

SMBC Minutes 04/17/2017

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Town of North Stonington
SCHOOL MODERNIZATION BUILDING COMMITTEE (SMBC)
North Stonington New Town Hall
Monday, April 17, 2017

Attendance: Jay Peterson, Mike Urgo, Alice Zeeman, Daniel Spring, Pam Potemri, David Sellins, Salvatore Cherenzia, IV, Mark Perkins came after call to order at 7:06 pm along with Mike Anderson at 7:10 pm. Pam Potemri left before adjournment noted below at 8:15 pm

Construction Manager (Downes) was represented by Paul Wojtowicz.

Architect (Quisenberry) was represented by Rusty Malik.

Current stage of the project: Design development.

1. Call to Order: 7:04pm.
2. Public Comment: Shawn Murphy
3. Correspondence.

a. Selectman awarded Friar Associates in response to the RFP for the Third Party Code Compliance Review proposing a total of \$25,000 (\$12,500 for each project). Rusty is familiar with Friar and their qualifications on past projects.

b. USDA has not approved the use of a CMA and denied at a local level. The denial is not officially in writing and has not been sent to the national level now. Shawn Murphy called USDA local office last week before they had sent documents off to national USDA and learned of the CMA not being approved. Using open communication with CM, Downes conference call Joe in to talk about the situation and what next steps and Downes opinion.

(7:10 pm – Mike Anderson arrival)

Joe from Downes has experience and expressed the CMR that USDA is looking for versus CMA which North Stonington went out for in RFP, we have met the regulations for town (his opinion) just need to change legal contractual requirements. Under normal RFP standards CMR bids are higher because of liability. Downes is willing to keep price at same pricing structure and change terms of contract for CMR from CMA as they are committed to this project. Downes is confident of their pre-construction pricing process and risk level is minimal and willing to go forward with CM contingency GMP (Guaranteed Maximum Price) which is standard contract language procedure. NS Attorney and Shawn Murphy are concerned with too much risk for the town including reimbursement from USDA and State, the two main priorities Overall discussion by committee members included opinion on initial selection for CMA and how/if there is an ability to make a change without legal repercussions from contractors who may or may not have bid on RFP initially. Takeaway is USDA does not like CMA, if award as CMR, do we go back out to bid and fast-track the RFP process? Not go with USDA funding, and only the town can provide this solution, committee cannot choose this decision and vote. Can/do we notify the original eight who responded to the original CMA RFP, or just four that were interviewed and made the selection criteria? Attorney and Shawn have concerns USDA and/or State will not approve as this shows was not satisfactory to open competition. Rebuttal by Joe/Downes was not changing contract award, just changing contract document. Downes referenced two school projects with no state reimbursement issues that did change mid contract; HC Wilcox Technical located in Meriden and Joyner Building at NWCC (Northwestern Connecticut Community College) located in Winsted.

4. Approval of Meeting minutes. Alice Zeeman moved we approve the April 6, 2017 meeting minutes as amended. Pam Potemri seconded the motion. Mark Perkins and David Sellins abstained. Motion passed 6-0-2.

5. Treasury Team Report.

- a. No invoices to approve this meeting.
- b. Need to simplify spreadsheet before next meeting, Pam will work to present to committee and seek assistance where needed.
- c. Rusty is seeking payment on outstanding approved invoices from several meetings ago per committee. Shawn Murphy, Selectman presented comment stating he did sign off on a few payments just recently from his office but possibly delay with the past holiday and mailing. Will follow up if payment is not received by next meeting/week.

6. Updates from Architect Milestone has been met for package/drawings deadline. Milestone for third party review is next. Shawn stated Town needs a contract (USDA/State may need to approve also, conflict regarding because this is not reimbursable) for third party reviewer. Rusty (Quisenberry) will make sure contract is sent over to Shawn from third party reviewer, Friar.

(8:15 pm Pam Potermri left the committee meeting)

7. Updates from CM.

- a. Paul need authorize to proceed with current budget by end of meeting tonight due to current situation with USDA pending denial state level status. Milestones for project would be delayed a minimum of 2 to 3 weeks without. Sal Cherenzia moved we approve the motion on Downes to proceed. Mark Perkins seconded the motion. Motion passed 8-0-0
- b. Paul sent Shawn changes to Downes contract that had been requested by attorney several weeks ago
- c. CMR will have higher contingency, and insurance requirements. Paul will talk to Joe regarding all changes that will need to be made from CMA to CMR

8. Updates on Environmental. Paul from Downes commented on environmental was moving through the CIP process. Phase 1 and Phase 2. Mike Urgo did question the DEEP Information Rusty commented all information has been submitted and DEEP did come back with a question on when approvals were needed by.

9. Future Strategies. Next meeting will be Wednesday, April 26th after Selectman Tuesday meeting. This may change if there is a response from USDA or State and committee needs to meet at the normal Monday meeting time April 24th. Mike Urgo will keep everyone posted with updates.

10. Public Comment. None

11. Mark Perkins moved to adjourn, Sal Cherenzia seconded. Meeting adjourned at 8:25pm.