "scrivener's error" and explained what that is. He stated this is a misreading of the subcontractor's bids. He explained in detail the recommendations of the Purchasing Agent. Discussion ensued.

Mr. Fontaine stated they want to work something out and don't want the reputation of having their bid bond attached.

Mr. Silver commented after a public bid, it is the Purchasing Agent's position you cannot negotiate with any contractor.

Mr. Quish stated he disagreed with that. He stated you should be able to negotiate and that he feels you can, however he did not wish to butt heads with the City's Purchasing Agent.

Mr. Silver spoke as to the purchasing rules. He stated the Purchasing Agent has the final say regarding the City's purchasing rules. Discussion continued.

Mr. Quish spoke as to value engineering and suggested Connecticut Carpentry look at the bid in detail and perhaps there is some possibility of making some changes.

Mrs. Kopazna commented they could be putting this project in jeopardy if this Committee does not move forward and work through it. She stated she would be in favor of awarding a "mini" contract.

Chairman Woods asked Mrs. Kopazna is she wished to put her comments in the form of a motion.

Mrs. Kopazna and Mr. Creedon made and seconded a motion to award a "mini" contract to Connecticut Carpentry Corporation in the amount of \$1,240,000, covering the long lead items listed in Connecticut Carpentry's letter dated March 3, 2008.

Chairman Woods stated they needed to figure out how to do this legally and also if the Committee could make changes to the amount requested.

Mr. Fontaine stated if they could get three to four days to try to “crunch” some numbers and if possible, if they could come back to this Committee next week with those numbers. He also suggested the Committee go to the next bidder and look at those numbers.

Mr. Silver commented he believed you might have to go to all the bidders if you were considering any re-valuation.

Chairman Woods explained his concern if the low bid was increased by only \$1.00.

Mr. Fontaine added the extra time would allow him to get some legal advice. Discussion ensued.

Chairman Woods asked Mr. Fontaine if Connecticut Carpentry would be willing to sign the “mini” contract.

Mr. Fontaine responded they would have to get counsel as to what that represents. Discussion resumed.

Chairman Woods recapped for the benefit of the Committee that Connecticut Carpentry is the low bidder; even with the adjustment they are still the lowest bidder.

Motion carried unanimously.

Status Report - Phase III – Foran High School

Mr. Silver reported they have not moved forward at this time.

Status Report - Phase III – Jonathan Law High School

Mr. Silver stated they were still working with the State Fire Marshal and the local officials regarding the two modifications. He reviewed what has transpired with both of the projects.

Chairman Woods spoke as to the big picture for Phase III. He stated the Committee would not be looking at bonding until February next year. He stated the Committee would not be able to go out to bid until mid October. He stated if they were to open the bids in mid November that would in all likelihood take them into January. He stated this of course is all contingent upon these projects being funded. Discussion ensued.

Status Report Re: Pumpkin Delight Elementary School – grant transfer

No update.

Consideration of Payment Requisitions

Mr. Silver noted there is only one payment requisition.

Ald. Vitali and Mr. Creedon made and seconded a motion to approve payment of Paragon Construction Co. (#4) in the amount of \$151,045.05 for Jonathan Law Phase II renovations.

Mr. Quish questioned the actual elements requisitioned for this month.

Mr. Silver explained a good portion of this requisition was for the mechanical demo and most of the mechanical work.

Chairman Woods asked if the payment requisition was in order and if Silver Petrucelli was recommending it.

Mr. Silver responded yes.

Motion carried unanimously.

The next meeting will be March 13, 2008 at 7:00 p.m. Being no further business to discuss, the Committee adjourned at 8:37 p.m.

Respectfully submitted,

Kathleen K. Huber
Committee Secretary