

**PERMANENT SCHOOL FACILITIES BUILDING COMMITTEE  
SPECIAL MEETING  
AUGUST 13, 2015**

The Permanent School Facilities Building Committee held a special meeting on Thursday, August 13, 2015 at City Hall (west conference room). Chairman Woods called the meeting to order at 7:00 p.m.

**Committee Members Present**

M. Woods  
M. Ahrens  
M. Hardiman (BOA)  
R. Vitali (BOA)  
B. Nunno  
J. Federico (BOE) (7:18 p.m.)

**Also Present**

P. Bradbury (MPS)  
B. Silver, Silver Petrucelli Architects

Chairman Woods reported to the building committee that Mr. DeGrego had resigned from the committee. He stated a replacement should be in place by the next meeting and that it was likely to be Suzanne Dibiase.

**Consideration of Minutes**

Ald. Vitali and Ald. Hardiman made and seconded a motion to approve the minutes of the July 21, 2015 meeting as presented. Motion carried unanimously.

**Status Report RE: East Shore Middle School Addition/Renovations - Phases I & II**

Mr. Silver reported there has been a lot of activity. He explained the first two pages of the handout which are a summary of change orders over the years. Mr. Silver also provided the committee with photos taken today and some of the punch-list work. He reported Bismark Construction would be submitting for final payment on the small abatement contract and that they would be seeking the full retainage release on the two larger Phased contracts. Mr. Silver referenced the 26 page punch-list which he stated Mr. Funaro has reported as being completely corrected. He went on to explain some of the items still remaining on the punch-list after Silver Petrucelli Architects staff did a follow up and halted after finding punchlist work undone. Mr. Silver stated he has spoken with Mr. Funaro regarding the incomplete items, however, Mr. Funaro is of the opinion the items have been completed. Mr. Silver also reported Bismark has not been on site with any regularity this summer, except to complete the front plaza area. Mr. Silver reiterated Silver Petrucelli Associates the punch-list is not complete. He also reported approximately \$180,000 of the retainage is still being held. Discussion ensued.

Chairman Woods stated he wished to be clear regarding the protocol for finalizing the punch-list and that once an item is found not to have been completed on the punch-list, the inspection stops and the contractor is called back in. Discussion resumed.

Mr. Silver stated the other significant item concerns the Johnson Controls work. He stated he received a lengthy letter from Van Zelm, the commissioning agent, who has reported the Johnson Controls crew assigned to this job site is not performing well.

Ald. Vitali asked who oversees the crew.

Mr. Silver reported they have gone up the proper chain of command at Johnson Controls, as has Mr. Bradbury. He reported the actual commissioning (testing of operations) has not started because of the controls work that is not complete. Mr. Silver reported the middle subcontractor; R & R is not on site and therefore not providing the necessary equipment, as well as poor communications. He referred the Committee to p. 3-4 of the handout, which showed the general conditions of the contract regarding termination procedures.

Chairman Woods asked how Bismark Construction could be held liable since the district dictates what controls company to use.

Mr. Silver explained the process for cause of termination (p. 4 of handout). Mr. Silver stated he called Mr. Funaro to advise him the process might commence for termination. He continued with an explanation of the ramifications of a termination.

Mrs. Federico asked if the district is paying more for utilities due to the inefficiency of the system.

Mr. Bradbury stated the short answer is yes, but it would be difficult to quantify. Discussion ensued.

Chairman Woods asked if the Committee was in agreement that the Initial Decision Maker certifications letter go out.

Mrs. Federico asked for clarification regarding the 7-day clock.

Mr. Silver explained the clock begins once (the second) written notice is sent to the contractor from the owner.

Mr. Nunno and Ald. Hardiman made and seconded a motion to authorize Silver Petrucelli to send the certification letter to Bismark Construction regarding Johnson Controls. Motion carried unanimously.

Discussion ensued regarding the punch-list and timeframe in which to complete the work.

Mr. Ahrens stated the letter should include the punch-list.

Mr. Ahrens and Ald. Hardiman made and seconded a motion to authorize S/P to send the second certification letter to Bismark Construction regarding the incomplete punch-list. Motion carried unanimously.

Mr. Bradbury asked where the plaque concerning the construction of the project was understood by the committee to be placed.

Ald. Vitali stated it would be appropriate to place the plaque in the lobby of the school.

Mr. Nunno added the front lobby made the most sense.

### **Status Report RE: Hazardous Material Abatement/Tile Replacement Project**

A. Joseph A. Foran High School - Mr. Silver reported the ceiling and lighting pads were in, with one more inspection scheduled.

Mr. Bradbury added they would be closing up the ceilings tomorrow and that Meyers Moving Company would be coming back over the weekend to move furniture back in.

Chairman Woods asked if there was any chance the work would not be complete prior to the opening of school.

Mr. Bradbury replied no.

Mr. Silver added that Camp Happiness has worked out fine this summer, even with the ongoing working being done.

B. Jonathan Law High School

### **Status Report RE: West Shore Middle School Addition/Renovations/Code Compliance**

### **Status Report RE: Harborside Middle School IRoof and Window Replacement Project**

### **Status Report RE: Elementary School Roof Replacement Projects**

Chairman Woods reported the architects were selected by the Committee for the above captioned cases. He reported a letter with proposal instructions went out to each architect. He stated a contract would be prepared after the committee reviewed the architect's proposals.

Mr. Silver stated they would be bringing forward their proposals, likely at the next meeting. He explained the role of each of the architects at this point as they prepare for each of the projects. He also reported the 5-year principal at West Shore Middle School has left and that a new principal was recently appointed. He reported a scoping

meeting took place last week with the newly appointed principal, the previous principal, Mr. Richetelli, Mr. Bradbury, Civil Engineer Don Smith and himself. He spoke of the programs the administrators are looking for, including modernization, window replacement, dedicated band area, art and music wings and gymnasium. The educators also stated they would like to have a gym with a large stage that would be able to support large events.

Mr. Nunno commented it was his understanding a committee of administrators/teachers from WSMS would be put together concerning this project. Mr. Silver concurred and discussion ensued.

Mrs. Federico asked about the process, specifically there had been talk of a construction manager for the larger projects.

Mr. Silver stated that is something this Committee could consider, however he recommended it be done as soon as possible.

Mrs. Federico asked the process in selecting a construction manager.

Mr. Silver explained the state-mandated process would be similar to the selection of the architect. A lengthy discussion ensued regarding consideration of a construction manager.

Mr. Ahrens stated he would like to make a motion that if Mr. Nunno is not appointed to the construction committee as part of West Shore Middle School that he is allowed to meet with the architect and school officials regarding the expansion project. Mr. Nunno and the committee felt this wasn't necessary, therefore no second was made.

### **Consideration of payment requisitions**

Chairman Woods asked for an explanation of the requisitions that were denoted in green and red.

Mr. Silver explained both requisitions are legitimate and that they have received the paperwork. He also pointed out the project has received a full certificate of occupancy.

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

Mr. Silver replied yes.

Ald. Vitali and Ald. Hardiman made and seconded a motion to approve payment to Bismark Construction PH 1 (#27) 1.0% Retainage in the amount of \$7,508.50 for East Shore Middle School Expansion and Alterations and Abatement projects (Phase I). Motion failed 3 yes (Woods, Vitali, Hardiman) and 3 no (Ahrens, Nunno, Federico).

Ald. Vitali and Ald. Hardiman made and seconded a motion to approve payment to Bismark Construction PH 1 (#28) Retainage Reduction in the amount of \$92,154.15 for East Shore Middle School Expansion and Alterations and Abatement projects (Phase 1). Motion failed 3 yes (Woods, Vitali, Hardiman) and 3 no (Ahrens, Nunno, Federico).

Ald. Vitali and Ald. Hardiman made and seconded a motion to approve payment to Bismark Construction (Abatement) (#5) FINAL in the amount of \$14,650.00 for East Shore Middle School Expansion and Alterations and Abatement projects (Phase 1). Motion failed 3 yes (Woods, Vitali, Hardiman) and 3 no (Ahrens, Nunno, Federico).

Ald. Vitali and Ald. Hardiman made and seconded a motion to approve payment to Bismark Const PH 2 (#23) in the amount of \$37,997.19 for East Shore Middle School Phase II.

Mr. Ahrens asked about the \$37,997.19 to Bismark.

Mr. Silver stated that was for the plaza work, tile work, etc.

Motion failed 3 yes (Woods, Vitali, Hardiman) and 3 no (Ahrens, Nunno, Federico).

Ald. Vitali and Ald. Hardiman made and seconded a motion to approve payment to Bismark Construction PH 1 (#24) Retainage Reduction in the amount of \$54,256.61 for East Shore Middle School Phase II. Motion failed 3 yes (Woods, Vitali, Hardiman) and 3 no (Ahrens, Nunno, Federico).

Ald. Vitali and Ald. Hardiman made and seconded a motion to approve payment to THP (General Const) (#2) in the amount of \$325,201.15 for Joseph A. Foran High School Phase V Haz Material Abatement. Motion carried unanimously.

Ald. Vitali and Ald. Hardiman made and seconded a motion to approve payment to Silver Petrucelli Design and CA (#15-1645) in the amount of \$3,080.00 for Joseph A. Foran High School Phase V Haz Material Abatement. Motion carried unanimously.

Mr. Ahrens and Mrs. Federico made and seconded a motion to reject the retainage reduction requested by Bismark. Motion carried unanimously.

The next meeting will be September 16th.

Being no further business to consider, Mrs. Federico and Mr. Nunno made and seconded a motion to adjourn. Motion carried unanimously.

The Committee adjourned at 8:41 pm.

Respectfully submitted,  
Kathleen A. Kennedy  
Recording Secretary