

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
SPECIAL MEETING
SEPTEMBER 20, 2005

A Special Meeting was held by the Board of Trustees on Tuesday, September 20, 2005 at 8:20 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee Michael Holdstein, Trustee Bruce Jennings, Trustee Marjorie Apel, Trustee Peter Swiderski, Village Manager Francis A. Frobel, Deputy Village Attorney Marianne Stecich, and Village Clerk Susan Maggiotto.

CITIZENS: Seven (7)

92:05 AWARD OF BIDS - JAMES V. HARMON COMMUNITY CENTER

Village Manager Frobel: The matter before the Trustees is to award the contract for the demolition and construction of the new Community Center. The specifications were developed, and the bids were opened on September 13. We did very well in attracting a number of qualified bidders.

Our funding comes from a variety of sources: the bond authorization, a CDBG grant, a grant under the Housing and Urban Development Economic Development Initiative, and a special grant from the state. Our funding is \$5,529,410. The low bids are \$3,570,000 general contractor; electrical \$304,200; plumbing \$248,328; HVAC \$544,400, for a total contract of just over \$5,000,000.

There some other costs that you need to be aware of going into the project. We have allowed for a contingency for unexpected occurrences. We have the architect's fee, which is part of this cost. You have already awarded the contract for the asbestos removal in the amount of \$78,700, but some additional work was performed, about \$2,500. Furnishings for the building of \$100,000. We are counting on about \$60,000 for management of the project. I have a recommendation as to how we may be able to avoid some of that expense.

That gives us the total project of just under \$5,500,000, leaving an available balance of about \$42,482. Very, very tight and I think we knew that going into it. Some of these expenses may not come to pass. If we go along with my recommendation, we may be able to save a little money on the management. But the bottom line is it is very tight, so tonight all we are looking for you to do is consider awarding the contract for the project itself. We had enumerated some alternates on the outside hope that we might have some additional funds available to us. It is not critical that those be considered tonight. Those included some brick work on the outside, some wall service protection for the inside of the building, an operable wall, and a zinc coat on the roof.

George Rosamond, Lothrop Associates: We are very satisfied with the results of the bids. We believe we have four very qualified contractors. We have firsthand experience with the mechanical, electrical, and plumbing contractors. They have been in the workforce in the county for many years and have performed satisfactorily on many of our projects. Phoenix is a relatively new company with about three years of experience. We have spent a lot of time interviewing their people and checking their references, and they appear to be qualified to perform the project. We are very happy with the bid results coming in under budget.

Trustee Holdstein: We are required to take the low bid on each one of these, is that correct? You did your homework on Phoenix; three years of experience is not a lot so it appears as though you spent an extensive amount of research on them. I do not see in your letter the research done on the others.

Mr. Rosamond: We had our mechanical-electrical consultant research the others, and we do have the other three contractors on other projects right now and they have performed satisfactorily. We highly recommend the other three.

Mayor Kinnally: There is a letter from the consultant.

Trustee Holdstein: And the fact that they may have never worked together is irrelevant in terms of the bid process. In other words, we have to go with the lowest bid.

Mr. Rosamond: It is required under the Wicks Law.

Trustee Holdstein: In your interviewing process, are you allowed to see other bid processes and see where these same companies came in? A three-year-old company, the general construction company, if you were to get five other projects they are working on and see that on all five of them they were substantially lower than all their competitors, to me it would signal that maybe they are out there trying to undercut everybody. They have not built a long track record.

Mr. Rosamond: We have checked the performance on their recent projects in their short three year history, and we got excellent recommendations. All of the architects and owners reported that they would work with them again. The experience level of the principals involved and the management team is there; it is adequate for the job.

Trustee Swiderski: I believe you when you say they are up to the job. In your interviews did you get any sense of whether they performed to budget? Were there overruns? Were there any problems with having to go back for more money?

Mr. Rosamond: That sometimes is not their issue. It may be the site conditions or other conditions. But we know the three mechanical trades are good contractors to work with, are cooperative, follow the drawings and specifications. And we sense that same feeling from Phoenix, talking with their references and owners and so on.

Trustee Jennings: Does the general construction contract include the responsibility of coordinating the other contractors?

Mr. Rosamond: No, you cannot assign the responsibility of the coordination of the project to the general contractor under the Wicks Law. They are four separate contractors working individually for you, the owner. Hence the need for the consideration of a clerk of the work.

Trustee Jennings: What will be your role in the overall management of the job?

Mr. Rosamond: Our basic service as contracted with the Village is to provide construction administration services. This is periodic visits to the site, checking of shop drawings, bi-weekly job meetings, checking payment requisitions. But it does not involve the daily day-to-day coordination of the four prime contractors. That is the critical thing, I believe. That is not within our scope of basic services.

Jim Metzger, 427 Warburton: When the architects presented their costs estimates for the building, their number had not changed even though the building had changed. And what they had put in as their percentage to cover any overages dropped to an incredibly low level. As an architect, I generally like to see at least a 10 to 12% contingency. I am curious to know what the current contingency number is. And I was unclear as to who is going to be responsible for coordinating the day-to-day project.

Mayor Kinnally: We do not know yet. The Manager has a proposal before the Board, and the Board has not yet acted on it. The contingency is approximately 5%

Mr. Metzger: But as Mr. Frobels said, we are aware of that. So that is good. Does anybody have a dollar per square foot figure on the building?

Michael Ankuda, Lothrop Associates: In round figures, about three.

Mr. Metzger: That sounds appropriate to me. I wanted to make sure they were not coming in at an abnormally low figure that we were going to end up having to supplement later on.

On MOTION of Trustee Apel, SECONDED by Trustee Jennings the following Resolution was duly adopted upon roll call vote:

WHEREAS: a request for bids for the demolition and reconstruction of the James V. Harmon Community Center was advertised as required; and

WHEREAS: bids were opened at the Municipal Building on September 13, 2005; now therefore be it

RESOLVED: that the Mayor and Board of Trustees award the bids for the demolition and reconstruction of the James V. Harmon Community Center as follows:

General Construction: Base Bid: \$3,570,000

Phoenix Building Corporation
220 White Plains Road
Tarrytown, NY 10591

Mechanical: \$544,400

L.J. Coppola, Inc.
8 Gramercy Place
Thornwood, NY 10594

Plumbing: \$248, 328

Frank & Lindy Plumbing & Heating
2 John Walsh Blvd.
Peekskill, NY 10566

Electrical: \$304,200

B.A.C. Electrical
99 Lafayette Avenue
White Plains, NY 10603

ROLL CALL VOTE

AYE

NAY

Trustee Michael Holdstein

X

Trustee Bruce Jennings

X

Trustee Marjorie Apel	X
Trustee Peter Swiderski	X
Mayor Wm. Lee Kinnally, Jr.	X

**93:05 GENERAL CONSTRUCTION ALTERNATES - JAMES V. HARMON
COMMUNITY CENTER**

Mayor Kinnally: We have a second resolution on this evening, 93:05, the general construction alternates. But as the Manager indicated, we are not going to deal with this tonight.

PRESENTATION - Ginsburg Development - Saw Mill Lofts

Mayor Kinnally: Susan Newman is here from Ginsburg. Susan, thank you for coming. But it appears that the paperwork that we wanted to have in place before the presentation went forward is not completed, and we are not going to have the presentation this evening. Depending upon what happens in the next week, perhaps we can have the presentation next Tuesday night at our regular Board meeting.

We are going to be meeting with counsel for advice of counsel immediately following this meeting.

ADJOURNMENT

On MOTION of Trustee Holdstein, SECONDED by Trustee Swiderski with a voice vote of all in favor, Mayor Kinnally adjourned the Special Meeting at 8:30 p.m.