

**PERMANENT SCHOOL FACILITIES BUILDING COMMITTEE  
REGULAR MEETING  
MARCH 13, 2008**

The Permanent School Facilities Building Committee held a meeting on Thursday, March 13, 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  
D. DeFlumeri  
J. Quish (BOE)  
Ald. R. Nunno

Also Present

W. Silver, Silver Petrucelli Assoc., A/E  
P. Bradbury (MPS)  
R. Michael Cummings (MPS)  
J. Garagliano, Principal (Jonathan Law)  
M. Fontaine, VP, CT Carpentry Corp  
M. Villano, Estimator, CT Carpentry Corp  
D. Hourigan, Chairman (BOE)

Excused: T. Creedon, C. Kopazna (BOE)

**Consideration of the Minutes of March 6, 2008 meeting.**

Ald. Vitali and Mr. Quish made and seconded a motion to approve the minutes of the March 6, 2008 meeting.

Ald. Vitali stated in the second paragraph from the bottom of page 2 the word “is” should be changed to “*if*”.

Mr. Quish commented as to the words “BOE” after representatives from the Board of Education such as Mr. Cummings and Mr. Bradbury. Mr. Quish stated it really should read “**MPS**”. That correction was noted for future minutes.

Motion carried unanimously as corrected.

**Status Report – Phase I – Jonathan Law High School**

Mr. Bradbury reported CMT’s were still going on so it would be another week before the soundproofing would be installed in the new dining room.

**Status Report – Phase I – Foran High School**

Mr. Silver reported they tried a new cleaning machine on the stairs. He also reported Mr. Nardone and Mr. Bradbury saw the completed work first hand and were pleased with it.

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

Mr. Silver reported they will be delaying the firing of new boiler #1 until after the heating season. Mr. Bradbury added they had another old boiler breakdown on Sunday and had to get a mechanic in. He stated he

would like to wait until after the old boiler is shut down before a test fire. He stated they would probably be looking at after April 15.

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

Mr. Silver stated there was nothing to report at this time. Expected progress continues.

### **Status Report – Phase II – Jonathan Law High School (Science Labs)**

Chairman Woods gave a summarization to bring everyone up to speed as to where the Committee is on the contracts. He explained Connecticut Carpentry was the low bid at Law but subsequently discovered two errors. He explained in detail those two errors stating the bottom line is they are \$195,000 shy of where they would have been with a correct bid. Chairman Woods stated there are two issues this Committee faces; could the Committee increase the bid and if they could, should the Committee do so. He went on to explain the City Attorney has researched this and there are two competing interests when deciding about a bid error: we must be conscious of the equity and fairness, and maintaining the integrity of the bid process. Chairman Woods explained some case law in deciding criteria with an erroneous bid. In this case there was a three-week delay from the bids being opened to the error being admitted. He also spoke as to achievement of equity and the guiding principles and that it is up to the Committee to decide whether to allow the increase in the bid and how much. Chairman Woods stated the Committee should entertain whether and how much to increase the bid, which would increase the Committee's request for supplemental funding from the City, all of which would be subject to Board of Finance and Aldermanic approval. He also asked if the subcontractor Electric Works had subsequently submitted a bid to CT Carpentry for this job.

Mr. Fontaine replied he had not received their bid.

Chairman Woods asked about the next lowest bid.

Mr. Fontaine responded Wireman, Inc. He went on to explain their bid (p. 9 of the handout).

Chairman Woods asked if the other error involved Conco (p. 6)

Mr. Fontaine explained the bid of Iaacarino had not included fume hoods, fixtures and tabletops.

Chairman Woods asked the value of those items.

Mr. Quish asked the cost of what was not included and also spoke as to value engineering.

Mr. Fontaine stated they have had success in working with other suppliers. He stated they have worked to reduce the error by about \$77,000 from that bid and are currently at a \$118,000 deficit. He went on to explain some of those items.

Chairman Woods asked if the bid increase would then be a change order.

Mr. Fontaine stated they would be credits.

Mr. Silver stated they would have to be change orders and explained.

Mr. Fontaine stated they have also looked at alternate cabinetmakers.

Mr. Silver asked if they were saying their hardship was now about \$118,000.

Mr. Quish suggested they go line item by line item. A discussion ensued (Re: p. 5).

Chairman Woods stated he was pleased to see the company take a hard look at their numbers and come back with this new number, now bid at \$3,267,400, plus add alternates. He commented if the Committee decides to go with the \$118,000 it is up to the bidder to manage their construction budget, not the Committee.

Mr. Quish stated in looking at each item if he is able to save an additional \$20,000 those are realistic dollars. He stated there are additional savings that could be looked at such as have the workers use a bathroom in the school or somewhere else instead of the contractor paying/billing for multiple portable bathrooms. He stated in making savings such as this the Committee could then say they did its due diligence. A brief discussion ensued.

Ald. Vitali asked if a motion is put forth tonight are they then adding time to the bid proposal and then the bidder has to go back. He also asked the time line.

Chairman Woods explained the time line associated with the mini contract of \$1,240,000 and stated they needed to get going with that. He explained from there they would have to hope the Board of Finance and Board of Aldermen award the supplemental funding so the bonding can be put in place by mid April.

Mr. Quish commented realistically the bidder has to accept the current mini-contract offer and they work from there. A brief discussion ensued.

Ms. Garagliano commented the timeline is horrendous. She stated in all probability the work would not be completed when school starts. She also addressed the comment made of the possibility of the construction workers using the school bathrooms and stated she would absolutely be against that. Ms. Garagliano stated she is very concerned with the timeline and stated the opening of school would be rough. She stated it was important for the Committee to recognize that on September 2, 1000 kids, plus teachers and additional staff would be back in school. Ms. Garagliano stated she and her staff would do everything to make for an easy transition, but reiterated it would not be easy.

Chairman Woods stated he would be in favor of Connecticut Carpentry's \$118,000 bid increase. He stated he believed they did a good job of cutting the deficit down and applauded their efforts.

Mr. Silver added the reductions were admirable, but commented his concern would be with the quality of the work and substitutions.

Mr. Fontaine stated the substitutions would be for things such as cam locks v. deadlocks on cabinetry, etc.

Mr. Silver stated they would have to look all of these items over and work it out.

Ald. Vitali and Mr. DeFlumeri made and seconded a motion to accept the increased bid from Connecticut Carpentry for the science labs and window replacement project at Jonathan Law by \$118,000 from \$3,149,400 to \$3,267,400.

Mr. DeFlumeri stated his major concern is the quality of the job, which he stated, seems to be the same. He also commented if the company worked that hard to bring the number down that is enough due diligence. He also expressed his concern they had written statements of case law supporting their position, but he did not hear anything to the contrary.

Chairman Woods spoke of a bid bond recovery case from 1997 in North Branford explaining the particulars of that case. A brief discussion ensued.

Ald. Nunno stated he still had some questions. He stated one question would be why the company did not re-bid the electrical.

Mr. Fontaine explained the electrical company told them it was covering it, but never did. He stated there could be a number of reasons, such as legal because of some perceived culpability to the bid error on their part.

Mr. Quish stated he had several line item detailed questions.

Chairman Woods stated the contract allows for negotiations between the GC and the sub-contractor, but this Committee cannot negotiate and if CT Carpentry was able to get more of the numbers lowered he certainly would not begrudge that. He stated the motion on the table allows the increased bid from Connecticut Carpentry for the science labs and window replacement project at Jonathan Law by \$118,000 from \$3,149,400 to \$3,267,400.

By roll call vote, the motion carried 4 yes (Vitali, Woods, DeFlumeri, Quish) and 1 no (Nunno).

Chairman Woods asked where they stand with the mini-contract.

Mr. Fontaine replied they have them and will sign them and forward them to Mr. Silver.

Mr. Silver spoke as to the alternate bid smartboard technology. He stated they are not necessarily needed by school's opening on September 2, but educators are deciding on what type of smart board, either Polyvision or Smart Board and possibly a third one. A brief discussion ensued.

Mr. Silver asked CT Carpentry about \$3,000,000 worth of work being done in just two months.

Mr. Fontaine responded it is a tight timeframe, but a lot of it really depends on how much they get done ahead of time. He stated they are looking to do some of the abatement work during the April vacation and also hoping for any time they can get in early June.

Mr. Silver stated the furniture moving specifications have gone out to bid. A brief discussion ensued.

Mr. Villano commented he is very familiar with working in the confines of education noting his wife is a teacher. He stated the company's primary goal is to respect the school's educational process.

Mr. Hourigan asked how many hours a day they would be on the job and how many days a week.

Mr. Fontaine stated they have not finalized the specifics but were looking at the possibility of 2 10-hr shifts. Mr. Hourigan asked if that would be every day.

Mr. Fontaine stated they were still looking at scheduling and the timeline.

Mr. Silver asked if they knew who the project superintendent would be.

Mr. Fontaine replied not at this time, but that Frank DiBacco, who this Committee met last week, would be on the job.

Mr. Villano asked about any subject matter not taught in the spring or fall that could be packed away earlier to mitigate the moving interferences.

Mr. Cummings stated he met with the science staffs at both schools. He explained some of the thoughts they had and noted there is a general willingness to make this work.

Mr. Fontaine asked if procedurally CT Carpentry needed something from the Committee to affirm the mini-contract award.

Chairman Woods stated it would be the minutes, but that the Committee still needed to wait for supplemental funding from the Board of Finance and Board of Aldermen.

### **Status Report – Phase II – Foran High School – Science Labs**

Mr. Silver referred to page 13 and explained they have asked Paragon to look at value engineering. He stated everyone's motivation is not so much material, but time (p. 13). He also added that Paragon is begging for consideration from this Committee for time.

Chairman Woods asked for an explanation of the value engineering proposals (gypsum board in lieu of masonry) and asked they were worth it.

Mr. Bradbury replied no, he did not believe it is worth it. He stated it may save money and time now, but in the long run it will cost much more to maintain. He stated he would be a better investment for the masonry. A brief discussion ensued.

Mr. Silver referred to page 15 and explained they were alternatively sheetrocking only the hallway but did not feel it was a worthwhile savings.

Chairman Woods stated he was hearing the consensus was to reject both of these items.

Mr. Silver noted the contractor has signed the mini contract and forwarded it to the City.

After discussion, Chairman Woods stated the Committee would meet on April 3, 2008 to discuss consideration of the payment requisitions and moving bids for both schools. He asked if they were separate bids.

Mr. Silver replied yes and that there was no real savings in trying to bid them conjoined.

**Status Report - Phase III – Foran High School**

No report.

**Status Report - Phase III – Jonathan Law High School**

No report

**Status Report Re: Pumpkin Delight Elementary School – grant transfer**

No update.

**Consideration of Payment Requisitions**

None.

The next meeting will be April 3, 2008 at 7:00 p.m. Being no further business to discuss, the Committee adjourned at 8:31 p.m.

Respectfully submitted,

Kathleen K. Huber  
Committee Secretary