



Town of Sudbury

Sudbury Housing Trust

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Sudbury Housing Trust

Executive Session Agenda
October 28
Silva Conference Room
Flynn Building, 278 Old Sudbury Rd

Adjourn to Executive Session for purposes of negotiation

Current information:

1. NOAH: asked for \$152 in the May 6, 2011 letter
2. SHT: offered \$25 by voice
3. 10/19: NOAH asked for \$115, SHT offered \$60

Considerations

- SHT believes there were flaws in the work product and services rendered, particularly by NOAH staff and the Narrow Gate Architects. This was the main basis for the default letter
- NOAH's developer fee was based on the success of the project. SHT was also under the impression that they pay NOAH a fee and get a product – plans, a building, etc. But now there is nothing. The development agreement states the SHT owes NOAH nothing until the MassHousing Final Approval is received. NOAH was proceeding at risk. The next scheduled payment is only \$80,000. The Trust we do not want to proceed with the MassHousing Final Approval.
- The Trustees looked at legitimate costs that were given by NOAH based on their general ledger. NOAH never documented their soft costs, so the offer is based on what the Trust views as their performance on this project (25%).
- The Trust is willing to negotiate in an effort to accommodate NOAH and resolve this dispute. There is political benefit for both parties to settle.