

Town of East Haddam
School Building Committee
Regular Meeting
March 14, 2007

1. CALL TO ORDER

The Regular Meeting of the East Haddam School Building Committee was held on Wednesday, March 14, 2007 at 7:04 p.m., at the Nathan Hale High School, Guidance Meeting Room, Todd Moss being in the Chair and the Secretary being present.

a. Roll Call

In attendance were Todd Moss, Richard Toolan, John Gibson Denise Gable, Mary Beth Mordecai- arrived 7:10pm, Craig Parker, Vinny Garofalo and Kerri Willis Budzik – arrived 7:30 pm.

David LaFemina was absent.

Also in attendance were Bob Celmer-KBA, Tom DiMauro-Newfield Construction and Bob Carroll - Education Business Manager.

2. APPROVAL OF THE AGENDA

Change Order Review Sub-committee Report was added under New Business.

3. APPROVAL OF MINUTES

a. 02-28-07

Motion by Craig Parker to approve the 02-28-07, meeting minutes as presented.

Second by Mrs. Gable.

Favor: Moss, Toolan, Gable, Garofalo, Parker

Abstain: Gibson

Motion passed.

4. TREASURER'S REPORT

a. Bills and Invoices

Treasurer's report was deferred until the arrival of Ms. Mordecai.

5. Old Business

a. BOE Report

Mr. Carroll reported Ms. Mordecai reported on the progress of the project at the Board of Education meeting.

b. BOS Report

There was no one available to report at the time it was presented.

c. BOF Report

Mr. Moss informed the committee he had attended the Board of Finance Meeting on March 5, 2007 with a proposed cash flow for the entire project. Changes were made and resubmitted for the March 8, 2007 meeting.

Mr. Moss stated the bond council had advised against funding the entire project because of the land issues. Mr. Moss stated an alternative funding by means of BAN was recommended to fund the project until May 2008. Progress reports will be sent to the State for reimbursement. Mr. Gibson commented rates may be lower for bonding in May 2008.

There will be a Town meeting March 22nd at 8pm to approve the transfer of funds for the project until the Bans are issued in June.

d. Construction Manager Report

Mr. DiMauro reported progress on the project was going well. The crossing has occurred over the wetlands from Sillimanville Road and the road is under construction. Clearing, stumping and stripping of top soil is complete. Mr. DiMauro informed the committee of a road closing on Clark Gates Road for drainage on March 26, 2007. There will be a meeting with the town to discuss the closing. Ms. Mordecai shared pictures of the site with the committee.

Mr. DiMauro stated there was a utilities meeting scheduled for March 19, 2007. Mr. DiMauro informed the committee the project was behind schedule and he would provide an updated schedule at the next meeting. There are issues with permitting being delayed which prevented work for two weeks. Mr. DiMauro submitted a change proposal for a 14 day extension at zero cost. Mr. DiMauro explained he had neglected to change the schedule when the GMP was written. Mr. DiMauro stated the fact the permit did not get filed until February 9, 2007 had hurt the schedule. The foundations will be started 1 ½ month past the original schedule. Responsive to a question, Mr. DiMauro replied they were adjusting the schedule.

Mr. Gibson questioned if the delivery date was at risk to which Mr. DiMauro replied by 14 days.

Mr. Moss asked for a budget report. Mr. DiMauro replied he did not have one but would have one at the next meeting. Responsive to a question by Mr. Moss, Mr. DiMauro replied it would be standard to present the budget report at the first meeting of the month. Mr. DiMauro stated he was still waiting for the Finance Director's billing method. Craig Parker questioned how many contractors were mobilized, Mr. DiMauro replied one. Craig Parker questioned if there was a trailer on site to which Mr. DiMauro replied it would be brought on site within three weeks.

Trade contractor meetings will be on Thursdays at 1pm. Committee members were invited to attend. Mr. Moss requested notification of the meetings.

Craig Parker questioned if RFI reports would be included in the Construction Manager Report. Craig Parker stated he would like to see the RFI, Submittals and Change Order logs each month. A RFI is a request for information. It documents when the contractors ask KBA for additional information regarding details. Mr. DiMauro agreed to submit the Change Order and RFI logs electronically to committee members. A hard copy report will be filed at the Selectman's office.

Mr. Moss stated he wanted to be made aware of all submittal issues. Mr. Celmer agreed report on submittal issues.

Mr. DiMauro agreed to provide the committee with an updated schedule, RFI and Change Order logs during the last meeting of the month (4th Wednesday).

Mr. Moss informed the committee that Mr. DiMauro had been promoted to Vice-President of Newfield Construction.

e. Project Schedule

Nothing new was reported at the time that the Project Schedule was offered.

f. Architect Report

Bob Celmer distributed and discussed the following:

- Architect's Report, dated March 14, 2007.

Mr. Celmer reported a copy of the letter regarding water system permitting; dated November 23, 2005 was attached to the report for discussion. Of the \$5,750.00 approved, only \$5,290.00 had been invoiced and no further invoicing was expected regarding this (Phase IA permit) issue. Mr. Celmer stated this would leave a balance of \$460.00 ($\$5,750 - 5,290 = \460) available. Mr. Celmer stated the committee was being asked to consider allowing the remaining balance to be used to compensate Mr. Sima for the difference between what was approved at the last Building Committee meeting for the Phase IB & Phase 2 work (\$5,000) and his not-to-exceed fee proposal for this same work (\$5,500). The difference would be provided to Mr. Sima by KBA. Also, only the amount approved for Mr. Sima's work (\$5,000) would be subject to compensation to KBA for Additional Services of Consultants. A proposal from Mr. John Sima at Hydro Dynamic Engineering, LLC was attached to the report. This proposal was in the amount not-to-exceed \$5,500.00, and was for the Phase IB and Phase II work required for the water supply system. Only the Phase IA proposal from Hydro Dynamic Engineering had been approved.

Mr. Celmer stated he had contacted Mr. Sima with the committees approved amount from the last meeting and Mr. Sima had informed him he would not be interested in doing the work for a reduced fee. Mr. Celmer stressed the importance of keeping Mr. Sima on the project.

The additional funds will need to come out of contingency. The Committee was not pleased with Mr. Sima's proposal but agreed to it in an effort to stay on schedule with the project.

Motion by Mr. Moss to allow KBA to spend \$460 not spent previously towards this amount and that the Committee approves not to exceed \$5,750 for phase II services. Second by Mr. Gibson and unanimously passed.

3. TREASURER'S REPORT

a. Bills and Invoices

<u>Invoice No.</u>	<u>Date</u>	<u>Company</u>	<u>Amount</u>
Legal	02/16/07	Gould, Larson, Bennet,	2,354.04
	02/16/07		500.00
Architectural	03/12/07	KBA	14,760.23
	03/12/07	reimbursables	6.44
	03/05/07	VHB	900.00

Motion by Mrs. Budzik to approve the bills as presented. Second by Craig Parker and unanimously passed.

The Committee is waiting for the Finance Director to establish codes for the billing categories. Ms. Mordecai questioned if reimbursables, AKF and KBA should be in one billing code or three. All overages against the reimbursables will be tracked separately.

Committee members will present the billing process with the Board of Finance once it has been established. An executive summary will be sent each month to the Board of Finance and Board of Selectman.

7. New Business

Change Order Review Sub-committee

Change order #PCO 001 with KBA response was sent to the subcommittee on March 9, 2007 by Newfield Construction. The subcommittee was requested to review it and respond as soon as possible because the work was critical to the schedule. The PCO was for additional clearing and restoration to accommodate storage of stone from stone walls and topsoil as well as clearing of proposed tree preservation areas. Additional back up to PCO 001 per Mr. Moss's request was provided.

Mr. Garofalo stated Mr. Ventres had requested additional trees be removed. These trees were cleared at an additional cost of \$22,000 to the project. The sub-committee did not authorize the work. Mr. Garofalo informed the committee that Mr. Ventres had been made aware of the fact that he could not authorize work on the site without committee approval.

The contract states 100 tons of stone will be saved and contractors would take the rest away. Mr. Garofalo stated he reviewed Planning and Zoning and Inland Wetlands minutes and could not find an arbitrary number of tons of stone which would need to be saved. Mr. Moss stated he had reviewed the conditions and found nothing on saving the rock.

Mr. Moss through discussions with the First Selectman, Fred Thumm etc. agreed to save 100 tons of rock and 100 yards of topsoil to be sent within 2.5 miles of the site in the bid documents of the contract.

Mr. Moss stated at the pre-construction meeting in which Mr. Ventres had attended; Mr. Ventres disagreed with the bid documents, requesting all rock be saved. Mr. Moss stated

there were several thousand of tons of rock on site. Mr. Ventres said nothing about the topsoil. Mr. Moss stated the contractor would re-use the topsoil on site and whatever was left with the exception of 100 yards would be taken off site by the contractor. Mr. Ventres requested trees be removed which the contractor completed. Mr. Ventres requested a spot be made to save all topsoil and rock. Mr. Moss stated there was a fixed number, it came through the committee to Newfield to buy, which was in the bid and now the conditions had changed. Mr. Gibson stated they only change if the committee accepts the change. Mr. Moss stated he understood that, but people were saying saving the rock was a condition of the Planning and Zoning or the Inland Wetlands Commission. Mr. Moss stated he did not read this in the conditions.

Ms. Mordecai stated Mr. Ventres had supplied 4 – 5 meeting minutes with discussions about saving the rocks; she had read through them but did not see a number. Mr. Garofalo confirmed he had not seen a specific number in the discussions of the meeting minutes.

Mr. Gibson stated Newfield should not spend any money unless it is authorized by the School Building Committee. Mr. Gibson stated the Land-Use-Administrator had no authority on his own. Mr. Gibson stated he gets his authority through the First Selectman who he works for. Mr. Gibson stated Planning and Zoning has authority which is exercised through their chairman. Mr. Gibson stated unless a written request is received by someone with authority the SBC Committee should not comply. Mr. Gibson told Newfield Construction if they spend any money without the authority of the SBC it is their dime, not the SBC's expense.

Craig Parker stated at the last meeting, the committee authorized the clearing of the area to stockpile the required materials.

Mr. Gibson voiced concern with how much rock would be stored on the site. Mr. Gibson stated rock could be hazardous to school children to which the Board of Education would be liable. Mr. Gibson stated the town owned 220 acres, 30 of which are for the school. Mr. Gibson stated there has to be a place away from the school on the property where the rock can be located which doesn't require \$25,000 worth of tree work. Mr. Gibson stated he had walked the site and there are cleared areas up there. The contract states the rock needs to be taken off site not to exceed 2 ½ miles away which would be well within the 220 acres excluding the school site of 30 acres.

Ms. Mordecai agreed that the events were unfortunate. Ms. Mordecai stated in Newfield's credit, they had made the Committee aware that something had to be done or else there would have been more of a delay to the project. Ms. Mordecai agreed the Land-Use-Administrator had no right to make his request.

Mr. Gibson stated if the contract stated 100 tons of rock and 100 yards of topsoil would need to be located somewhere, it should have been accounted for by Newfield and KBA in the contract. Mr. Gibson questioned why it came up as an emergency. Craig Parker stated it was discussed at the last meeting at great length and it wasn't something the

committee should have been burdened with. Craig Parker stated he understood Mr. Gibson's frustration, he was not at the last meeting, the committee was frustrated but the project was going to stop.

Mr. Moss stated the removal of the rock to another location was in the contract. The rock was to be hauled over to the garage on Mount Parnasis. The contract did not specify clearing an area to store the rock on site.

Mr. Garofalo stated Mr. Ventres and he had agreed not to pile the rock in a pile, but to dump it in a windrow along the property beyond the ball fields. This would give a wall look in appearance and is easier to use in the future and save time and money for all.

Mr. Garofalo reviewed the plan on a site map.

The change order included grading, fine grading, planting, clearing of the preservation areas etc. Mr. Moss questioned if all of it needed to be completed.

Mr. DiMauro stated Mr. Ventres requested in the very beginning the rock was not going to leave the site. Mr. DiMauro read Mr. Ventres what the contract had specified, to which Mr. Ventres stated he was still requesting the rock remain on site. Mr. DiMauro stated the first thing he had told Mr. Ventres was he did not have the authority to spend the SBC money. Mr. Ventres informed Mr. DiMauro he was aware of this, but the rock was not to leave the site. Mr. DiMauro stated Mr. Ventres does have authority to make minor changes to the plan without going back to the Inland and Wetlands Commission. Mr. Garofalo stated the only changes Mr. Ventres could request were those for erosion control.

Considerable discussion ensued with regards to the location of the topsoil, rock and who had authority. Mr. DiMauro agreed to revise the Change Order and re-submit it to the Committee.

8. DETERMINATION OF NEXT MEETING 03-28-07

The next scheduled meeting is March 28, 2007 at 7p.m. at the Nathan Hale Ray High School, Media Center.

9. AUDIENCE OF CITIZENS

There was no one available to contribute to the Audience of Citizens at the time it was offered.

9. OTHER DISCUSSION

There will be a town meeting March 22, 2007 at 8pm for the appropriation of the funds needed for the project until June when the BANs are issued.

The committee will consult with Mr. Bennet with regards to liability of the public entering the site prior to the completion of the project. Mr. Moss requested that no one be allowed on the site and for no trespassing signs be posted. There will be a permanent gate installed on Clark Gates Road and a temporary gate on Sillimanville Road entrances.

10. ADJOURNMENT

Motion by Mr. Gibson at 8:45p.m. to adjourn. Seconded by Mr. Toolan and unanimously passed.

Respectfully submitted;

E. Ruth Ziobron
Recording Secretary

A Tape Cassette of the Meeting is filed at the Selectman's office.