

East Side Fire Station Building Committee Regular Meeting

Fire Headquarters

72 New Haven Avenue, Milford, CT

Wednesday, November 14, 2012

Call to Order: Chairman Healy called the meeting to order at 1912 hours. A quorum was present.

1. Roll Call

Committee members John Healy, Carmen Corvino, Bill Bevan, Judith Toohey, Alderman Phil Vetro, and Jack Jansen. Also present were Acting Chief Robert Healey, Battalion Chief of Planning Bob Turner, and Ret. Battalion Chief William Healey; from DeCarlo & Doll, Inc., Emanuel Machado.

2. Consideration of Minutes

Regular Meeting - October 24, 2012

Committee Members Corvino and Vetro made and seconded a motion to accept the minutes of the October 24, 2012, regular meeting as presented. Motion carried unanimously.

3. Report of Chairman

Chairman Healy confirmed with the Committee they had received some communication from him recently.

The Chairman said prior to stating the project has reached substantial completion, they have to make sure that the building is ready for the Department to operate. IES submitted a report that an horizontal angle irons that support the overhead door are too close to several of the radiant heaters. The Chairman also noted that he was concerned that the sprinkler heads may be too close to the radiant heater.. He said the Committee has to have something in writing that this issue is resolved. CES noticed this several weeks ago.

Ret. Battalion Chief Healey is coordinating all the allowances and dealing with the various vendors and coordinating installation.

Committee Member Vetro inquired what on the list is necessary for the Building Inspector to be holding up the Certificate of Occupancy (CO). The Chairman answered that there is nothing holding up the CO. He said he has not heard officially that the building has received a CO yet, but did note that the Building Inspector was at the site last Friday, November 9th. Ret. Battalion Chief Healey said there had been an initial inspection a few weeks ago and the CO was denied due to several items that needed to be finished up. He said the follow up visit was last Friday.

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Ret. Battalion Chief Healey said he needed to get a building permit in order to move the shed from Station 5 to the new station. The Chairman reiterated that Ret. Battalion Chief Healey has been working hard on this project.

The Chairman said the generator is operational and the hook-up was done on the time and material basis. He said the invoice for the emergency hook up of the generator is forthcoming and should be quite large, but DeCarlo and Doll will analyze it.

Chairman Healy noted a tree fell across the driveway during the recent hurricane. He said the tree will be removed by the City. Ret. Battalion Chief Healey commented on the "house lights". He stated they have yet to be hooked up by the electrician, who needs the drawings from CES. CES claims they had a conversation with the electrician weeks ago and the electrician seemed to understand how to hook up the house lights. Utility Communications has reached the end of their contract and if any further training is required they will have to charge for their time. Mr. Machado stated this is covered in the specs. Committee Member Jansen commented that if CES designed the system, they should be responsible for proper training on the proper hook up for the system. Mr. Machado stated that the Z-Tron system has been in existence at another station and is being moved from that station to the new station, so CES is not responsible for this design. He added that this might be another delay tactic by the contractor. Ret. Battalion Chief Healey said Huntington Power hooked up the generator two weeks ago and it works perfectly.

Ret. Battalion Chief Healey went over the punch list with the Committee. Mr. Machado explained to the Chairman the GFIs in the building. Ret. Battalion Chief Healey said the Z-Tron system will not be moved until the Department occupies the new station. Chairman Healy explained there is a further punch list from CES that corresponds with the Commissioning report. Committee Member Jansen inquired what is included in the drawings for the building. The Chairman explained it is the contractor's responsibility to be sure that when elements of the construction are installed they do not negatively impact other elements of the project.

The Chairman said certain items concern him on the commissioning report as they have yet to be responded to. He said CES or DeCarlo & Doll should provide a structural engineer to reevaluate un-responded-to commissioning items that have to be completed. He said that although the building can be occupied, he is hesitant to take ownership of the building and have to fight to have things remedied.

Mr. Machado said the commissioning report provided is draft report and not the final report. Mr. Machado said he had a meeting at the job site with the representative from IES and DeCarlo & Doll's structural engineer to go through the items that were noted on the commissioning report. He explained that a sheet of plywood could be placed on the roof trusses for access for

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maintenance. Mr. Machado said many of the report items are for the contractor to address. The Chairman said that the proposed maintenance platform solution only addresses one area, and he had not agreed to it. He said a structural engineer's report is needed for a proper solution. Acting Chief Healey inquired if the trusses will take the load for a worker to perform maintenance; he said it becomes a liability and the Department will need the solution in writing from a structural engineer. Mr. Machado said he would accommodate the Chairman's request.

Mr. Machado said the contractor's job is to coordinate the subcontractors' work. He said this coordination has been missing from the job from day one. The Chairman said there is a unit in the back of the building that was stated in the specs as Mitsubishi but an LG unit was installed. He asked if Mitsubishi and LG are equal; if not, Salce Contracting should have submitted a request to switch it out. Mr. Machado said that given the shop drawings review procedures, he is confident that the units are comparable.

The Chairman commented that the assumption of the Committee is that things will get done the way they're supposed to. Mr. Machado said in any public job, unless it is specifically stated "no substitutions", an "or equal" product can be substituted. The Chairman stated again he is looking for something in writing confirming the products are equal. Committee Member Toohey added the concern isn't so much that the building is opened; the concern is that things will not have to be fixed after the fact. Committee Member Vetro said this is what the retainage is for. Mr. Machado said the remaining items do not equal the amount of money the City is withholding in the retainage, but the contractor is still dragging his feet.

Committee Member Vetro suggested the Chairman should sit down with the City Attorney to see what the exact steps are to get the CO and use the retainage to pay a separate contractor to complete remaining work.

Mr. Machado noted the items the Department identified as critical were explained to Salce Contracting months ago. The Chairman noted one of the overhead doors does not function properly. Ret. Battalion Chief Healey said once substantial completion is reached, the retainage gets cut in half. The Chairman said the attorney hired by the City is well-apprised of the current situation.

4. Architect Report

Mr. Machado presented a payment application to the Committee. Included in this payment application is a line item for the building's final cleaning, which is usually performed at the project end. The Committee discussed denying some amount on the cleaning item until project completion so the floors may be cleaned again.

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Mr. Machado stated the payment application requests \$111,000. Most of this amount has to do with releasing half of the Retainage due at Substantial Completion (SC). Since SC is not yet achieved, he recommends the Committee approve around \$27,000, pending his further analysis. Committee Members Jansen and Vetro made and seconded a motion to approve and pay the payment application in an amount not to exceed \$27,000, pending further analysis by Mr. Machado. Motion carried unanimously.

Mr. Machado said he understands the Chairman's current frustration. Chairman Healy reiterated the commissioning log is troubling and he would like a structural engineer to provide in writing confirmation the solution for making certain areas accessible is structurally sound to avoid liability issues.

Committee Member Jansen suggested finding out how long the remaining items will take to remedy and hiring the separate contractor right away. Mr. Machado said the MEP items and the doors need to function; he said it would take about a week. The Chairman said he will discuss this with the City Attorney.

Mr. Machado commented that because an existing fire station is being maintained with staff and utilities, perhaps consideration of such will affect the Attorney's position on Liquidated Damages. Acting Chief Healey said the pressure is on for the Fire Department to start moving things out of Station 6 immediately. Chairman Healy suggested Mr. Machado draft a letter to the City Attorney that lists all the things that prevent the project from reaching substantial completion and the impact that it is having on the City in terms of loss.

5. Financial Report

Ret. Battalion Chief Healey presented a Southern Connecticut Gas invoice that he had presented to Salce Contracting several times for meter charges. He suggested sending this to the bond company. He explained the contractor insisted on installing the meter back in May and the bill has now amounted to \$1300.

The Chairman said he needs to do some further investigation on an IES commissioning bill. He said he will report at the next meeting.

Committee Members Bevan and Toohey made and seconded a motion to pay the invoice in the amount of \$50 to Recording Secretary Colleen Birney from account 0040-4320-5527-4168-0000 (secretary). Motion carried unanimously.

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Acting Chief Healey commented the overtime budget is getting hammered due to the necessity of Department staff attending meetings. Committee Member Vetro added this can be evidence toward liquidated damages. Acting Chief Healey said this is an indirect cost of the project. Chairman Healy stated if anyone is frustrated with the timeline of the completion of the building, he hopes they are not frustrated with the Committee. Acting Chief Healey said they are frustrated with the process of the building as a whole, not with the Committee's work.

Committee Member Vetro suggested again hiring an outside contractor to complete the remaining items and get the building completed. Mr. Machado said the City Attorney will most likely suggest getting to substantial completion with the current contractor and then taking appropriate action after.

The Chairman said Mr. Machado will draft a letter that will be reviewed by him, Ret. Battalion Chief Healey, and Acting Chief Healey containing the remaining items to be completed that will be submitted to the City Attorney. Chairman Healy said he will request a meeting with the City Attorney as soon as possible.

The Chairman will meet with Battalion Chief Turner to discuss budgeting.

6. Committee Reports: Dedication Ceremony

Committee Member Toohey stated at the last meeting Chairman Healy said he would talk to Ret. Battalion Chief Healey about contacting the churches to discuss parking for the ceremony. She added that they have decided to use the Milford Pipe band. She will give a more formal report at the next meeting. Acting Chief Healey suggested waiting until spring to hold the ceremony.

7. New Business

The Committee decided to meet next on November 28th at 7:00 at Fire Headquarters.

8. Adjournment

Committee Members Vetro and Corvino made and seconded a motion to adjourn at 2040 hours.
Motion carried unanimously.

Recorded by C. Birney