

PERMANENT BUILDING COMMITTEE
Minutes – September 22, 2022

Present: Chair Elaine Jones, Craig Blake, Jennifer Pincus, Mark Sevier and Nancy Rubenstein.

The meeting was called to order at 7:35 p.m.

Fairbank Community Center Project Present: Compass Project Management Project Executive Jeffrey D'Amico and BH+A Architect Thomas Scarlata.

Mr. D'Amico informed the members that pursuant to notice from the electrical subcontractor to the General Contractor Colantonio, Inc. a decision was required relative to addressing the manufacturing delay in the production of the switchgear which is necessary for the occupation of the new building. Mr. D'Amico stated that the options of utilizing smaller units or running on a generator are not viable, that the delay would put the acquisition beyond the completion of the new building and the option of extending the completion date would essentially be cost prohibitive. An 40-week expedited switchboard order was presented which would entail an added cost of \$37,000 plus a markup and bond cost of \$2,066.28 .

A lengthy deliberation by the members included the following points of discussion:

- Given the potential for other items or services such as availability of roof insulation to also affect completion time, alternative materials could be explored if necessary;
- option to size the switchgear differently precluded as there is no physical room to split the 2000 amp main service;
- contract considerations including use of force majeure or application of liquidated damages negated pursuant to applicability and contract language;
- potential for cost splitting with General Contractor inapplicable due to contract language;
- costs of a potential contract time extension would include insurance extension, cost of continued oversight, remobilization, ability to keep the existing building functioning for a lengthy time extension, potential loss of revenue for Parks and Recreation;
- other product options had been explored.

The options considered were to pay for the expedited manufacturing or let the project continue to a point where there may have to be a halt followed by contractor remobilization which would require time extension and other associated costs.

As the decision is before the Committee, it was on motion by the Chair and seconded voted to authorize the expenditure of \$39,066.28 to expedite the production of the switchgear (4 in favor, one abstention). All agreed with Mr. Sevier's expression that it was the "least worst option" in uncertain times.

Relative to the site work currently under a Construction Directive, Mr. D'Amico and Mr. Scarlata informed the group of the ongoing earthwork discussions and status stating that the time delay and soil disputes will be resolved with the settled issues. Resolution of the cost methodology has been resolved with Colantonio's President and measurements/dimensions are in the process of finalization. At the meeting with the Contractor today the mathematics for tracking were agreed to, enabling the Contractor to proceed. The clarification on dimensions will be provided by the Surveyor on Monday of next week and will not delay the steel manufacture.

Parks and Recreation Commission Chair Mara Huston informed the Committee that the Commission is interested in the submittal of a request for funding under the Community Preservation Act to provide fencing and lighting for the court included in the construction project. It was noted that the fencing

was a Deduct Alternate accepted in Colantonio's bid although the lighting infrastructure is included in the current project. The specifications are available within the existing Fairbank contract documents and with assistance from Mr. Scarlata the funding can be estimated. It was suggested that the CPA application include the amount of \$150,000 as a placeholder and Ms. Pincus will discuss submittal of the application with Combined Facilities Director Duran. Exploration will take place regarding the construction process available either through the current contract if allowable as a Change Order or under a bid through a separate contractor. Regardless, the work would be overseen by the PBC.

Fire Station No. 2, Project (Note: PBC member Ms. Rubenstein not present)

PBC Project Manager Craig Blake informed the Committee that pursuant to the Notice to Proceed a pre-construction meeting was held yesterday with Construction Dynamics, the General Contractor and that on-site mobilization is expected by the end of October and long-lead items will be explored.

Mr. Blake also reported on his on-site meeting with National Development Manager William Kennedy to discuss various issues concerning site access over National Development owned property and utility easements related to wastewater, drainage, and electric easement. Additionally, the Town will need to provide both National Development and Whole Foods with a traffic management plan including the hours of operation and demonstrating that the construction project will not impact access by others inclusive of supply trucks on the adjacent private roadway known as Northern Road leading to Whole Foods. A recordable plan to accompany the easement document including metes and bounds and utilities tie-ins is required for which a price proposal has been requested from Samiotes. It was noted that this is not included within the Architect's contract and therefore will be a separate cost. In addition to the above conditions, it will be necessary to transplant two 10 ft. spruce trees, and relocate the irrigation on the National Development property at the Fire Station curb cuts on Northern Road.

In regard to the Planning Board site plan which requires that no electric poles are to be installed, an alternate approach bringing cable underground through existing National Development manholes from the residential property area to the site will be explored and priced. If the price to do so is deemed to be too high, the course of action would entail a Planning Board Site Plan Approval Modification filing.

Minutes The approval of the minutes of May 18, June 14, July 21 and August 3 were on motion by the Chair and seconded voted unanimously. In a separate vote and motion seconded, the minutes of September 8 were approved unanimously.

Meeting Schedule It was noted that the next meeting will be held on Thursday, October 13, at 7:30 p.m.

There being no further business, the meeting was adjourned at 9:28 p.m.

Respectfully submitted,

Elaine L. Jones, Chair