

WEBSTER PUBLIC SCHOOLS
SCHOOL BUILDING COMMITTEE TUESDAY, 6:00 PM MAY 21, 2024

Present: Ted Avlas – *Vice Chairman Member - Voting Member (arrived at 6:05pm)*
Tim Bell - *Town Accountant - Voting Member*
Earl Gabor - *Selectmen Delegate - Voting Member*
Dave Hurton - *Chairman - Voting Member*
Gina Nieves - *Voting Member*
Tony Paranto - *Voting Member*
Al Young - *Voting Member*
Lisa Kontoes - *Business Manager*
Monique Pierangeli – *Superintendent*

Absent: Sheila Blythe – *School Committee - Voting Member*
Ryan Collins - *Principal*
Victor Waskiewicz- *Voting Member*

Attendees: Jorge Cruz-Flansburgh
Mike Carroll-Colliers
Mike Reith-Colliers
Richard Armstad-Flansburgh

I. Call to Order

Mr. Hurton called the meeting to order at 6:00 pm.

II. Review of Previous Meeting Minutes for Approval

a. April 22, 2024-Regular Session

Motion to approve 4/22/2024 meeting minutes.

Motion: Mr. Gabor

Second: Mr. Paranto

Vote: Yes—6 ; No—0 ; Abstain—0

III. OPM Report

a. Financials

i. Commitments

1) New Contracts-

Mr. Carroll presented the committee with budget adjustments and was seeking approval for the transfers as presented. These transfers included a \$3,750 transfer to cover the third party peer review to other admin costs from SC Contingency, a \$595 transfer to cover bidding for the modulars from SC Contingency to Modulars, \$30,829 transferred to cover Flansburgh Amendment #4 (previously approved) from SC Contingency to Other Reimbursable Costs, and \$8,824.26 to cover Brait Builder Change Order #1 from Construction Contingency to Construction Change Order.

Motion: Mr. Gabor made a motion to approve the transfers as presented

Second: Mrs. Nieves

Vote: Yes—7 ; No—0 ; Abstain—0

2) New Construction Change Orders/Amendments-

Mr. Carroll brought back Flansburgh Amendment #5 with the recommendation for approval with the amended total of \$44,720.80. He reviewed the attached materials with the committee for Irrigation and Water Resource Consulting Services (\$7,200), Modular Classroom Design and Construction Administration Services (\$25,000), and Printing for Planning Board, Contractor, Architect, and OPM (\$12,520.80).

Motion: Mr. Gabor made a motion to approve Flansburgh Amendment #5

Second: Mrs. Nieves

Vote: Yes—7 ; No—0 ; Abstain—0

OPM Contract Amendment #4-Mr. Carroll sought official commitment for the \$93,400 for Yankee Engineering & Testing, Inc. for materials testing that had previously been discussed at the 5/17/23 SBC meeting. Insurance had to be squared away, and Colliers is looking to officially get them into the contract now.

Motion: Mr. Gabor made a motion to approve Colliers Amendment #4

Second: Mr. Paranto

Vote: Yes—7 ; No—0 ; Abstain—0

Mr. Carroll presented the Brait Builders Change order #1 for a total of \$8,624.26. This change order is made up of two parts, PCO #2 and PCO #8. PCO #2 was for the cost to freeze heat piping to add valves off the draining system in order to continue demolition for a cost of \$12,627.76. PCO #8 is a \$4,003.50 credit due to the elimination of the need for a backup battery for the elevator, which was no longer needed due to it being connected to the generator.

Motion: Mr. Gabor made a motion to approve Brait Builders Change Order #1

Second: Mr. Young

Vote: Yes—7 ; No—0 ; Abstain—0

3) Construction PCOs- Brait Builders submitted a PCO (proposed change order) in regards to the upcharge for use of Vortech Units, the oil and water separators to protect local wetlands prior to discharge, instead of the less expensive Defender units. The current Vortech Units were decided upon with the guidance of the Conservation Committee due to the town utilizing their own trucks. In order to support a different brand unit, the work would have to be outsourced. However, it seems that while this had been treated as a proprietary item, an official vote was not made by the committee. As a result, the spec calls for the Vortech unit or equal,

for which the GC provided the Defender Units as the alternative for cost savings. Since it was determined that only a Vortech unit could be used, Colliers believes that they are entitled to be paid. It is Flansburgh's opinion that Brait should have assumed that only Vortech units would be used due to a town governing body making the decision and that it was within the bid document. However, through legal counsel, the SBC would have had to vote on it to have it considered a proprietary item prior to the bid documents. Mr. Carroll believes that this is a reasonable request from the GC and is recommending approval of the \$26,623.99 PCO. This cost would come from contingency.

Motion: Mr. Avlas made a motion to approve the proposed change order in the amount of \$26,623.99 for the use of Vortech Units instead of the alternative Defender Units.

Second: Mr. Hurton

Vote: Yes—5 ; No—1 ; Abstain—1

ii. Budget to Actuals-Mr. Carroll reviewed the monthly Project Budget and Cost Summary, including the expenditures to date, budget adjustments, current commitments, recent expenditures, and cash flow projections. Mr. Carroll informed the committee that overall the project is on budget and on schedule. Changes to the commitments included CHA for which was discussed at the prior SBC meeting, Project Dog which had been paid previously but not reflected in the commitments, and the previously discussed amendments and change orders. In addition, Mr. Carroll presented the forecasted PCO cost of \$472,180.82 in potential risk from the PCO log. In regards to the projected cash flow, the project was estimated to be at 15.5 million expended, however, the actual expenditures are currently at 13.6 million. This is in part due to the slow start with the abatement process.

b. Schedule- Mr. Carroll shared the general project schedule. Not much has changed substantially since the last SBC meeting. The project is currently in the heart of Phase 1.

c. Change Order Process- Mr. Carroll brought back the previously discussed change order log flowchart with updates based on the feedback from the Committee. Through discussion, it was determined that there should be a working group formed to properly review any upcoming contract amendments. This working group would not be able to take action, but could make recommendations to the School Building Committee.

Mr. Hurton sought a motion for the formation of a working group to review potential change orders exceeding \$50,000 and potential contract amendments. This would be a non-voting group with representatives from Colliers, Flansburgh, and would include the Business Manager. Mr. Gabor, Mr. Young, and Mr. Avlas would represent the School Building Committee.

Motion: Mr. Paranto

Second: Mrs. Nieves

Vote: Yes—7 ; No—0 ; Abstain—0

- d. MSBA Updates- Mr. Carroll provided two recent communications from the MSBA. Notification was provided on May 10, 2024 in regards to the full execution of the First Amendment to the Project Funding Agreement. The second communication from the MSBA on May 13, 2024 explained the quarterly reviewal process of any change orders for eligibility for MSBA funding. During the last quarter, there were no change orders for them to review, which Mr. Carroll confirmed was accurate.
- Mr. Carroll added that he is currently working with the MSBA in regards to the Second Amendment and the incorporation of the previously discussed bid savings.

IV. Potential Designers Contract Amendments-Mr. Carroll reminded the Committee that the following three items, the EV Charging Station, the Bollards and the Auditorium Lift potential designer contract amendments had been discussed at length during the previous SBC meeting. These are now being brought back to the committee for review once again, this time with memos attached. Both Colliers and Flansburgh held differing opinions on whether or not these services should be considered an extra cost charged by Flansburgh or a part of the original contract. Flansburgh argues that these additional design changes were not formally requested or required until after the initial contract was executed; they continue to follow the law of the contract and are addressing project needs as they occur. Colliers argues that past communications prior to the start of construction either requested these changes be addressed and they weren't, or simply did not ask for them at all. Colliers argues that Flansburgh either failed to address these design issues within a reasonable timeframe or proceeded with work entirely without any prior authorization.

- a. EV Charging Stations- As discussed at the last SBC meeting, this proposal would be to redistribute the EV chargers to three separate locations on site instead of the initially discussed one location. The redesign would require a landscape architect, an electrical engineer, and additional architect services for a total of \$8,500.

Motion: Mr. Paranto made a motion to defer this proposal to the newly formed advisory workgroup for further discussion.

Second: Mr. Avlas

Vote: Yes—6 ; No—1 ; Abstain—0

- b. Bollards- As discussed at the last SBC meeting, this proposal would revise the bollard/drop off areas due to concerns over the bollards being a plowing hazard as well as the drop off area needing a raised curb for bus loading and unloading. Mr. Carroll argued that this recommendation was brought to Flansburgh back in August, 2023 and as such, this additional service should not be charged for. Mr. Cruz explained that Flansburgh never received a formal request. The fees for these design updates would total \$4,900.

Motion: Mr. Avlas made a motion to approve

Second: Mr. Bell

Vote: Yes—0 ; No—7 ; Abstain—0

- c. Auditorium Lift- As previously discussed at the last SBC meeting, this proposal would eliminate the original design of the auditorium stair and stair lift and instead include a vertical lift in a redesign. The proposal would require a structural engineer, an electrical engineer, fire engineer, and additional architect hours for a total cost of \$17,500. Mr. Carroll explained that the original drawings caused concerns with both Colliers and the Building Inspector. Flansburgh had requested a variance in August, 2023, but the process was never finalized and now critical changes are needed to be made.

Motion: Mr. Avlas made a motion to deny

Second: Mr. Gabor

Vote: Yes—6 ; No—0 ; Abstain—1

- d. Basement Drainage- Mr. Cruz brought forward a new potential designer contract amendment which is critical and requires a timely decision. During construction, it was revealed that crushed stone had been used under the original slab. This unforeseen circumstance now needs to be addressed whether or not the stone can remain or needs to be removed. In addition, there is an issue of proper drainage to prevent future flooding in the basement. A cast iron french drain exists from the original design, but was not on any of the documents. As a result, a geotechnical engineer was needed to review the existing condition and provide recommendations. In order to address these concerns, a proposed add fee of \$14,000 was brought to the committee. This would include architect services, a plumbing engineer and a structural engineer. Mr. Carroll added that this proposal is a result of a RFI from the contractor, but does not understand why there is an additional cost being requested and it has been unclear whether or not Flansburgh's current design is appropriate. Mr. Cruz responded that the project does not own a french drain and there were unforeseen conditions; Flansburgh did their due diligence, but cannot predict such an occurrence. Mrs. Kontoes added that in a recent OAC meeting that Brait PM Eric Swenson was uncomfortable with the current design and wouldn't sign off on it. With the relocation of the boiler to the basement, along with other new and essential equipment, there is a greater risk if the basement takes in water.

Motion: Mr. Avlas made a motion to approve the proposal not to exceed \$14,000

Second: Mr. Young

Vote: Yes—7 ; No—0 ; Abstain—0

V. Design/Construction Update

- a. Construction- Mr. Armstad provided the Committee with a construction update in c-wing. Construction is on schedule with abatement and 95% of demo work completed in both the gym area and auditorium. Roof and slab demolition has begun to open up space for the new courtyard and steel should be going up shortly. In the loading dock area, concrete footings are being poured along with foundation walls. New foundation work for the elevator and interior underground work should be starting shortly.

- b. Color Selection Sub-Committee- Since the last SBC meeting, the newly formed Color Selection Sub-Committee has met to discuss and make selections for the project. The elevator laminate walls have been selected and released for production. The exterior color pallet was discussed and will be remaining dark bronze with the existing brick. Light poles have been selected. Three meetings have occurred regarding the interior selections which included floor samples, interior wall colors, and even the auditorium seating. Now, final decisions just have to be made.
- c. FFE- Mr. Cruz provided an update on the FFE process. At the last FFE meeting, there was a detailed look at what is in/out of the budget in regards to furniture which has since been submitted for review. Another meeting will soon take place to further review what can be afforded for the project. Further down the road, vendors will come in with physical samples.
Mr. Hurton inquired as to how late into the project these final decisions could be made considering any extra funding that may then be available.
Mr. Cruz replied that while those decisions are at least a year out, however, the IT budget will have to be determined sooner at least in regards to c-wing.

VI. Approval of Warrant (Potential Vote)

Motion to approve the 5/23/2024 warrant in the amount of \$1,830,177.30.

Motion: Mr. Avlas

Second: Mr. Paranto

Vote: Yes—7 ; No—0 ; Abstain—0

VII. Next Steps

- a. Next SBC meeting to be held on:
 - i. Tuesday, June 18, 2024

VIII. Adjourn

Motion to adjourn at 8:17 pm.

Motion: Mr. Paranto

Second: Mr. Young

Vote: Yes—7 ; No—0 ; Abstain—0

Respectfully submitted,
Christina Radlo