

A meeting of the Building Committee was held on Thursday, December 19, 2013 at 6:30 pm in the LMC of Nonnewaug High School, 5 Minortown Road, Woodbury, Connecticut.

Present: Superintendent Jody Ian Goeler; Committee Chair George Bauer, committee members John Chapman, Wayne McAllister, Pat DiSarro, Mike Molzon, Andrew O'Brien, Bill Nemec
Also present, Maryanne Van Aken, Ken Biega, Paul Lisi and Mike Preato from *Voices*

Mr. Bauer called the meeting to order at 6:44 pm and reviewed the decision from the Litchfield Court. He thanked everyone for the hard work in publicizing the referendum; this effort was not for naught and paid off in the judge's decision. The Waterbury case is still pending and he had no updates on that.

The ED049 was filed prior to the lawsuits and in conversation with the state, Mr. McAllister was advised that going out to bid post-referendum is required. Attorney Sommaruga concurs with this, stating that although the 2007 contracts were issued in accordance with the law at the time, the renovate to new project for NHS is well beyond the original scope, and significant time has elapsed, and so going back out to bid is appropriate and in accordance with the law.

Mr. Bauer provided an email from Mike Ayles of Antinozzi Associates which was reviewed by the committee.

Discussion followed regarding going back out to bid.

Mr. Molzon felt we already have Antinozzi's and O&G's best numbers, which would now be known to other bidders who would beat them.

Mr. McAllister replied that the agreements with those firms were not signed nor adopted by the board and, therefore, not out in the public. All bidders, he said, have an opportunity to put in a best bid, including Antinozzi and O&G.

Mr. DiSarro wondered if anything the committee does here could become admissible in the Waterbury case.

Mr. McAllister noted that the project is going forward in the legislature for funding based on submission of the ED049. It was suggested that we check with the town clerks to see if they have certified the referendum results.

Mr. McAllister offered examples of RFPs for architect and construction management services. He explained that these would be submitted to vendors and posted in the paper and on state sites. The process, start to finish, should take 30-45 days to advertise, interview, select and approve candidates. Asked if these could be done concurrently, he advised choosing the architect first and have them involved in selection of construction manager.

Mr. Lisi spoke about the 6 year relationship between his firm, O&G and the district on this project including assisting with the referendum. He is not suggesting Mr. McAllister's information is inaccurate, but would like the opportunity to confirm this because he is not aware of any requirement to go back out to bid. He is confused as to why this is taking place and doesn't see the risk.

Mr. McAllister said the risk is \$32 million.

Mr. Lisi doesn't want the district to be in jeopardy of losing reimbursement but would like a chance to confirm the need to re-bid the project. He asked if other committee members have seen the email from Mr. Ayles, and Mr. Bauer replied they have not. Mr. Lisi said he is familiar with the process and wants to ask the questions and get answers to whether this is required, or just a "should" or "suggested."

Mr. Chapman considers the project to still be a renovate to new, just a different building. He is interested to find out the risk of continuing with the team currently in place when the project has morphed significantly in terms of priorities, scope and enrollment needs, among other factors. He thinks it's fair to try to get answers to the team's questions. We cannot proceed, though, if reimbursement is at risk. In another RFP is sent out, the current team is in a very strong position, but there cannot be any appearance of impropriety and the process has to be allowed to work internally and externally.

He asked Mr. Bauer to share Mr. Ayle's email and concerns with Attorney Sommaruga to see whether compliance can be demonstrated. The scope, he said, has not changed – only the location.

Mr. McAllister felt the scope is at issue, as well as the qualifications of a firm to design such a project.

Mr. DiSarro felt the bottom line is what the state thinks and wondered what the harm would be of going out to bid.

Mr. Chapman replied that time is a factor, as well as the possibility of having to bring a new firm up to speed. He feels the committee needs to understand the risk. If there is zero tolerance for risk, then sending out another RFP is in order, but he urged moving as quickly as possible.

Mr. Molzon urged crossing every "t" and not to go too quickly. The process needs to be 100% legitimate.

Mr. Bauer also discussed the plan to create a committee to include NHS faculty members to work with the commissioning agent, and asked Mr. O'Brien to begin thinking about members for that committee.

Mr. Chapman commented that the field work comprises the biggest impact on dollars, and urged more study on where the turf field goes, whether all the fields need to be ripped up or whether irrigation can work in some areas, and would like space planning for the fields and perhaps plans to work on them more "surgically" so that the entire area is not out of commission for long periods.

The meeting concluded at 7:45 pm

Respectfully submitted,

George Bauer, Chair