

Mt Greylock Regional School District School Committee Location: MGRS Meeting Room A109

Date: Tuesday, November 12, 2019 1781 Cold Spring Rd Williamstown, MA 01267

Present: Al, Dan, Jamie, Steve, Christina, Ali, Regina

Also present: Kim, MS Rouche from Dupere law firm

Agenda

- I. Call to order
- II. Mount Greylock Regional School Administration Building Rebid (BDO #4204)
 - A. Discussion of previous vote
 - B. Revote of BDO #4204 VOTE
- III. Owner Project Manager/Clerk of the works for BDO#4204
 - A. Discussion
 - B. VOTE
- IV. Motion to adjourn

Called to order at 6pm.

Rouche: Problems with original motion and vote. Cannot make a vote for a project that has not been bid yet. If allocate funds towards that project, will receive bids that are higher. Typically due bid first then vote on bid amounts. Otherwise bidders know your number.

Second is how to get money out of E&D. School committee can vote to bring to town but cannot vote to just have the money come from the fund.

Third: Actual motion didn't break down how much would come from gift versus E&D, unclear.

Whichever option you go with, have drafts that will address concerns.

Want up to \$2.2 million to come from the gift fund, around \$320,000 from E&D. Easiest option is to have that come from the gift fund as well, total amount for up to \$2.5 million for Phase I from Williams College gift.

Second option: Still have up to \$320,000 from E&D by using Mass Law, have up to seven days to provide that vote to the towns that make up the district, cannot do anything for 60 days, towns can choose to do nothing or hold a town meeting and allow people to vote on whether or not to incur debt. If one town has a meeting and a majority express disapproval, then need to come back and vote again as vote failed. If do nothing for 60 days can pull from account.

Third option: By Mass Law could ask to go to annual town meeting. Doesn't have to be annual town meeting, but would have to go to town meeting in each town.

Dan: Quick reading of legal opinion is that vote of Nov 5th is not legal. Is that vote now null and void, and looking at this from a new lens, or is any part of that vote present?

Rouche: Nothing valid in that vote.

Dan: If committee comes to the conclusion that it no longer wants to allocate the \$2.5 million is that allowed? (Answer: Yes) The fact that the vote was invalid means we can consider new options, including reject the bid. Like the 5th didn't happen. Also notice the written opinion talks about the E&D aspect but not about the project that hasn't been bid yet. Should I read anything into that, or was opinion just asked about E&D?

Rouche: Wrote trying to just understand the E&D, took awhile to read thru all the laws. Talked to attorney Duprere that it is not legal to vote on things that are not out to bid.

Regina: Now to rebid. Can reject, can accept base bid and not do the bathrooms, or do the bathrooms and accept the second bid.

Kim: Before history repeat itself, if off the table now would have to go back to bidders in the future, cannot be a change order.

Al: can do the bathrooms now.

Regina: Input we have received is bathrooms won't be cheaper.

Steve: If do, should have bathrooms. Concerned about cost, concerned that no opportunity for public comment. Rich Cohen sent information on modular construction.

Regina: Building project has been explored longer than fields. Should have requested this earlier. How often are we going out to bid. Isn't going to come back with different results. Did get an email about the college about what they did.

Kim: College modular site, 11,000 square feet, this building is more than district office. Have been asked to explore options. Just a modular for district office= add ons, looking at 3/4ths of a million, doesn't include slab. I don't see how this is something Phase I hasn't done. When it came in high, asked to shrink. Shrunk building to make sure have a wax space for the students. No one considered stock. Now right back to wax people under a separate research group for outside equipment. Making it seem public doesn't have an opportunity to weigh in. All meetings are public. Not a new thing. We need for this building storage. Need a place to cover equipment. Need a place for soccer, for ski. Need a place to safely house district office. Said give me a ranch. The building isn't administrative. Don't know how much smaller want it. Will run into a situation that the bodies that run the district cannot fit. Cannot shrink more. Cannot shrink storage. If go out to the third bid to shrink then spending the money and in a year will have to build an annex. We have done all that. Sorry feel the Phase I committee hasn't done their work, how many more people have to look.

Regina: Modular: with change orders cost almost what we are doing.

Steve reads the Phase I meeting.

Dan: Rental cost is \$100,000 a year to lease. Didn't go into a lot of process on that. I do recall there was a long packet of 100 pages of photographs of vacation village and other places. Not sure if that was presented to the entire committee. Not sure when all of this happened as I was a late arrival to Phase I after Joe left. Information is available.

Al: Concerned that can talk about Phase II and fields, another issue, seems to me every day without making a decision is money, to rehash again and again. We want transparency, at some point need to make a decision. Waiting 60 days is not an option, in favor of simplest, stop the bleeding.

Steve: Agree with Al that not worth waiting 60 days.

Al: motion to accept the first bid, take all the money from Williams gift, to build new multi-purpose gift.

Steve: Second

Dan: What is the justification for separating accepting the bid and the source of funding?

Rouche: Clarity. Make it easier if someone is looking back on the minutes, clear when someone is reading minutes.

Dan: Takes away flexibility if funding comes from one source or another. Might want to support a bid only if funding comes from a certain source.

Rouche: I see your concern, might be more beneficial to make it one motion. If that is a concern one motion is better.

Al withdraws motion.

Motion: Accept bid from Dave J Tierney, Jr, from Pittsfield to build a new multipurpose building knowns as the Administrative building, to include alternates 1 and 2, to transfer up to \$2.5 million out of the capital gift from Williams College to fund the new multi-purpose building known as the Administrative building and to include the construction of the bathroom facilities as bid in BDO #4202. Al moves, Steve seconds.

Dan: Jamie: What do people think of spending \$2.5 million from the gift fund. I know it is now more complicated to do that, or we realize that. Does this influence people's opinion? Do we want to pair it back? Would have to solve the issue of bathroom later?

Ali: Feel like we should consider that this \$300,000 for the bathrooms is being offset by rental cost of trailers, time of teams working on Phase I. Buildings are expensive. Modular option is coming really close

to base bid price. What is the life span of that? School, district staff need a good building that will serve the purposes they need. Have spent a lot of time.

Regina: how do you feel about including the bathrooms?

Ali: just seeing money go down the drain if put it off, if know need and if high risk of being more expensive in the future just do.

Christina: agree.

Dan: In an awkward position, been on Phase I for awhile, been on Phase II. I support both projects, all of my work in coming up with ways to move these projects forward has hinged on seeking a coordinated effort would be in the best interest of the district and give the public the most certainty. I am disappointed that I could not find a legal way to do that. I have been clear about my concerns about how spending money here takes money away from other purposes. Not sure all committee members would prioritize the same way I do, have same concerns about spending money on one thing takes away from others. The Phase I chose not to make a firm recommendation on the bathrooms. I would take the latitude to oppose the bathrooms in order to preserve money for potential use for Phase II project, no matter how it turns out.

Regina: do them now, going to pay for them now or tag them on with fields. Encouraged looking at minutes that Phase II in its charge was directed to do some kind of fundraising.

Al: Phase II did talk about bathrooms, glad came up in Phase I.

Dan: Concerned that bathrooms hinge on the fields, if we don't do the fields did we build bathrooms we don't need. Phase I discussion: should we recommend bathrooms or no bathrooms. Sense was wasn't a requirement. Then got a different sense on the 5th.

Kim: Need accessible bathrooms if have permanent bleachers.

Dan: Phase II has tried to explore options with the idea of saving costs, the idea of portable bleachers is not ideal but to save costs and with limited funding is something we would consider in order to increase the probability that the field will go forward at all. We would all like to have full bathrooms.... If the difference means not having the field it means unsatisfactory.

Kim: No matter how we slice it, fields will be here and are in use. No one saying we don't want playing fields, no place to add on to Phase II, that's why Phase I inherited it.

Dan: If ask people working on Phase II if would rather have the bathrooms and a lower chance of fields or fields without bathrooms, would choose without bathrooms. To Jamie's point would be more comfortable without bathrooms.

Steve: I view a vote on the bathrooms as support for the fields or recognizing as Kim said the need for use now. I see the advantages of district office near MtG. Still concerned about the cost and about not having

a detailed comparison of options. The Williams building has a brick exterior, 11,000 square feet, and with the add-ons is \$2 million. I am worried about doing things piecemeal. Worried about voting on this amount without having a detailed enumeration of the upcoming big costs in the district. I do feel many of these expenses are expenses that should be born by the town, and the town should be budgeting for it. The town should be budgeting for the boilers.

Al: Whatever type of field we have, bottom line is we will have a field with lots of people, will need bathrooms. Most logical.

Roll call vote: Ali yes, Steve no, Christina yes, Jamie yes, Dan no, Al yes, Regina yes. Motion passes 5-2.

Next item: wanted to recommend something at the last meeting, having an owners project manager or clerk of the works for what we just accepted.

Dan: Written report had that, had discussion and strongly recommended. Estimated cost at \$50,000 to \$100,000.

Kim: We bid this before, having the district office deal with this new project is a major ask as still closing out the current MtG building project.

Dan: Subcommittee thought the committee would be more comfortable if had outside OPM or clerk of the works, rather than relying on district.

Al: Will support having one.

Dan: Processwise: what do we need to do to implement suggestion?

Kim: No money is authorized. Could come in high or low, can reject?

Dan: Vote to authorize Assistant Superintendent to issue a revise RFQ for owner's project manager or clerk of the work on the BDO #4204.

Steve seconds, asks where funds will come from.

Al moves to adjourn, Dan seconds, passes unanimously at 7:04pm.