

PERMANENT BUILDING COMMITTEE  
Minutes – March 12, 2024

Present: Co-Chair Elaine Jones, Co-Chair Craig Blake, Jennifer Pincus, and James Kelly. Also present: Combined Facilities Director Sandra Duran.

The meeting was called to order at 7:00 p.m.

Minutes The minutes of February 20, 2024 were on motion approved unanimously.

Other Town Projects Combined Facilities Director Sandra Duran reported that eleven bids were received for the DPW roofing project and the apparent low bidder has been interviewed and deemed satisfactory for contracting. An agenda request will be submitted for the Select Board's award at its March 26 meeting. Ms. Duran is also working on the contracting process for the HVAC unit replacements at the DPW. Ms. Duran also reported the Town has moved far along in PPA negotiations between SOLECT and the Town but financing must be put in place for completion of the PPA. In regard to Fire Station No. 3 contracting, additional funding is still required and is expected to be approved at the May Annual Town Meeting.

Fairbank Community Center Project Present: OPM Christopher Eberly, Project Executive, Vertex, Inc. and Architect Thomas Scarlata, BH+A.

Mr. Eberly noted that the monthly reports have been forwarded previously and commenced the general construction update for the Phase 2 work at the Park and Recreation (P& Rec) pool viewing room and lobby, which includes Zipwall at the exterior walls, site drainage structures, completion of the entrance canopy and rough framing of the entrance walls, insulation and drywall at the viewing room and lobby area, and the MEP rough work.

Unfortunately, on March 2 the temporary weather protection failed allowing water penetration into the newly constructed Recreation offices. Colantonio has acknowledged the fault is theirs and a backcharge to the contract will be applied for the restoration. Service Master, the restoration contractor, is monitoring the remediation. It has been determined that no construction materials have been affected and monitoring of the situation is continuing.

Colantonio has highlighted that all demolition and abatement has been completed and the completion of the remaining interior and site work continues. Colantonio has been previously requested to try to accelerate completion of the aquatics office space but this is unlikely due to minor delays which are attributable to unforeseen conditions. At this time, a May opening of the additional P&Rec area is predicted.

Mr. Eberly noted that in Colantonio's float path schedule, the critical path goes through the drainage and that the contractor completed the contract-owned storm drainage early (by a few days). The remaining scheduled work includes site lighting, prepping the parking lot, placing the sidewalk binder, installing the light poles, work on the basketball court and landscape plantings all of which were scheduled for completion on May 31. The grading of the parking lot was noted as critical to use of the remaining areas of the building for egress reasons. Mr. Scarlata also noted that the temporary egress from the P&Rec area must be maintained such that temporary fencing in this area was included in the scope and pricing for the additional drainage work on the

east side. Colantonio has indicated that the parking lot work is on hold while they await a PBC decision on the additional drainage work, and unless a decision was made before tomorrow (March 13) it would add to the delay.

Options for the additional drainage work required prior to the completion of the parking lot were set forth and shown as “E” (east) on a plan prepared for BH+A and presented for discussion. The plan presented also included the drainage relative to the front areas between the gymnasium and the two-storied portion, shown as “W” (west). Two Cost Proposals were requested: for the E side only and for both the E and W sides. A walkway to the barn door has also been requested by the Facilities Dept and added to the Change Proposal for the work on the “W” side. Extensive discussion occurred which involved building access and egress, and considerations relating to contracting, pricing, negotiation, and timing. Mr. Eberly noted that, as everything is on the critical path, a delay in making a decision also has a delay cost of approximately \$3,000 to \$3,500/day in connection with the ordering/supply of materials and time of installation. With the changes, \$2,500 in costs were also included for preparation of an as-built plan with the grading changes to the E side, or \$5,000 for the plan of the combined E and W sides, which is required by the Planning Board.

The itemized costs of the project were described as set forth in the initial Change Order proposal (CP#185 – Bulletin 147R Revised Site Drainage) submitted by Colantonio in which the pricing for the sitework subcontractor was thought to be excessive by the PBC. The costs broken down by areas as summarized by Mr. Eberly were: \$187,934.29 “E” side only (CP 185.1); both sides approximately \$380,000 (CP 185), and both sides with the walkway \$397,212.41, all of which are inclusive of a General Conditions extension. It was noted that Bohler, the Town’s Civil Engineer for the project, was in agreement with the pricing of the structures but was of the opinion that the contractor has overpriced the labor costs. However, Mr. Eberly pointed out that, though negotiations with Colantonio were an option, this option has a reciprocal delay on the critical path and was therefore tempered by the daily costs of that delay. It was noted that a general time and materials approach would not be appropriate in this instance.

In discussion, Mr. Blake asked Mr. Scarlata for what he would expect a “reasonable” price to be, noting that the PBC and Vertex have not had the comments from Bohler for enough time to make an informed decision. After much discussion of 4 options presented by Mr. Eberly – accept one of the 3 Change Proposals or negotiate while incurring General Conditions delay costs of \$3000-3500 per day - it was agreed that completion of the “E” side is vital and that the “W” side is not critical and can, in fact, be procured from another contractor. Mr. Eberly summarized the issues in relation to the current contracting noting that the work of the “W” side would be beyond the completion of Colantonio’s and Vertex’s work and should be scheduled so as not to interfere with the P&Rec programming.

Various options and the considerations involved in each were explored, including discussion concerning release of the materials only, so that negotiations with the contractor could continue during the procurement period, and pursuing only the labor portion of the E side necessary for Colantonio to complete the Rec parking. At the completion of discussion, it was on motion by Mr. Blake, seconded by Ms. Jones, unanimously voted to authorize Mr. Blake to release the structures on the E side and negotiate with Colantonio, Inc. for the completion of the drainage

system portrayed on the plan designated on the “E” side only to a maximum price of \$150,000. Additionally, Mr. Scarlata was authorized to prepare a procurement package for the “W” side procurement for the Committee’s use at a time to be determined.

Mr. Eberly presented a PCO log update, noting resolution of the credits received and estimated and pending costs for projected PCO’s resulting in the current contingency of \$678,799 after adjusting for the \$150,000 maximum authorized for the drainage work.

It was also noted that Ms. Duran, Ms. Pincus, and Mr. Blake will collaborate on a letter of commendation to Vertex on behalf of the Committee relative to Doug Goddard’s service as the Site Project Manager for the Fairbank project.

The members agreed to authorize Ms. Pincus to use her discretion in collaboration with Ms. Duran to authorize additional furniture and/or av or equipment purchases (Day 2 list for an appropriate Change Order) requested by the users with a threshold of \$25,000.

Fire Station No. 2 No update was provided.

Meeting Schedule The next meeting will be held on Monday, April 8, 2024, at 5 p.m.

There being no further business, the meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Elaine L. Jones, Co-Chair