Chariho Building Committee Meeting
August 22, 2011 - Minutes

Members Present: Chair Greg Kenney (Hopkinton), Arthur Nelson (Charlestown), William Day (Richmond), Leon Millis (Richmond – arrived at 6:58 PM), Doreen Dolan (Hopkinton), and George Abbott (Hopkinton). Absent: Craig Louzon (Charlestown), Holly Eaves (Charlestown), Erick Davis (Richmond) and Dorothy Gardiner (Hopkinton).

Also Present: Superintendent Barry Ricci, Director of Administration and Finance Brian Stanley, Director of Buildings and Grounds/Project Manager Dan Cartier, Clerk of the Works Ray Madden, KBA Representatives Paul McAndrew and Dave McKinley and District Clerk Donna Sieczkiewicz.

As there was not a quorum of members present at 6:30 PM, the agenda was adjusted so the Committee could address items that did not require a vote.

X. Dedication Ceremony
Superintendent Ricci reviewed the draft Dedication Ceremony agenda that was included in the packet. Doreen questioned if the Middle School classrooms would be included on the tour to which the Superintendent replied that he would include those. He suggested that Committee members be stationed in each of the areas to be viewed and that they highlight what was completed in that area. Paul stated that KBA will donate scissors for the ribbon cutting. Members noted that they were OK with the agenda that was prepared.

IX. Architect's Report
Paul reported that the punch list has not been completed for the Middle School addition and the Maintenance/Technology Building. KBA’s electronic files have been shared with Nadeau. Dan stated that Mark Menard may be here tomorrow to do one item on the punch list. We do need the as-builts and are still holding money. Paul stated that KBA has approved Bacon’s requisition. They did a back punch of the chorus room, media center, and student services center. The list is getting smaller. They viewed the band room and a punch list was given to Chad (from Bacon). There is still work to do in that room. Chair Kenney noted that the walls need another coat of paint. Ray added that the fire department and electrical inspector were on site today. Everything is all set. George Abbott questioned the concrete in one of the greenhouses. Paul replied that there are cracks in one of the floors. The engineer felt it was not structural and they have been asked to fix the crack and come back and epoxy the floor. Chair Kenney questioned what was going between the sidewalk and the Middle School parking lot to which Dave responded “lawn”. The Superintendent stated that the asphalt in the bus loop is patched in three locations. We are supposed to have a seamless area. What is being done about this? Dave replied they have spoken with Bacon to which the Superintendent requested that Brian be given direction about the worth of this and we will withhold this amount. Bill Day added that the asphalt in front of the Middle School has ridges in it to which Dave answered they will take care of this. The Superintendent reminded KBA that the High School offices need to be painted. Paul stated that Harry was reminded today and he will check this to make sure it is done before the start of school. Dave noted there is one issue of concern; the low points on Switch Road by the CTC and the Media Center. They are creating a berm but water is not draining out as it should. They are proposing to put a pipe in the ground to which Chair Kenney replied they could build a post hole and fill it with stone. Dan has asked Bacon to supply a price to fix these to which the Superintendent noted that this may hold up seeding. It was decided they should go with the post hole.
I. Meeting Call to Order
Chair Greg Kenney called the meeting of the Chariho Building Committee, which was held in the Chariho Administration Building, to order at 6:58 PM (upon the arrival of Leon Millis).

II. Approval of Minutes
Doreen Dolan made a motion, seconded by Leon Millis and it was
VOTED: To approve the minutes of the July 25, 2011 meeting as written. In favor: Unanimous.

III. Transfers and Payment of Bills
Brian Stanley noted that there are no transfers tonight but he will have one at the next meeting. There is a revised bill sheet that was distributed this evening. It includes two additional invoices which came in today and need to be paid. The two additions are Advanced Alarm Systems ($12,485.62) and Ananke IT Solutions ($39,951.43). George questioned if the license plate cameras just take a picture or can they recognize characters to which the Superintendent responded he believes it is just a picture.

Doreen Dolan made a motion, seconded by Arthur Nelson and it was
VOTED: To approve payment as per the revised bill sheet. In favor: Nelson, Millis, Day, Dolan and Kenney. Abstained: Abbott. The motion carried by a vote of 5 in favor with 1 abstention.

IV. Status of Legal Counsel, Clerk of the Works and Project Manager Positions
The Superintendent noted that all three positions will expire on August 31, 2011. He does not recommend termination of legal counsel because of the issue with Nadeau. Paul was asked “at what point does the District say they have had enough?” Paul replied by mid-September. It was decided that legal counsel should be retained at least through November. Superintendent Ricci recommended that Ray Madden be retained on a half-time basis through the month of September (this was fine with Ray). Chair Kenney stated that there will be days when Ray is not on site as it would not be economical for him to drive here for half days. There was no recommendation from the Superintendent on the Project Manager position. Chair Kenney felt that the Project Manager should be kept on while legal issues with Nadeau are ongoing. Bill suggested that the Project Manager be retained on a monthly basis to which Dan agreed this might be the best way to go. George questioned how much time is legal counsel putting in to which the Superintendent responded that it is not about time as he gets $350 per hour. He only gets $900 per month retainer from us. The legal issues with Nadeau could get very expensive. Last month Attorney Anderson was asked to review bid documents which took a great deal of time.

Doreen Dolan made a motion, seconded by William Day and it was
VOTED: To extend the contract for Legal Counsel through November 30, 2011. In favor: Unanimous.

Leon Millis made a motion, seconded by William Day and it was
VOTED: To extend the contract for Clerk of the Works through September 30, 2011 on a half-time basis. In favor: Unanimous.

Doreen Dolan made a motion, seconded by Leon Millis and it was
VOTED: To extend the Project Manager’s contract through September 30, 2011. In favor: Unanimous.

V. Change Order Requests
A. Change Order #11 (Bacon) – Chair Kenney reiterated that the final decision for item #240 (Prep and paint Middle School bathrooms) was to wait until the contract is up with Bacon and go out on our own. Dan stated this can be done throughout the year and you can scale it up or down depending on the number of bathrooms you choose to do. The Superintendent added
that the Committee does not need to wait until the contract with Bacon is up; the District can generate specs now. Brian stated that Dan Cartier and Dan Cook can write the specs with the cost being about $1,000 for advertising, etc. The Superintendent noted that the District could issue the bid and hopefully award it at the next meeting. Doreen questioned if the District had someone who does painting to which the Superintendent replied that there is no one on contract to paint. Chair Kenney stated that Item #243 is not a correct figure. Ray reported that the subflooring on the stage is a result of the fact that the top stage step was only 6 3/8” and did not meet code. Bacon felt they needed to protect themselves and the Building Official viewed it and ordered it be corrected. They added 5/8” plywood under the stage. The issue with the amount is that Bacon completed this in one day but charged for two. He and Dan are still going around with Bacon over the price. We could include this in the motion with a “not to exceed” amount. Paul reported that there is also an issue with #244R1 – Band Room Ceiling. The contractor wanted extra payment as we doubled the amount of ties. We are arguing the cost. KBA feels the contractor owns at least half of the supports. This, too, should be approved with a “not to exceed” amount.

Doreen Dolan made a motion, seconded by Leon Millis and it was
VOTED: To approve Bacon’s Change Order #11 with the following adjustments: removal of Item #240; Item #243 amount to be paid not to exceed $4,428, and Item #241R1 amount to be paid not to exceed $4,000. In favor: Unanimous.

Paul was asked to get the amounts to Brian as soon as possible so they can be encumbered.

B. Middle School AC/HVAC Upgrades – Dan stated that he has not yet received the numbers from Bacon as they are just trying to get the other projects done. No action was taken.

VI. Issuance of Final Bond
George questioned if the Committee could still issue the final $1 million and be reimbursed to which the Superintendent replied that he looked at the law, consulted with bond counsel and received a response from legal counsel on this. Chair Kenney stated that if the Committee doesn’t issue this money, they will lose the ability to get it to which the Superintendent added that it is all about timing. You have to issue it while the project is still fresh. If you wait, the likelihood to get it is less. George stated that it seems like six months ago the opinion of the Committee was they were not going to spend the last million dollars. Chair Kenney responded that the Committee decided it wanted to save the taxpayers money but that was when they would still have access to it if need be. They may have changed their perspective a bit as long as we get about 60% back in state aid for renovations. Now we would lose it. Bill stated that the Committee needs to have faith in the Solicitor’s interpretation. He doesn’t feel we need to do this right now. He is not in favor of borrowing it unless it is really necessary. Arthur requested where the balance of the money remains to which Brian replied that most is in the High School account. Leon stated that the Committee was lucky the economy was like it was as they were able to take advantage of the “bonus”. They did an enormous amount of extras. He feels it would look good to go back to the taxpayers and say “we did not spend $1 million”; the Committee has done what it should have and more. No action was taken.

VII. Liquidated Damages and Potential Legal Action/Nadeau Corporation – Chair Kenney noted that they are waiting for as-builts and will then move with legal action. He thinks there may be a “fight”. Leon questioned the amount of money that is being withheld to which Dan responded about $70,000. Superintendent Ricci asked what was left for Nadeau to do to which Paul replied they have punch list items remaining and reviewed what was left. All items should have been completed.
VIII. Project Manager/Clerk of the Works Report
Dan stated that the cameras are going in but this is harder than they thought and will cost a little more money. It will cost about $3,000 to $4,000 for the discus cage and there is about $10,000 to $15,000 in change orders still hanging. He noted that the coaches would also like a shot put in the lower softball field and he is not sure of the cost of this. Bill noted his confusion as to why the coaches would want something by the softball field; why not the other corner to which Dan responded that they would like to be able to conduct three events at one time. Bill felt there was plenty of room where the track is. Dave stated that they were told that is where it was going (the softball area) so there is an ADA walkway going in there.

A. Energy Audit – George questioned how much will the total energy bill be with the energy efficiency rating for the project? Chair Kenney noted that they are hoping to break even as we have added more square footage with this project. Dan stated that the long-term plan is to monitor this for all buildings and figure out the square footage cost. George noted that he would like to know the total square footage as well.

The next meeting was scheduled for Monday, October 3, 2011 at 6:30 PM in the Administration Building Conference Room. Arthur Nelson asked if the Town Councils and Rotary Club will be involved with the Dedication Ceremony to which the Superintendent replied that the Rotary will be involved and all others will be invited to attend. The Rotary Club did a beautiful job with the courtyard.

XI. Adjourn
Doreen Dolan made a motion, seconded by George Abbott and it was VOTED: To adjourn at 7:45 PM. In favor: Unanimous.

____________________________
Donna J. Sieczkiewicz, Clerk