

## PERMANENT BUILDING COMMITTEE

Minutes – August 17, 2022

Present: Chair Elaine Jones, Craig Blake, Jennifer Pincus, Anuraj Shah, Mark Sevier and Nancy Rubenstein. Also present: Combined Facilities Director Sandra Duran.

The meeting was called to order at 7:30 p.m.

Fairbank Community Center Project Present Compass Project Management Project Manager Christopher Eberly, BH+A Architect Joel Bargmann and Weston & Sampson Geotechnical Engineer Steve Spink.

Mr. Eberly provided an overview of the general understanding of the geotechnical issue which has arisen between the Contractor and the Architect's team which consists of the following: removal of unsuitable fill layers under slab and foundation areas and replacement with structural fill at a disputed depth in order to limit settlement and prepare for building loads. It was noted that the code does not allow non-engineered fill or organic soils for foundation support due to risks of differentiation in settlement from variation in consistency and compaction of soil.

Issues presented by the conflicting contract documents were noted. The geotechnical report identifies areas of fill in borings and test pits describing those particular areas as unsuitable thus requiring removal and replacement by structural fill and other materials below the building footprint. The earthwork specification lists fill in its Standards of Unsuitables, defines the zone of influence below footings and calls for structural fill as new fill along with stone below footings, slab, and other foundations and defines the depth at which this fill is required. The structural drawings require foundation preparation per the geotechnical report but are in conflict with some of the other documents. Structural drawings call for "ordinary fill" below slabs, where the Earthwork specification requires this fill to be "structural fill". There is no drawing that directly correlates the depth of footings, grades on site, or required depth of excavation based on borings and test pits. BH+A has since clarified the conflicting issues presented in a bulletin sent to the General Contractor.

The position of General Contractor Colantonio, Inc. is that the geotechnical report is for information only and that the only excavation required is related to the pay lines required for the foundation excavation.

BH+A, Weston & Sampson, and Compass all agree that the contract drawings require the General Contractor to remove fill from below footings and slabs where identified by geotechnical borings. Although the conflicting information is acknowledged, the General and Supplementary Conditions in regard to such conflicts require the greater quantity of work.

It was reported that after observing the qualities of fill, Weston & Sampson has tested five soil samples within the building footprint and have identified their composition by sieve analysis and proctor, finding that one met the established criteria for structural fill, three have marginal deviations in the allowable percent of fines and one has a higher degree of fines. The proposed compromise approach to the issue is based on Weston and Sampson's belief that the risk of settlement is relatively low if the soils are to remain under the slab as long as the General Contractor performs proof rolling to confirm the subgrade conditions are firm and stable and

identify any weak spots. Any soft areas will have to be over-excavated and replaced with structural fill as determined by the proof roll. Relative to under the footings, the fill will have to be over-excavated to below the footing level and chased through the zone of influence and replaced with structural fill.

At this point it is unclear whether the General Contractor will accept the compromise approach or may be directed to proceed under protest utilizing a time and materials basis for cost. If they proceed under protest under the compromise scenario, potential costs for delay, over-excavation and fill are lower should their protest be successful than these costs would be from a successful protest if directed to follow the intent of the geotechnical report.

In relation to the compromise approach, Mr. Blake, a retired engineer whose credentials while working included being a Licensed Site Professional (LSP), was assured that the process defined by Weston & Sampson of overseeing the excavation and borings, sample testing by an independent laboratory, review and checking of samples, and record collection met professional standards.

Earthwork specifications call for 95% mechanical compaction both under the footings and slab area by means of proof rolling. Assurance was received from Mr. Bargmann that the appropriate processes will be in place to confirm that the requirement has been met. Mr. Bargmann also informed the Committee that the slab is reinforced with steel mesh.

Mr. Blake expressed his personal opinion that the risk of settlement under the slab is not significant and further that it is in the Town's best interest to proceed with Weston & Sampson's compromise position. Therefore, it was on motion by Mr. Blake unanimously voted to endorse the Weston & Sampson compromise geotechnical solution and direct Colantonio, Inc. to proceed under protest if necessary. Mr. Eberly will inform Colantonio, Inc. of the vote.

Other information provided included the following:

- Loam testing results were received with no concentrations found above MCP reportable limits;
- a Groundbreaking ceremony is planned for August 1;
- the waterline has been removed from the property with no issues;
- new drainage piping redirecting the existing has been installed per the drawings;
- a new water connection has been tapped.

As work was authorized to move forward on a T&M basis, there will be additional costs associated with the tap due to unforeseen conditions relative to the tap location proximity to the existing fitting.

It was reported that the pool will be shut down between 8/15 and 9/10 as planned to allow for modifications to the existing building. Colantonio has erected a temporary wall to isolate the pool from the work of filling in existing window and door openings and creating new door openings in the existing exterior wall/future locker rooms wall. Egress/access to the pool along the back of the existing building has been established and the temporary Rec entry walkway has been completed.

Proposed Change Orders include: CPM#7 additional light fixtures at temporary egress path in rear of pool; CPM#9 water line T&M as noted above; CPM#10 addition of storefront clerestory over the interior Rec entry vestibule door (door 199); CPM#11 credit proposal for Barrier One to manage vapor migration at slabs on grade in lieu of post-applied vapor retarder ; CPM#14 replacement of cracked solid surface sills at infilled pool windows; and CPM# 15 checked wooden flagpole to be replaced with a fiberglass or metal pole.

Compass requested that any additional scope of work requested by a Town department or entity be funneled through the PBC. The example Mr. Eberly used was a portion of existing drainage piping that the Town Engineer had inquired about replacing. This inquiry has since been dropped, as explained by Mr. Blake.

Regarding the vibratory compaction creating vibration at nearby properties, after discussion it was voted not to pursue the proposal for survey of the 17 neighboring structures by majority vote with one abstention. The rationale included the following:

- the survey required the homeowner's permission to document their property both inside and out which was thought unlikely to receive approval by most if not all of the homeowners due to privacy concerns;
- there was no advantage to the Town to document the homes where the homeowner agreed to the survey;
- the vibrations due to soil compaction, though the extent of wave travel is the same, are far less severe from those arising from blasting of rock;
- any claims would likely be dealt with through the builder's risk insurance.

Mr. Blake reported that the Hudson Rd. water main has been completed by the Water District and an invoice to pay the District under the Memorandum of Understanding with the Town will be forthcoming. The total cost to the Town for the new water line at this time is expected to be just over \$95,000. Mr. Eberly has no abatement cost as yet.

Also reported was that the Town is expecting to receive National Grid and Eversource rebate information through the MassSave program shortly.

Fire Station No. 2 Project PBC Project Manager Craig Blake informed the Committee of the following:

- a Notice of Award is expected to be sent to Construction Dynamics by the Project OPM Construction Monitoring Services Neil Joyce;
- the last revision to the AIA construction contract is in process;
- Mr. Blake will be meeting with Town Counsel to discuss the proposed National Development access easement across its property from Lot 6 to the private roadway;
- a preconstruction conference is planned once the construction contract is executed.

There being no further business, adjournment of the meeting was unanimously voted at 9:30 p.m.

Respectfully submitted,

Elaine L. Jones, Chair