

**PERMANENT SCHOOL FACILITIES BUILDING COMMITTEE
REGULAR MEETING
JANUARY 28, 2009**

The Permanent School Facilities Building Committee held a meeting on Wednesday, January 28, 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
Ald. R. Vitali
J. Rohrig (BOE)
J. Quish (BOE)
T. Creedon

Also Present

B. Silver, Silver Petrucelli Assoc., A/E
M. Cummings (MPS)
P. Bradbury (MPS)
D. Hourigan, Chairman (BOE)
C. Nardone, Silver Petrucelli Assoc., A/E
K. Wood, Bismark Construction
G. Raucci, Bismark Construction
J. Barile (MPS)
A. Vitelli (MPS)

Excused: D. DeFlumeri

Consideration of the Minutes of January 14, 2009

Ald. Nunno and Mr. Creedon made and seconded a motion to approve the minutes of the January 14, 2009 as presented. Motion carried unanimously.

Chairman Woods explained the reason for the meeting tonight was to discuss change orders at the two high schools. He also welcomed new Committee member Joanne Rohrig who replaces Cindy Kopazna who had to resign due to work related constraints. He also addressed the memo each Committee member should have received from the Finance Director releasing needed funds from the finance accounts for each high school. He explained the money is available to the Committee, but certainly they did not need to spend all of it.

Status Report – Phase II – Foran High School – Additions, Renovations, Code Compliance – Phase II – Consideration of Change Orders

Mr. Wood (Bismark Construction) explained the insert for the uneven parallel bar apparatus pulled out putting extra stress on the flooring causing the floorboards to loosen up. He stated the contractor would be installing new inserts in a new layout.

Mr. Silver asked when this would be done.

Mr. Wood replied they needed to be ordered.

Chairman Woods explained this happened during a meet and that luckily the person on the piece of apparatus at the time was not injured, but that the meet had to be cancelled.

Mr. Creedon expressed concern as to how long this would be out of service.

Mr. Vitelli, Athletic Director at Foran explained he has had to cancel two meets. He stated they are losing money because of this and pointed out the money they are losing goes towards payment of officials. He also stated they now have to pay for busing for the gymnastics team.

Chairman Woods asked the Committee how they wished to proceed with regard to the parallel bar and about the damages incurred.

Mr. Creedon recommended the contractor be back-charged for the losses and recommend that the AD assemble all of the charges. He pointed out there could have been a far greater loss had someone been injured.

Mr. Wood explained the work involved stating it would be done with hydraulic cement grout.

Ald. Vitali added the cost of could add up as the school misses meets and practices as well as the cost of busing.

Mr. Nardone stated he spoke with the manufacturer who believed it would be at least 10 days. Discussion ensued.

Chairman Woods recommended the Committee wait until the work is complete before this Committee makes any recommendations. Discussion continued.

Mr. Nardone stated when he spoke with the manufacturer and flooring subcontractor, O'Sullivan; they indicated they would be re-installing all of the inserts with the grouting methods.

Ald. Vitali asked if they were being moved because the integrity of the flooring had been compromised.

Mr. Nardone explained how they would be moved and some of the floor cracking. Discussion ensued.

Chairman Woods stated with regard to the change orders that there were two separate ones that would be considered tonight. He stated the first is in the amount of \$37,560 and concerns the pool hot water heating system from the boiler room; and the second in the amount of \$26,134 concerns the fire alarm and sound system.

Mr. Silver explained the process in producing architectural documents and making bid alternates to the documents. He stated the plans and specifications are mutually dependent documents that rely on each other and that neither is exclusive of the other. He stated they both needed to be thoroughly referenced and understood. He continued with an explanation and the background concerning the change order for the piping. He referred the Committee to the handouts and explained the three base bids, which they tried to do in geographically separate areas, i.e. the stairs, which were separate from the gym floor, which is separate from the boiler, chiller, cooler and domestic tower. He continued with an explanation of the add alternatives and their references in the documents.

Mr. Raucci stated the bid form states 'bleachers and gym floor'. He stated this Committee asked for an add alternate for the natatorium, and Bismark's bid was not accepted by the Committee. He went on to explain this Committee then gave the work to Paragon Construction several weeks later in the Science Lab bidding. Mr.

Raucci also went on to explain the “tagging” of drawings and that every architect is different. He stated they did not include the pool water heating piping, which he stated he believes this Committee is referring to. He stated his sub-contractor did not include piping from “A” to “B” in the base bid. Discussion ensued regarding the handouts.

Mr. Quish referred to drawing M2 and stated what he was seeing was the natatorium work, which is, add alternate 3.

Mr. Silver responded Section 01030 further defines the bid separation and that the contractor was required to read all the documents. Discussion continued.

Chairman Woods commented he understands there is a pool with heater water, boilers that generate heat for the school and a separate heater dedicated for hot water for the pool. He asked what happened to the old pipes.

Mr. Nardone responded the old steam piping is still use serving the old heat exchanger waiting for the new heat exchanger installation, which is tied to this claim. He explained the piping and how it is all connected.

Chairman Woods asked if the third boiler is dedicated to heating hot water.

Mr. Silver stated the two new boilers are steam and the third boiler is hot water.

Mr. Raucci stated if he had received the alternate from the beginning there would not be a problem. He stated this Committee elected not to take the work for the natatorium. He stated that was part of his base work. He reiterated the gymnasium work and bleachers and natatorium are separate. Discussion continued.

Mr. Barile stated he wished to point out there have been four times this year when they have had to close down the pool area because of lack of hot water to the pool water or steam. Discussion continued.

Chairman Woods asked if the piping that is the subject of this issue had been installed. He stated the question seems to be whether the contractor is due compensation for the work.

Mr. Quish asked if the pipes are working.

Mr. Bradbury responded the pipes are working and explained.

Mr. Raucci added the new piping is working.

Mr. Bradbury stated the heat exchanger is not tied in because of a control issue.

Mr. Bradbury addressed the issue with a lengthy explanation. Discussion ensued.

Chairman Woods noted after the discussion it would appear the taps are a legitimate change order.

Mr. Nardone agreed it was a proper change order.

Mr. Raucci stated the change order claim work was done in good faith so that the school could open. Discussion ensued.

Chairman Woods stated he was focusing on the language in add alternate 3 instead of the drawing. Discussion ensued regarding the rationale that boiler #3 is to heat the pool via a new heat exchanger.

Mr. Creedon commented what stands out most to him is the use of the hot water piping vs demolishing the older steam system, which he stated should have stood out to the contractor.

Chairman Woods, after much conversation, stated the piping from the boiler to the natatorium had to be included in the base bid and that the installation of the taps is a change order which should be compensated.

Mr. Silver reiterated the add alternate language specifies that.

Mr. Quish stated he was having trouble with this and that he felt the drawings conflicted with the 01030 language, which is where you would look for the work.

Mr. Quish and Ald. Nunno made and seconded a motion to approve the change order (#16) to the Bismark Construction contract in the amount of \$37,560 for the pool water heating system from the boiler room to the pool equipment room.

Chairman Woods pointed out if the Committee chooses to pass this they would in effect be saying that the installation of piping from boiler #3 was not in the base bid.

Mr. Raucci stated he would be willing to drop the general contractor's O/H & P in the amount of \$3,204.00, as well as the firestopping in the amount of \$2,310.00.

Mr. Nardone explained the firestopping work.

Chairman Woods stated the amount of change order #16 with those changes would be \$32,046.00 that includes the heat exchange and taps. He commented the problem he has is that the architect is stating this was in the base bid. He stated by the Committee approving this change order they are saying we do not agree with the architects' opinion.

Ald. Vitali stated he would like the opportunity for the Committee to caucus and made a motion to go into Executive Session. Ald. Nunno seconded the motion. Motion carried unanimously.

Chairman Woods stated it would be the Committee members only going into Executive Session.

The Committee adjourned to Executive Session at 8:03 p.m.

Chairman Woods announced the Committee was out of Executive Session and reconvened the meeting in public session at 8:13 p.m.

Ald. Nunno stated he wished to withdraw his second to Mr. Quish's motion. Mr. Quish withdrew his motion.

Mr. Quish and Ald. Nunno made and seconded a motion to approve change order (#16) to Bismark Construction for the pool hot water heating work that includes the heat exchanger and taps in the amount of \$20,000.

Mr. Quish explained the Committee looked at the numbers and tried to work out a compromise. He stated they added in the \$8,000 to the quote of \$32,046.00 and then divided that number in half.

Motion carried unanimously.

Mr. Silver referred the Committee to page 25 of the handout regarding the next change order. He explained the alternates related to the gym floor state nothing regarding the sound system. He stated they believe the work is all contained in the base bid. He continued with an explanation of the work regarding the gymnasium, bleachers, fire alarm and sound system.

Chairman Woods asked what the contrary argument was.

Mr. Wood stated the base bid was for the 'gymnasium floor and the bleacher work', not the sound and fire alarm systems.

Mr. Raucci stated three meetings ago Mr. Silver stated the wording was a little confusing and noted that was not recorded in the minutes. He stated every document he has states 'gymnasium and bleachers'. He stated the additional claim work is done.

Mr. Silver referred the Committee to the handouts and continued with an explanation.

Chairman Woods referred to page E3 of the handout and read the plan notes, which he commented, seemed pretty clear it was part of the base bid.

Mr. Raucci stated the base bid simply could have said "all gymnasium work". Discussion ensued.

Ald. Nunno inquired as to the type of speakers, amplifiers. He stated in the future it needs to be very clear that they need to do a better job with the equipment. He noted the GC installed what they were told to install.

Chairman Woods stated he would entertain a motion regarding change order (#6) in the amount of \$26,134.

Mr. Creedon and Mrs. Rohrig made and seconded a motion to approve change order (#6) to Bismark Construction in the amount of \$26,134.

Mr. Quish stated he wished to make it clear the subs made a mistake and pointed out someone needs to be clear with regard to the bid submission adding there really was no logic to put the subs bid in the Natatorium bid alternate.

Mr. Wood stated he believed it was add alternate #3 when he prepared his bid.

Mr. Raucci added the drawings really do not say where the sound and fire alarm system bid should be listed. Discussion ensued.

Mr. Silver pointed out Section 01030, which states that all the work in the plans or specs, with the exception of the 3 bid alternates, should go into the base bid.

Motion failed 6 no.

Chairman Woods asked about the new sound equipment.

Ald. Nunno stated he would like to see it go to Meadowside School.

Mr. Bradbury explained the equipment would be used at Foran. Discussion ensued.

Chairman Woods stated after discussion it was the consensus of the Committee to hold off on this change order at this point. Chairman Woods asked if there would be any additional change orders on this project.

Mr. Silver explained a potential change order for the elevator sump pump at a cost of approximately \$12,000. He stated they would be bringing it forward at the next meeting.

Status Report – Phase II – Jonathan Law High School – Additions, Renovations, Code Compliance – Consideration of Change Orders

Chairman Woods asked if there were any change orders to consider this evening.

Mr. Silver responded no.

Chairman Woods noted the change order for the extra steel, but the contractor had not supplied the Committee with any back up. He also pointed out the asbestos claim was still pending from the sub contractor.

Mr. Silver stated he wished to make the Committee aware of a possible change order for an additional acid tank hatch at a cost of approximately \$1,000. He stated there was also the abatement related to the translucent window installation in the gymnasium. He stated the maximum would be \$11,000.

Chairman Woods asked if they would be bringing those change orders to the Committee for approval next month. He also asked what the lead-time would be for the installation of the Smartboards.

Mr. Nardone responded he really could be precise, but he would think possibly the end of March or early April.

Chairman Woods stated the Committee would meet again in two weeks.

Mr. Creedon and Ald. Vitali made and seconded a motion to adjourn at 8:57 p.m. Motion carried unanimously.

Respectfully submitted,

Kathleen K. Huber
Recording Secretary