

**WEBSTER PUBLIC SCHOOLS
SCHOOL BUILDING COMMITTEE MONDAY, 6:00 PM FEBRUARY 26, 2024**

Present: Ted Avlas – *Vice Chairman Member - Voting Member*
Tim Bell - *Town Accountant - Voting Member*
Sheila Blythe – *School Committee - Voting Member*
Earl Gabor - *Selectmen Delegate - Voting Member*
Dave Hurton - *Chairman - Voting Member*
Gina Nieves - *Voting Member*
Al Young - *Voting Member*
Lisa Kontoes - *Business Manager*
Monique Pierangeli – *Superintendent*

Absent: Victor Waskiewicz- *Voting Member*
Tony Paranto - *Voting Member*
Ryan Collins - *Principal*

Attendees: Jorge Cruz-Flansburgh
Mike Carroll-Colliers
Richard LaFond-Town Administrator
Richard Armitstead-Flansburgh

I. Call to Order:

Mr. Hurton called the meeting to order at 6:01 pm.

II. Review of Previous Meeting Minutes for Approval

a. January 16, 2024

Motion to approve 1/16/2024 minutes.

Motion: Mrs. Blythe

Second: Mrs. Nieves

Vote: Yes—7 ; No—0 ; Abstain—0

b. January 22, 2024

Motion to approve 1/22/2024 minutes.

Motion: Mrs. Blythe

Second: Mr. Young

Vote: Yes—6 ; No—0 ; Abstain—1

III. General Contractor Introduction

Mr. Carroll informed the committee that the GC will be at the next SBC meeting.

IV. OPM Report

a. Update Budget to tie out to Commitments

i. Review Bid Day Savings Options/MSBA Grant Funding

Mr. Carroll explained to the committee that between the initial budget and the BID day amount of \$76,878,000, we have an approximate savings of 1.3 million. As previously discussed at the last SBC meeting, districts normally have three options when they come under budget. The district can keep the 1.3 million savings as town money with the potential of an increased contingency. The second option would be to take the town portion and keep it in contingency and let the MSBA keep their portion. The last option is to reduce the overall project budget by the approximate 1.3 million. Mr. Carroll recommended keeping the 1.3 million in the budget for flexibility since the committee had previously decided not to take the alternates for the field project. He also recommended potentially moving the extra money into the modular costs.

Motion: Mr. Alvas motioned to leave the entire bid savings within the project and move it to the hard cost contingency (construction)

Second: Mr. Gabor

Vote: Yes—7 ; No—0 ; Abstain—0

ii. Review details of:

1. Overall Budget- Mr. Carroll presented the attached overall budget spreadsheet. There are only a few small updates and he is working on getting the latest invoices in and any proposed budget adjustments. The spreadsheet is an easy and transparent way to see the project budget and cost summaries, expenditures, authorizations and any budget revisions. Mr. Carroll explained that they group hard cost (construction), design and engineering, administrative costs, and FF&E and track the hard and soft contingency costs separately on the spreadsheet. Mr. Carroll continues to work with Mr. Cruz to accurately represent the Flansburgh invoices as well.
2. Budget Adjustments- Mr. Carroll went over the previous budget adjustments (in gray) which show the history, timing and dates for when adjustments were made including the preconstruction additional funding of 1,557,163.28. Whatever remains on the list that is still in white would be potential adjustments made at this meeting and if approved, would be grayed out at the next meeting. Mr. Carroll suggested that at some point, we may want to only be able to view the prior six months of adjustments as the list lengthens.
3. Commitments- The committed cost attachment followed a similar format as the above budget adjustments. Anything in gray has already become a committed cost. Whatever is still in white (three amendments) will be potentially discussed and voted upon in today's meeting. There were two commitments that were

highlighted in red, American Alarm and National Grid. The invoicing on these two commitments is still being investigated. When the committee inquired about the normalcy of having questions on open invoices and commitments, Mr. Carroll assured the committee that there will be more checks and balances moving forward to ensure that all commitments are accurately accounted for and confirmed. A more detailed reconciliation will be imperative moving forward.

4. Invoices- There are a few red flags that Mr. Carroll is working on with Mr. Cruz to clear up as part of the reconciliation process and to ensure they are tied into the correct cost coding. The four new invoices on the warrant for approval are listed as unpaid.
5. Cashflow- Mr. Carroll shared the attached Estimated Project Cash Flow Sheet with the committee. The sheet is broken out into columns which add up into the estimated outlay. He then explained that the columns tie into the estimated cumulative costs and actual cumulative costs to help project the costs of the building project. The current projection is approximately 11.3 million, however, the actual cumulative cost is currently at approximately 10.3 million. This is due in part to catching up with current contractor invoices. Mr. Carroll then presented the data in a graphical format in which you can more easily view the estimated vs. actual expenditures. He did explain that while they do not typically change the estimated costs, they do update the contractor's cash flow as the project progresses.
Mrs. Kontoes added that the invoice process is being tightened up and that she is working to ensure that the district is diligent with commitments and purchase orders. Mr. Carroll acknowledged that there have been prior instances where invoices had been paid without being on a contract or in an amendment. He assured everyone that this would not be happening moving forward.

b. Potential Invoice Workflow

Mr. Carroll shared the Invoice Payment Process workflow sheet with the committee. After discussion, the committee decided that prior to the workflow being approved and voted upon, there would need to be a few changes. Due to the need for a quick turnaround in payments to Brait and other vendors, a once a month meeting for the SBC would not suffice in getting payments out on time. As such, it was suggested that a designee be put in place as well as a backup so that payments can be processed up to twice a month during the regularly scheduled warrants if need be. Mr. Carroll assured the committee that if there was any question on an invoice from the Business Office, that it would be brought to the full committee for approval. Mr. Carroll will attempt to continue to do a large once a month batch of invoices, but with the timing of the SBC meetings, this

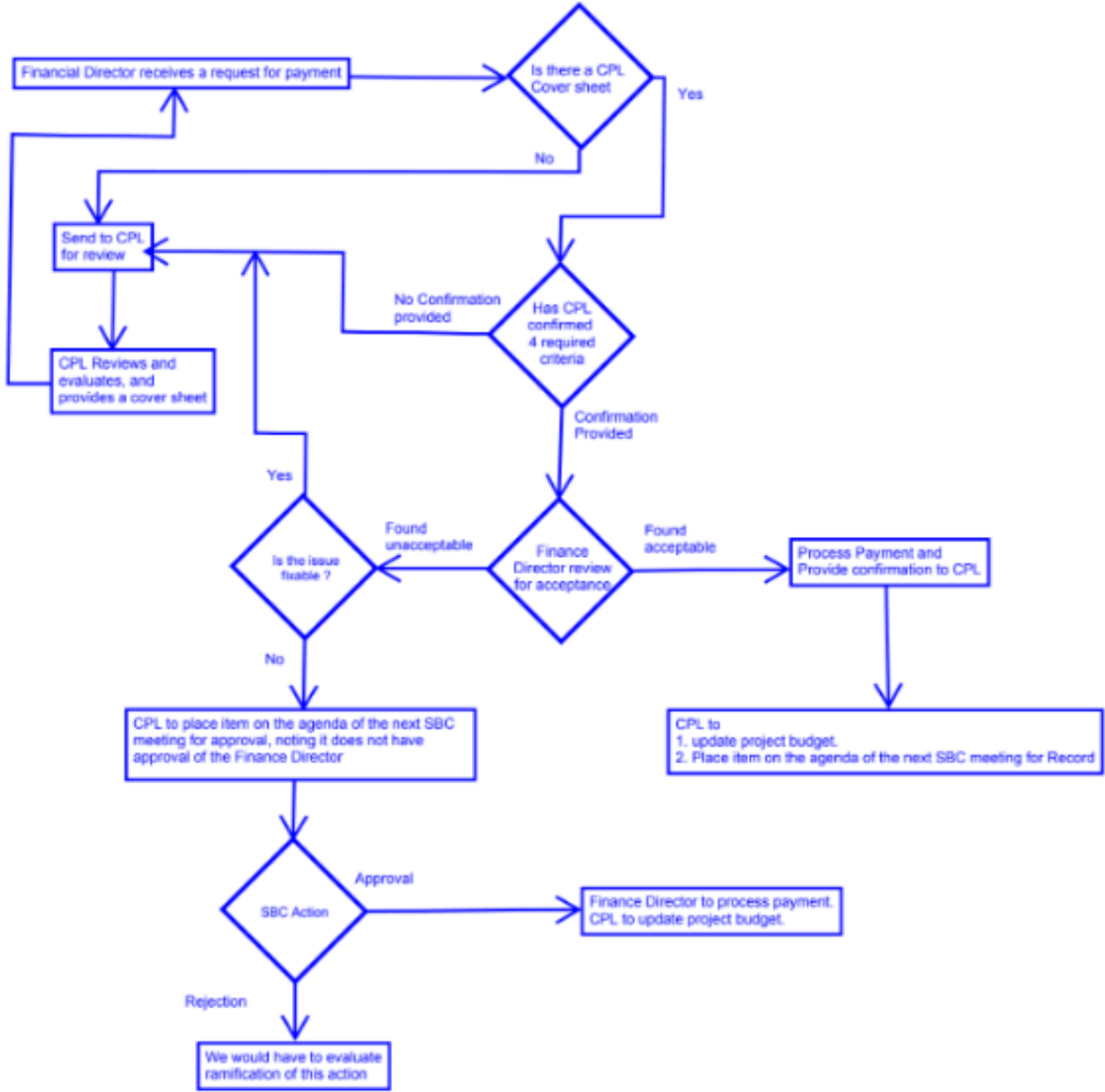
may not always line up with payment due dates. If a designee does come and sign for a group of invoices, they will be placed on the following SBC meeting for record.

Mrs. Kontoes also suggested that item 2 “Confirmation of Commitment” should be updated to “Confirmation of Commitment/Contract” to be more clear.

It was decided that this topic would be revisited at the next SBC meeting. Mr. Carroll will work on doing the suggested updates to the current workflow to have it prepared for the next meeting.

All Invoices need to have a Colliers Project Leaders (CPL) Cover sheet.
 That CPL cover sheet should always include

1. A recommendation to pay
2. Confirmation of Commitment
3. Confirmation within Budget
4. MSBA Propay code(s)



c. Potential Add Services/Budget Adjustments

- i. Colliers Project Leaders-Mr. Carroll presented the proposed OPM Contract Amendment 03 to the committee. Included in the amendment would be a proposal from Ride Levett Bucnall (RLB) for cost estimating services for schematic design as well as an additional services proposal from Colliers. The additional cost for RLB schematic design was included in the feasibility study phase, however, it hadn't initially made it onto the original contract despite having been already paid for. Colliers did have a signed commitment, but failed to follow through with the committee. The second proposal of the amendment would be additional costs paid to Colliers as a result of multiple factors which led to the project being lengthened by four months. This increase in project time is due to a two month delay during the initial bidding as well as a two month delay during the rebid process. As a result, Colliers' add service request is totalling \$567,369.57. Mr. Carroll further explained that this includes the closeout phase and that the initial contract was too short (nine months instead of the required eleven, which was an error on their part). The MSBA requires an eleven month closeout. The project is now looking at completion in December, 2027.

Breakdown of Add Service Request					
	Duration	Added Resources	Added time	Subtotal	\$/mnth
1. Added Cost relate to initial bidding Delays	2 Months	\$84,000	\$61,000	\$145,000	\$72,500
2. Added cost related to Rebid Delays	2 Months	\$20,000	\$62,000	\$82,000	\$41,000
3. Added Cost related to Extending Construction****	4.5 Months	\$0	\$297,000	\$297,000	\$66,000
4. Added Cost related to Extend Close out	4 Months	\$0	\$43,000	\$43,000	\$10,750
		\$104,000	\$463,000	\$567,000	
			Actual Request	\$567,369.57	

When questioned by the committee about how much of the added cost was due to the re-bid, Mr. Carroll stated that approximately \$82,000. In addition, approximately \$227,000 of the additional costs have already been incurred.. Mr. Carroll also explained that the request for \$567,369.57 is approximately 28% of the current contract and would be paid mostly from the contingency. Due to the MSBA requiring the site manager being on site at all times, the additional four months need to be adequately covered. He is hoping to save money towards the end of the project, but he is unable to make any commitments at this time. However, Colliers is unable to come back and request more funding moving forward. They cannot exceed unless there is a substantial change to the project. When questioned if any of the additional costs were reimbursable by the MSBA, Mr. Carroll replied that they are already exceeding the cap. When questioned why the cost of the initial bidding is much higher than that of the rebid phase, Mr. Carroll explained that this was due to reviewing the phases and logistics as well as additional work to get documents comfortable to go out to bid. Once at the rebid phase, they were able to back off on their hours.

Mr. Hurton recommended that the committee pass on approving the amendment at this SBC meeting with the committee in agreement. The amendment will be brought back to the next SBC meeting.

- ii. Flansburgh Associates- Mr. Carroll will bring this forward at the next SBC meeting.
- iii. Delta Beckwith- The committee was presented with a proposed change order request from Delta Beckwith based on the two month storage for the chair lift in the amount of \$2,000 due to project delays.

Motion: Mrs. Blythe made a motion to approve.

Second: Mrs. Nieves

Vote: Yes—7; No—0; Abstain—0

- iv. Town Engineer Fees- Mr. Carroll presented the potential cost for third-party construction period inspections totalling \$16,000. This cost would be paid by Flansburgh and then they would be reimbursed with a 10% markup. Unlike the permitting process, there won't be a required retainer on the cost. Mr. LaFond did confirm that this would need to go to the planning board in order to change the conditions. Mr. Carroll will bring this back at the next meeting.

d. Project Schedule Review

The updated project schedule was shared with the committee with the current status as of 2/1/24. Mr. Carroll continues to meet with the contractor every Tuesday morning and regularly throughout the week in order to better iron out the details of their schedules. There currently aren't any major changes to present and we are in phase 1 of construction.

V. MSBA Project Funding Agreement (PFA)

Mr. Carroll explained that we have received an updated agreement based upon grant values that increased in October and it is currently being executed. There will be another in 30-45 days based off of the bid savings from that point. He is working with Mrs. Pierangeli, Mrs. Kontoes, and Mr. Bell to ensure that the MSBA's budget aligns with ours, especially in regards to the pre-construction budget.

VI. Design Team Report

- a. Chair Lift Update- Mr. Cruz informed the committee that the chair lift has been delivered and is on site. There are currently temporary walls up in the BHS lobby. The lift is scheduled to be completed by the end of March pending state elevator inspection. They are working diligently to get rid of the temporary walls as soon as possible. Mrs. Kontoes added that the temporary walkway has been kept clean and easily accessible and that she is hoping to expedite the process due to the need to repair the current elevator's phone by March 13th.

- b. Construction Start Up- The construction trailers have been positioned and will remain in the current space for the duration of the project. The temporary fence for phase one is up. Mr. Cruz informed the committee that they have negotiated to have fabric placed upon the construction fencing to help prevent distractions for students. The draft construction schedule is currently under review and will soon become the baseline schedule which they are contractually obligated to follow.
- c. Modular Closeout- Mr. Cruz explained that all documents are in and that we are simply paying monthly invoices now until the modulars are removed.
- d. FFE Process / Timeline- Mr. Cruz had been working to put together two budgets in regards to FFE process, buying by phase or in the second phase with storage in the third phase. He is working with his team and has met internally with furniture and fixtures to capture the best cost advantages to the district. They are taking into account the cost of storage of furniture vs inflation rates. They are also working to establish whether or not the project receives all new furniture or if there is any use with the existing items.

VII. Groundbreaking Ceremony: Monday, April 8, 2024 at 11:00am

Mrs. Kontoes informed the committee of the upcoming groundbreaking ceremony. Details of the ceremony and invitations to the event will be forthcoming.

VIII. Approval of Warrant

Motion to approve warrant in the amount of \$128,481.50 as presented.

Motion: Mrs. Blythe

Second: Mrs. Nieves

Vote: Yes— 7; No—0 ; Abstain—0

IX. Executive Session

- a. Discussion re Bartlett High School Project Pursuant to G.L. c. 30A, §21(a)(3) (to discuss strategy regarding potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares).

Motion to enter into executive session at 7:27pm.

Motion: Mrs. Blythe

Second: Mr. Gabor

Vote: Yes—7; No—0; Abstain—0

Following the executive session, the SBC meeting continued at 7:43pm.

- X. Approval of Rebid Settlement Agreement with Flansburgh Architects, Inc.**
The committee was provided with a draft prior to the meeting. Mr. Carroll mentioned to the committee that Colliers was not involved in the settlement agreement in any capacity.

Motion: Mr. Avlas made a motion to approve the Rebid Settlement Agreement with Flansburgh.

Second: Mrs. Blythe

Vote: Yes—6 ; No—1 ; Abstain—0

XI. Next Steps

a. Next SBC meeting to be held on:

i. Monday, March 19, 2024 at 6:00pm.

In addition, the tentative date for the April SBC meeting is Monday, April 22, 2024.

XII. Adjourn (Potential Vote)

Motion to adjourn at 7:51 p.m.

Motion: Mrs. Blythe

Second: Mr. Alvas

Vote: Yes—7 ; No—0; Abstain—0

Respectfully submitted,

Christina Radlo