

**EAST WINDSOR PERMANENT BUILDING COMMISSION
EAST WINDSOR, CONNECTICUT'**

MINUTES OF OCTOBER 23, 2017 REGULAR MEETING

I. TIME AND PLACE OF MEETING

The meeting was called to order by Chairman Al Rodrigue at 5:40 p.m. at the East Windsor Town Hall, 11 Rye Street, Broad Brook, CT.

II. ATTENDANCE

Present: Building Commission Members: Chairman Al Rodrigue, Skip Kement, Dick Pippin, Joe Sauerhoefer and Tom Talamini.

Also present: Len Norton, Town Engineer / Public Works Director and Kathy Pippin, Board of Finance member.

III. PREVIOUS MINUTES:

Upon **MOTION** by Mr. Pippin, Seconded by Mr. Talamini, it was
VOTED: To approve the minutes of September 25, 2017.
In Favor: Unanimous

IV. UNFINISHED BUSINESS:

**1. UPDATE ON COMPLETION OF THE CONTRACT FOR THE BROAD
BROOK SCHOOL MODULAR CLASSROOMS**

Reference was made to a letter to be sent to Roy Brown regarding the items that need to be addressed (Attachment A). Mr. Sauerhoefer said according to a recent email from ModSpace, they believe that there is enough VCT to do everything again. They want to come in at the Christmas break to do the work. Mr. Sauerhoefer said he doesn't believe there are enough tiles. They need a little over 13,000 sq. ft. and there is about 10,000 sq. ft.

Mr. Norton said he sent an email to Jim Guiliano talking about everything that is in the letter (flooring, landscaping ,and sidewalks.) He said Mr. Guiliano sent the email to Tim from ModSpace on August 25th. On September 12th, Tim sent an email to Mr. Guiliano. Mr. Norton said in the email of September 12th Tim said everything was done. Mr. Norton said nothing was done that we could see. He said the Town Attorney said to send the letter. He said the Town Attorney thinks they owe us close to \$400,000 because of penalties. He noted that no CO has been issued yet. Mr. Rodrigue said the

sub-contractors have not been paid. Mr. Sauerhoefer questioned whether they turned in a certified payroll.

Mr. Norton said we have just cause to terminate our contract with ModSpace. Our goal is to be able to get the project done. Mr. Rodrigue said we have taken the steps to have Roy Brown terminate their contract. We have to go by the letter. Some discussion took place about whether to allow them in the building again. Mr. Pippin said we can't allow them to do the floors at Christmas break because you have to let the children back in. Mr. Talamani said the glue has to set for a week before you can strip the floor. You can't put the furniture back. Mr. Sauerhoefer said they have no intention of doing the hallway. Mr. Norton said he talked to Armstrong and they said that unless you buy the tiles all at the same time it doesn't match.

Mr. Kement said don't you have to go with the contract. Mr. Norton noted that the Town Attorney said the architect is the only one that can terminate the contract. He said Roy Brown will have a conversation with him before he sends the letter to Mod Space. Mr. Pippin suggested that one copy should go to the home office. Mr. Norton said we are sending one to the bonding company.

2. EAST WINDSOR MIDDLE SCHOOL ROOF

Mr. Sauerhoefer reported that the roof is coming along. The architect is trying to schedule a meeting. Mr. Sauerhoefer said the material is taking a little longer. There is a lot more cutting and patching. This has zero impact on the students. He said it looks good.

V. FINANCIAL

Nothing to report.

VI. NEW BUSINESS

None

VII. INFORMATION

None

VIII. TOPICS FROM THE FLOOR

None.

IX. PUBLIC PARTICIPATION

No one came forward to speak.

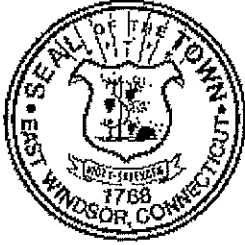
X. ADJOURNMENT

Upon **MOTION** by Mr. Sauerhoefer,
VOTED: To adjourn at 6:00 p.m.
In Favor: Unanimous

Seconded by Mr. Pippin, it was

Respectfully submitted,

Marlene Bauer
Recording Secretary



TOWN OF EAST WINDSOR

11 Rye Street, Broad Brook, CT. 06016
860-623-8122

October 20, 2017

Roy S. Brown, Architects
85 Chilson Rd.
Wilbraham, MA 01095

Re: Broad Brook Elementary School, East Windsor, CT
State Project No. 047-0035E/EC

Dear Roy:

This letter is to inform you of the East Windsor Building Commission's extreme displeasure with the mismanagement the Town of East Windsor has incurred with ModSpace in the construction of our additions at the Broad Brook Elementary School in East Windsor, Connecticut, State Project No. 047-0035E/EC.

The Town of East Windsor, Connecticut (the Town) has lost faith in ModSpace's ability to finalize and complete the unsatisfactory items ModSpace was notified of in August and September of 2016. More specifically these items are as follows:

1. In accordance with ModSpace's schedule, the landscaping corrections did not occur. In fact, if it was not for East Windsor's representatives calling ModSpace regarding the status we would not have known what the revised plan was.
2. One of the replacement trees was improperly planted (crooked with the roots exposed).
3. Landscaping bushes that were planted contain poisonous berries and have been removed by the Town.
4. The concrete corrective work did not happen per the schedule.
5. The concrete removal work damaged all the aluminum doors due to the contractor not protecting them during removal.
6. The concrete contractor's workmanship is poor and in one case worse than what he was to correct.
7. The VCT floor tile replacement in the corridors; workmanship is satisfactory however; the color does not match.
8. The VCT floor tile to be replaced in the classrooms now does not match what was replaced in the corridors.
9. The flooring corrections did not happen according to schedule.
10. A final inspection has not yet been scheduled with the Building Dept. for us to receive our Certificate of Occupancy.

In September of 2016, the Town, dissatisfied with the items noted above, agreed to have ModSpace return in the spring of 2017 to correct the items on a specific schedule. As of the date of this letter the Town is still not satisfied with the attempt at corrective work if any attempt at all. As a result, the Town is left with another year of waiting to have the work completed.

In some cases, the corrective work is either less satisfactory than the original work (landscaping, concrete and VCT) or the work to correct the deficiencies has damaged adjacent recently completed installations.

As a result of the lack of management and overall subcontractor quality, in accordance with the contract between ModSpace and the Town, Section 20.2.2, the Town requests that you certify that sufficient cause exists for the Town to terminate the contract. In accordance with the contract, the Town is seeking that such a certification be provided to the contractor with notice to the Town, giving the Contractor seven (7) days' notice of the termination of the contract.

Sincerely,

 10/23/17

Elzear Rodrigue, Chairman, East Windsor Building Commission

Cc: Robert Maynard, First Selectman
Christine DeBarge – Superintendent of Schools
Leonard Norton – Town Engineer
Joshua Hawks-Ladds – Town Attorney
Bonding Company
Jim Giuliano - CSG

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