

Minutes
School Building Committee Meeting
Monday 9.18.17 5:00 PM Paul Revere Room, Minuteman High School

Voting Members Present: Alice DeLuca, Don Lowe, Dana Ham, Ford Spalding, Ed Bouquillon, Bill Blake
David Frizzell, Kevin Mahoney, Marianne Cooley, Alice Kaufman, Orlando Pacheco

Others Present: Gilbane: Walter Kincaid, Tripp McElroy; KBA: Gregory Joynt, Seunghwan Lee; Skanska:
Mary Ann Williams; Matt MacLean, Elizabeth Rozan

Absent: Frank Cannon, Mike Majors, Nawwaf Kaba, and Jack Dillon

1. Call to Order: Open Session

Chair Ford Spalding called the meeting to order at 5:00 pm.

2. Approval of Draft Minutes 8.14.17

The vote to approve the minutes was taken as follows:

Moved (Blake) and seconded (Kaufman)

To approve draft minutes of 8.14.17, as presented

VOTE: Approved (1 abstention)

3. Approval of Team Invoices

The vote to approve Team Invoices was taken as follows:

Moved (Spalding) and seconded (Frizzell)

To approve the invoices for the School Committee's Finance Subcommittee Warrant, as presented:

Category	Firm	Invoice Number	Dated	Invoice Amount Due
a. OPM	Skanska	#45	9.7.17	\$ 81,490.00
b. Architect	KBA	#11	8.31.17	\$ 788,370.16
c. CM	Gilbane Preconstruction	# 8	8.28.17	\$ 25,000.00
d. CM for Construction Services	Gilbane Pay Requisition	#2	8.31.17	\$ 1,411,895.81
e. Misc. Project Costs	Briggs Engineering	#1 #2	7.29.17 8.26.17	\$ 30.00 \$ 380.00

VOTE: Unanimous

4. Authority to Approve Change Orders

Kevin Mahoney explained that in a project like this, there may be times that a change order is necessary, and to avoid a delay, giving the authority to approve change orders to the Superintendent would keep the project moving forward. He explained that he has researched the details, and determined that change orders under \$25,000 could be reviewed by the OPM, and brought to the attention of the Superintendent, Assistant Superintendent, and School Building Committee Chair at Team Meetings for approval. The Chair would then report the change orders back to the School Building Committee. The question of whether \$25,000 is an adequate amount arose, and it was determined it is at this point. The following vote was then taken:

Moved (Mahoney) and seconded (Frizzell)

To authorize the Superintendent-Director, after consultation with the Owner's Project Manager, the Assistant Superintendent of Finance, and School Building Committee Chair, to approve Change Orders up to \$25,000. Said Change Orders are to be reported at the next School Building Committee meeting.

VOTE: Unanimous

5. Updates on Design, Construction, Permitting

a. Design

Seunghwan Lee and Gregory Joynt reported that preparation of 90% construction documents are underway, and out to Gilbane for cost estimates. At this point there are no changes to the structure. The details are being fine-tuned, ensuring adequate scope, coordination, and consideration of the review comments, to make ready the biddable packages.

b. Construction

Walt Kincaid reported that the blasting continues through the next week, the RFT process is underway, and concrete is on-site as of today.

Tripp McElroy presented some photos showing activity on the site since August 23, 2017. He explained the blasting process, the saved rocks that will be used for landscaping, and the dust mitigation process. He also noted that on September 13, the Minuteman Culinary students catered a "Safety Breakfast" for Bay State Blasting out on the site; it was much appreciated, and everyone was excited to be involved. Ford Spalding called attention to the "Minuteman Rock" image, and noted the decision to save it so that it can become part of the site due to its historical and geological relevance.

c. Permitting

Mary Ann Williams reviewed the chronology of the permitting process with the Town of Lincoln's Planning Board and Building Commission from October 18, 2016 to the present, noting that a usual 30 day approval process for the foundation permit has taken 2.5 months and has created a drain on resources for the entire team, causing delays and costly consulting and permitting fees for the District.

Because Minuteman sought a Phased Approval and the Building Commissioner repeatedly resisted then insisted on a single review for both the Foundation and full Building Permit on the same set of documents, even though it was expressed that the drawings for the full building permit would be complete 3 months later, he would not allow the separate reviews that would have taken place at separate points in time. The impact was:

- Foundation/Steel Permit Application submitted June 30, 2017
(10 weeks before permit issued, rather than 30 day review)
- Foundation/Steel Permit received late September 7, 2017 (cannot proceed without permit)
- Planned to start Foundations August 1, 2017
(7 Week delay); anticipated September 18,2017

The design team was pulled into a never ending cycle of responding to Building Permit related questions and issues that would have been minimal in comparison and mostly addressed in a full Building Permit set if allowed to segment the process and allow a full Building Permit set documents to be submitted after the completion of design.

The team had to move the submission to the MSBA out because the designer's resources were diverted to this inefficient variation of a typical process.

Mary Ann explained the delays and referenced a document she prepared: Lincoln Building Department Chronology – Path to Permitting (covering October 18, 2016 – September 6, 2017), which outlines the details of the process to date.

The following vote was taken:

Moved (Bouquillon) and seconded (Spalding)

To formally include the referenced document Lincoln Building Department Chronology - Path to Permitting as part of the permanent record of this meeting (Attachment A)

VOTE: Unanimous

Noting that time is money, she stressed that in addition to escalation costs, there have been mixed messages regarding segmented permitting, additional code reviews, and permitting fees. She emphasized that the original application request was for segmented permitting, allowing one permit for the Foundation and Steel Permit. The final Building Permit would involve a comprehensive review later this Fall (a straightforward review initially, and a more comprehensive review by Lincoln consultants later). The Building Inspector agreed that the Foundation Permit application would get the project going within the original schedule; however, the Foundation Permit review and the Building Permit review have been lumped together into one review, based on 60% Construction Design Documents. The consultants naturally had reservations about doing a review of incomplete documents, but the Building Inspector required it. This has resulted in numerous comments from the Building Inspector's consultant that have taken critical members of the Design Team off of the completion of construction documents to answer questions. This has resulted in delays and additional costs. Her experience with this Building Inspector indicates there is no standard being applied.

Marianne Cooley suggested that a conversation be held with John Connolly and George Kent of Needham regarding the lessons learned from their building inspection process. Dave Frizzell and Dana Ham commented from their experience with fees; the practice of waiving fees, and the Jan. 20, 2017 correspondence from the Town of Lincoln related to returning with interest any unused fees (Attachment B) were also mentioned. Ed Bouquillon noted that he is concerned about Owner rights, and about the process for seeking relief for \$1.2 M in permitting fees. He noted that he does not expect it to be much different going forward, and anticipates legal expenses as he pursues clarity. It was noted that while MSBA expressed they do not usually get involved in permitting fee discussions at the local level, they could advise on the experience of other projects, such as what is reimbursable and what towns had fees waived, as it is

in MSBA's interest, since these are public funds, and costs could stop the project. The following vote was then taken:

Moved (Ham) and seconded (Cooley)

To direct the Superintendent to explore the process of seeking relief from permitting and other fees related to the construction of the new high school

VOTE: Unanimous

It was noted that this should include conversations with MSBA, other town such as Needham, and attorneys, and that Ed report back to the group.

6. Next Meeting

For the benefit of Orlando Pacheco, new to the group, introductions were made around the table. The best time for future meetings was discussed, and it was determined that the next meeting will be held on Monday 10.16.17, per the schedule, at **5:30 PM**.

7. Adjournment

There being no further business, the meeting was adjourned with the following vote:

Moved (Spalding) and seconded (DeLuca)

To adjourn the meeting at 5:50 PM

VOTE: Unanimous

Elizabeth Rozan, Recorder

Attachments to the School Building Committee Minutes 9.18.17

A. MAW Lincoln Building Department Chronology – Path to Permitting

B. Correspondence from Lincoln 1.20.17