

**Town of Hull**  
**Building Committee Meeting**  
**Thursday, April 26, 2007**

In attendance:

Cathy Bowes/Committee Member	David Twombly/Support Staff
Paula Delaney/Committee Member	Jim Lampke/Support Staff
Paul Dunphy/Committee Member	Peter Lombardo/Support Staff
Bill Dwyer/Committee Member	Scott Dunlap/Ai3
Patrick Finn/Committee Member	Steve Rusteika/PMA
Phil Lemnios/Committee Member	Scott Libby/PMA
Jay Meschino/Committee Member	
John Reilly/Committee Member	
Kevin Richardson/Committee Member	
Charlie Ryder/Committee Member	
Jim Tobin/Committee Member	
Dave Walsh/Committee Member	
Debbe Bennett/Support Staff	
Jim Griffin/Support Staff	

Absent:

Dr. John Silva/Committee Member

The Building Committee meeting was held in the Selectmen's Office at Town Hall, and the meeting was called to order by Dr. Delaney at 7:08pm Dr. Delaney said John Reilly is running last so the Committee can get started.

1. **Approval of Today's Agenda:** *Paul Dunphy made a motion to approve the agenda. Charlie Ryder seconded the motion. All approved.*
2. **Approval of Minutes:**
  - **February 13, 2007, Open Session minutes:** *Paul Dunphy made a motion to approve the February 13, 2007, Open Session minutes. David Walsh seconded the motion. All approved.* Dr. Delaney and Charlie Ryder abstained since they did not attend the meeting.
3. **Owner's Project Manager Report:**

Scott Libby said for those who have not been to the job, good news continues to be reported. The PM report shows where we are with cost versus the schedule and he noted we are currently on schedule for an early completion. Dr. Delaney asked how early. Scott Libby responded a couple weeks, which is good since we got a late start. He said it has been a

cooperative effort and the GC accelerated portions of the work such as the placement of the concrete slabs in buildings C & D. Based on that, the roofing on buildings C & D is about 97% complete. The work was inspected and they have received nothing but positive responses from the testing company. Our people said it went well, and some minor work is needed on the lower roof entryways of buildings C & D. He said this allows for a weather-tight structure. The exterior masonry is 90% completed. The building looks beautiful and the rough plumbing is 99% complete with some minor final connections to be made but they are in the final phase of plumbing and electrical. The HVAC roughing is also in the same basic condition and making good progress. Fire protection is nearly complete in both buildings. The gyp wallboard in building C, first and second floor, is complete and the first coat of paint and primer are about 50% complete in building C and will be wrapping up in the next week. By the end of May they should be done with painting and then the flooring will start. This is tracking an early release of phase 1, which will tie into the FF&E installation. Scott Libby said they would continue to coordinate the FF&E regarding the schedule and planning. The ceramic tile began and is about 20% complete. Window installation in building C and is about 50% complete. They anticipate that by mid-May all windows, except for storefront, will be complete. The ceiling grid in building C started and they are starting to put some of the ceiling tiles in. The above-ceiling inspections went well and allowed the tiles to be installed. As mentioned last week, The MEP work is heading into the finishes phase (temperature control devices and thermostats). A lot of the tile work has kicked off and they are seeing a lot of good progress in phase 1. In May, the windows and finishes (e.g. flooring, painting) will continue. A majority of this type of work should complete by the end of May/early June. Scott Libby said they had concerns early on due to the late start and now they don't see any major indicators that would bring a red flag to the surface.

Paul Dunphy said, as you know we are considering commissioning and he is hearing they are placing finishes and asked if that will be an obstacle to that process. Scott Libby said to get some benefit from commissioning, there is still an opportunity to get some value in phase 1, but the real value will be in phase 2. The operating system in phase 1 is not going to be the complete building system. He thinks the value will come by monitoring the boilers' performance in phase 1 and applying that learning experience in phase 2 when you commission the entire facility and go do balancing and testing. To get some value, you will see more value in the phase 2 part of it. Paul Dunphy said he would caution, if we go ahead, and if there is any mechanical equipment that needs to be looked at that you at keep the finishes away until we get a commissioning agent. Scott Libby said the ramification of that could be delays. Paul Dunphy said he is not looking to slow it down but do want all the systems commissioned properly before the ceiling gets put in. Scott Libby said the ceilings have moved quickly and are about half done. If tiles get damaged during removal it isn't the contractors fault to replace them. He said that is your choice but it could come at a cost.

David Walsh said he understands what Scott Libby is saying and that is, instead of doing it at the halfway point it would be more beneficial to do it at the end of the project. Scott Libby

said the end meaning more like 30% thru phase 2, trending toward the end. Come next winter they would be working on the MEP and framing and that is when you would want to kick that off. Scott Libby said you would get some value during phase 1 such as training having that person as your liaison. That person, from now until whenever, can be looked to and can help guide the staff on how to maintain the building. The system is uniform throughout. You will not get a true feel for what it will be like until it is done. David Walsh said we are trending at two weeks ahead of schedule. Scott Libby said officially he is reporting we are on schedule because anything can happen. David Walsh agreed it does not take much so recommended people not get their hopes up.

Steve Di Giacomo of EMA asked about the VAV boxes above the ceiling. He said there is a rigorous start up procedure, and if he does the commission, he will come in every other week or every third week to spot-check them. He said there is some commissioning light and commissioning heavy into phase 2 but it is definitely doable. The front end of the automation system will not be in place until phase 2. That front end will become their commissioning tool, to make sure we don't have any loops that are not properly tuned, etc.

Paul Dunphy asked for Scott Libby's opinion. He said the last time met we gave Town Manager the right to act on \$10,000 worth of change orders that mainly dealt with fattening the walls and building a soffit around roof drain, and mechanical pipe system. Paul said a number of us are of the opinion that we already bought and paid for this. He asked why he thinks those changes had to come to this committee. Scott Libby said he talked to Phil Lemnios and resolved Change Order #4 and also came up with a plan on how to get him and others more involved with changes that come up on the project. Scott Libby said those types of changes are typical coordination issues and the architects are human. *Phil Lemnios entered the meeting.* Scott Libby said those things sometimes slip through the cracks, but they were warranted and that was the least costly solution. He said there is a rigorous process that occurs with him, Jeff Costa and Ai3. Scott said he watches the Town's money better than most people do their own at home and he takes this seriously. He said if an issue comes up, it is not glossed over, it is questioned. There is a very detailed accounting of every change; it's history, why it's a change, and why they would recommend it coming forward. Whether it is owner betterment, an owner request, an unforeseen condition and an ENO (coordination type issues). If a soffit, due to a coordination problem, was shown in the drawings then you bought it. Your price given by the contractor is based on those drawings. If a soffit is needed, the least costly solution is determined and that is an extra. He said they evaluate it based on the cheapest way to resolve the issue. There is a lot of time and scrutiny spent on this. The team works very well together, including the contractor. It is going well and there is a good relationship. That is part of this process. They are not out chasing changes. They come to us with a conflict such as a 6" cavity wall with a 6" tube steel column, which should fit. The steel was put properly and the wall was properly placed dimension wise but the steel was exposed 3/8". The cheapest solution was to pad the wall and add another sheet of sheetrock, a \$300 change. Did you buy that, no, but it is necessary to make it aesthetically complete and that was the cheapest way to do it. *Cathy Bowes*

*entered the meeting.* It is unfortunate but to date, owner requests and unforeseen conditions have consumed about half of the change orders on the job but only account for about 25% of the issues. 70-75% of the issues are these coordination-type/ENO issues and 75% of the issues are related to typical construction issues but consumed about half the money. Unforeseen or owner requests have consumed the other half with a much smaller number of issues. Scott Libby said Phil will meet with him and Ai3 to go through this log and get him up to speed so he feels comfortable that when they come forward with Change Orders that someone from your perspective has more knowledge. Scott Libby said he is here to serve, watch your money, and help be a part of the technical solutions. This is the reality of construction. We are \$8 million into construction and have \$50,000 of mistakes -- that is a fantastic number. He said he couldn't report that on any other project. He said going forward we can only hope that remains positive, which means contingency could be given back. He said he runs jobs to not spend the contingency since you have to be prepared for the unknown. We have good planning, good meetings and a great guy in the field looking out for you. There are no glowing issues right now but we don't know what we will need to spend in the future. Scott Libby said he hopes with the meeting next week with Phil Lemnios there will be a comfort level so that when a Change Order comes to the meeting we don't have to negotiate them. Scott Libby said he hears what Paul Dunphy is saying but he agreed to the numbers and if there is a problem that the committee needs to know about he will let you know. He said the committee is welcome to be part of the minutia but doesn't think there would be any benefit to it. He said he would engage Phil Lemnios and noted Charlie Ryder and David Twombly come to the meetings. He said most committees don't participate in this process but he has always welcomed it. *Jim Lampke entered the meeting.*

Pat Finn said this committee has done a good job of controlling Change Orders on the other projects, which was about 10% on the Memorial project, and the high school, even with its problems, is within 3-4%. Scott Libby said the Jacobs project is trending at 1% in Change Orders. Pat Finn said he would like to see an accounting of the percentage spent at the high school. He said we should be way ahead but administration costs, architect, consultants and legal fees ate up a lot of money. He said we are trending towards giving the extra money and overruns to the consultants.

Charlie Ryder said regarding Change Orders, one thing we can look at is, the architects have created projects that have resulted in very few change orders and a lot of credit goes to them. Scott Libby said he has been doing this work for 22 years and this is one of the few jobs he can say that he is impressed. He said Ai3 is doing a good job and it makes his life easier. They are good team players. Scott Libby said it is not always a guarantee that the architect will have good relationship with the OPM but they do a very good job.

David Walsh told Scott Libby he has been very impressed with the performance of his outfit at the school. He said owners are going to question things. There were questions that were asked at the last meeting but no one could answer but no one would question the job you are

going. Scott Libby said he welcomes the participation and Phil's willingness to be a part of it. Phil Lemnios said it would be tedious but a job that needs to be done.

Phil Lemnios asked Paul Dunphy if he is okay with the answers to his questions. Paul Dunphy said he hears the explanation but doesn't necessarily agree with everything but does agree with a lot of what he said, especially his positive attitude. Phil Lemnios said he did talk to Scott Libby this week and it was clear that that train had already left the station even before our last meeting and to stop the train would have cost more. The benefit of that conversation was that they would sit down next Tuesday to define the process for Change Order presentation to the committee. It would include whether the change were warranted or not. He said he is very comfortable working with Scott Libby and PMA and the real key, in his mind, is that the committee continues to be vigilant.

*Budget Report:* Scott Libby said there is nothing much different from the last report. Scott Libby said as of today we are 37% through the time and we are 35.5% billed and that is a good trend because the time and money are equal. *John Reilly and Peter Lombardo entered the meeting.* Scott Libby said a lot of scrutiny goes into the requisitions and TLT does not try to bolster the requisitions. They are doing the best estimate of what will be complete a week in advance. Scott Libby said you don't want them to be ahead of you with money because if the wheels stop, you want to have money to finish the job. He said Ai3 and others have agreed to do a forecasted monthly allocation of funds so their bills are the same each month. From a cash flow point of view it is easier to manager and they can predict five months from completion what the expenses will be.

Scott Libby said with regard to exposure, his Change Order log contains everything he knows to date on the job whether it is a real or potential issue. Once he receives it, he puts it as exposure until we determine if it will be a Change Order. He said when he talks about exposure, it is best described as the worst-case scenario. He said that number changes every day. Column 2 shows \$52,880 and those are actual in-place dollars approved thru Change Order #4. The balance of exposure to date is \$79,000 and that includes proposal requests. Issues related to technology, scope of work and things that might be needed. That is your total exposure of executed and potential executed issues on the job are at 8.9%, which is good. 2.8% were extras that were given to the designer. The majority of what was spent was early on. One of the biggest issues was the security hardware, which is a majority of the 11.9%. For several weeks the contingency projection is 23%, with 37% thru the job. The contingency is being expended less than where we are in time. If that trend continues we will be able to give some back. We are planning for unknown conditions seen in every job.

Paul Dunphy said the last number in column 6 shows a \$350,972 deficit. He asked if you go over to the left, does that mean the project budget is over by that amount. Scott Libby said the red/light print figures are items that were not budgeted and come out of contingency and that was withdraw out of the base contingency fund. Under project contingency we had \$1.48 million to start and if you subtract the \$350,000 from that you have a remaining

contingency of \$1.127 million. We are not over budget. 76.62% of the budget remains. Paul Dunphy said he can't make sense out of it, the forecast/projected column (4) shows us over that number. Scott Libby said that is for the total project, for non-budget items we are still \$1.1 million below the total project budget.

Jay Meschino said he thought the same thing because we were looking at the header at the top that has column 1 less 5. That formula works for all of the line items but once you get below the total cost, it is not applicable anymore. Scott Libby said this is a format that the MSBA likes and he wants the committee to be comfortable with it.

John Reilly said at the beginning we were going around about the contingency because it included money for the Memorial and trailers. He asked if that was settled and if the \$350,000 is all Jacobs-project related. Scott Libby said that is correct.

David Twombly asked Scott Libby if the credit for the modular usage on Change Order #4 shows up on this document. Scott Libby said it is under the approved Change Orders. The net value of Change Order #4 was under \$7,000.

Charlie Ryder asked if we are up to date on MSBA reimbursements. He was told yes, the last submission was done about two weeks ago.

#### 4. **Architect Report:**

- **Jacobs School**

- **FF&E Bid Award Summary:** Scott Dunlap distributed three documents, one of which was included in the packages (FF&E Award Summary). He said there was no change from the one in the packets. Scott Dunlap said during the first week of March they presented to the committee the entire bid document for the FF&E. Scott Dunlap noted that Nancy Lohrer is here, our furniture and equipment consultant. For the several months leading up to the bidding she worked with the faculty, staff and administration to generate the bid documents and a lot of adjustments were made with a primary goal of being at or below budget. The budget is about \$700,000 and they had always been targeting that. When the bid document was distributed in early March they were working with a \$700,000 estimate and given the current bidding environment they anticipated it to be below that. Scott Dunlap said the three documents are: the FF&E Award Summary, a thicker document titled Phase 2 FF&E Bid Analysis, and the third document which is the Bid Analysis and Justification Summary. Scott Dunlap said the FF&E Award Summary is each and every item that Nancy, after completing an evaluation on, determined to be the lowest, qualified bidder. It includes every item she is recommending at this point. On the very last page, you will see the total award is \$632,416.88. That, obviously, means that after all the bidding,

analysis and justification, you are about \$70,000 under the targeted budget and you still have all the items hoped for. It did not include a wish list -- this is a needs-based award. It represents the required items for the school. On the last page, it is broken down into phase 1 and phase 2. The phase 1 items total \$108,315 and phase 2 is \$477,891 for a total of \$586,206. There is a no bid and rebid of \$46,210, a majority of that includes copiers for the building. All projects they are involved with, because of the sensitivity of making sure you get the exact vender you want for a copier – there are a lot of imitations and they recommend that the town purchase those directly off the State bid list. So \$46,210 was held to directly purchase the copiers for the project. They are including that amount in the total.

Scott Dunlap informed the Committee that the Bid Analysis document would be part of the Town's permanent records to show you followed bid procedures. The analysis includes every bid on every item and which vendors in a category was awarded that packages based on being the lowest or the lowest qualified. If you go through the documents you will see they did not always award to the lowest vendor. In some instances the lowest bidder submitted a product that was not specified. In these instances a mock up was done. Nancy went through the analysis and it may not have been awarded to the lowest price but it was always awarded to the lowest qualified bidder. The third document is the justification summary and identifies the items that were the lowest bid and the reason it did not meet specification. All of those documents combined become part of the permanent record.

Charlie Ryder asked based on these documents, no vendor is going to charge more for any of these items on the list. Scott Dunlap said that is correct, these are all hard bid numbers and they are tied contractually to all these bids. Charlie Ryder asked if there would be no substitutions. Scott Dunlap said that is correct. Charlie Ryder asked who would ensure that does not take place. Scott Dunlap said whoever does the installation management to make sure every delivery is exactly as identified in the bid document and summary document. Scott Dunlap said they will also have to ensure you are paying the bid price for it because Nancy will compile this into award summaries to be attached to purchase orders to send out to each vendor to show them exactly what you are buying and at what bid price. Whoever receives that product at the site will be responsible for determining that they have invoiced them for the same amount and matching all those things up. Charlie Ryder said that precludes the person accepting the delivery would not be aware of the price so they would no able to check it off. He was told they would have to check their document versus the invoice. Nancy Lohrer said the award summary would be attached to the purchase order. When you cut a purchase order, you will put in the ship to/bill to and not to exceed amount information because her attachment will tell them everything else. Scott

Dunlap said you do bring up a very good point and that is don't underestimate the detail that has to go into the receiving, signoff and delivery of the product in order to make certain everything is exactly what was bid. In the past it has not always been handled with that amount of detail. Charlie Ryder said, so it has to be a proper individual or group of individuals receiving and monitoring it. Scott said yes.

David Walsh asked if this (document) would be all of the detailed information they would have because it includes total numbers of chairs but has no model number etc. Scott Dunlap said that ties to the document that they gave out last time, which ties to the floor plan. Scott Dunlap said they would need all of the procurement documents -- the bid document, the floor plan document and these documents as well. David Walsh asked if that packet is the actual model numbers that were awarded. Nancy said yes. Nancy said in state bidding it may be a different vendor but if it meets the spec and the quality spec it might not be the same vendor. A lot of times it will be the same model number but sometimes it is not. She added there were a not a lot of alternates.

Phil Lemnios said there would be a copy of the Purchase Order; so the person receiving the product will see they were supposed to receive 420 folding chairs from a certain manufacturer. The receiving person will check them off and tell them where to place them. He said Debbe would also have this information as well so when we get a bill we can figure out what they are supposed to be charging. Nancy Lohrer said she would also recommend that the person also have a copy of the bid document on the site as well. When they do an install they provide this justification document. She also recommended each vendor bid be in a file to reference that information. Nancy Lohrer said sometimes what will happen is a vendor will show up on site to install something. What they consider to be an install and what we consider install are two different things. We consider it receiving it on site; bringing it into the building and placing it in the appropriate place and doing any assembly. A lot of times they just want to drop it, so you may need to reference the bid document. Phil Lemnios asked if that would be in the award letter. Nancy said it is in the bid document. Nancy said you will also have a vendor list with the award amounts and if there is a problem with the delivery you need to call the vendor. The person making the delivery may not be who your contract is with but the vendor is responsible for his guy so if they are not performing adequately someone needs to contact the vendor. Phil Lemnios said when you say install -- there are some things you described that are in the bid documents as the install but the guy in the truck shows up and says he just wants to drop it here. The guy in the truck says he is just a delivery agent not the company who bid on it. Nancy said she would send the truck away. She added you would also get trucks before you are ready to receive them and she would do the same thing, send them back. Scott Dunlap said the install person would also



be responsible for setting up scheduling of all these deliveries. You don't want them to just let them deliver whenever they want. He said there is a master schedule where everyone gets a time slot, and if they show up outside of the time slot you reject them because it complicates your organization.

David Twombly asked Nancy to explain to the Committee the issue with the low bidder on the table and chairs. Nancy Lohrer said her proposal was to come out for a day. There is a concern about one of the vendors based on their experience with them on other projects. The bid was much lower than the other vendors and that concerns her. The unit cost is the column they use if they are bidding exactly what was in the bid document. The alternate cost gives them the opportunity to bid another product, which we would judge if it is an equal. This vendor bid all in the unit cost column, which tells her they are bidding what was specified and her concern is he will arrive at the site with a lesser product. She said she had a conversation with them and they told her it was according to spec. She said as an example it is an upgraded fabric so when they bring that product in we want to make sure they have the right fabric on them. They talked about having her come down for a day to make sure we are getting what we paid for.

Jay Meschino asked based on experience with similar bids have you gone back and checked your own specs to make sure there is nothing omitted that they could hang their hat on. Nancy said her specs are very complete and everyone else is a lot higher. She said if they show up without what is specified, they have to provide it. Jay Meschino asked if they understand they were that much lower than everyone. Nancy said she does not share that information with them. She does tell them they are low and ask if they are meeting spec. If they tell her yes, she has to assume they are.

Phil Lemnios said at the last meeting the committee questioned who would oversee the install and there were questions about how this was going to be coordinated. Phil said we never did come to a conclusion on that.

Paul Dunphy said he had a similar segue. The overall budget we talked about saving a considerable amount of money, and there are other associated services, we are going to have install and do the quality control. Paul added there are items that were already purchased out of this budget. Scott Libby said that is the \$9,499 number. Paul asked if that is included in this number. He was told no. Scott Libby said next time this would be reflected in the orange column with a \$640,000 projection. Paul Dunphy asked if this large chunk of money for FF&E installation would come out of the FF&E line item or contingency. Scott Dunlap said it was assumed to have come out of contingency but because of the low bid it appears at this time that it will come out of the FF&E line item. Scott Libby said Nancy has an incredible knowledge and someone like her typically gets retained

in, what they call, FF&E part 2. They know FF&E stuff, they know where it goes and they know what to expect. They (PMA) typically recommend that the FF&E consultant be the one retained, you pay for that knowledge. He said it goes well if an organized person who is part of the organization fulfills that. Scott Libby used Charlie Ryder as example of someone who is very organized but would probably fail at this. Scott Libby said Nancy would know better than anybody what we bought. Scott Libby said they would strongly recommend that the additional services be paid to a person like Nancy. He said the fact that we have money remaining means it could come out of that line item.

David Walsh asked if that is something the Committee wants to keep on retainer. Phil Lemnios said to date we have committed to spend \$641,905 when these bids are all accepted. Phil said Charlie was going along the lines of how we get the install done and under what contractual terms, are there any other costs in this particular line item that you envision. Scott Dunlap said that would be the end of it. Phil Lemnios said so then the \$60,000 is truly available. Scott Dunlap added it is not uncommon -- they have seen on the other projects -- that as the faculty staff and administration occupy the building, there will be a handful of items that are needed. Phil asked if it would be wise to set aside another \$10,000 for additional items. ***Phil Lemnios motion to accept the FF&E bids as presented by Ai3. Charlie Ryder seconded the motion. All approved.***

***Phil Lemnios made a motion that of the remaining budget of approximately \$65,000 that we set aside \$10,000 for future FF&E contingency. Charlie Ryder seconded the motion.*** Jay Meschino asked what is the value of the installation management service. Scott Dunlap said they did not come prepared to talk about that tonight because the last time we had the discussion, several months ago, everyone thought it was in PMA's contract. Scott Dunlap said they have not gone back and evaluated it. Scott Libby suggested the committee request a proposal from Nancy Lohrer to review. Scott Libby said based on his experience on the job and based on the value of FF&E, the size of the job and the fees paid to an FF&E person, it would not surprise him to get an estimate of \$25,000 and that would be commensurate with other projects he is managing. Nancy Lohrer said they charge per day and also process the invoices for six months after the job.

Phil Lemnios suggested a motion for a proposal from Nancy Lohrer and other firms as well. Paul Dunphy said we need to clarify if PMA is responsible. Jim Lampke said he has reviewed certain documents but still has to review others. Jim Lampke said he would hope the Committee would keep this as an open issue. Phil Lemnios said, we should solicit a proposal from Ai3 and identify a scope of services. Phil told Scott that the scope of services could be used to seek proposals from other vendors. Scott Libby said they are involved in this process and have had two meetings on it. They are monitoring it, tracking it and meeting every

three weeks. It's a collaborative effort and they are helping that process. Scott Libby said never in his 21 years experience he has ever done what was just described. John Reilly said we just wanted to clarify the issues with the PMA contract. *All approved the motion.*

Phil Lemnios congratulated Nancy on producing a great bid spec and said he can't imagine the work that went into this and the fact that it is coming in under budget. He said it is a very complex series of moving parts. Nancy added they also included in rebids and purchase order attachments for phases 1 and 2 that she will give to Debbe. She said included with that is a label to be attached to the purchase order telling the vendors not to ship until after August 9, 2007. Also included is a vendor award report and phase 1 PO attachment which lists all the terms and conditions. There is also a phase 2 PO attachment on the back, which is for informational purposes only and has a note stating the owner reserves the right to make changes up to 4 months before phase 2. Nancy said she wants the phase 2 award sent out so the vendors get a sense of their total award.

- **Jacobs Fencing:** Scott Dunlap said he wanted to talk a little about the fence on the retaining wall at the rear of the building. He just wanted to review what might be done aesthetically in this area to benefit the abutters. As a reminder we talked 4-6 weeks ago about the fact that we have small retaining walls at several areas around the back of the building and we talked about the exact heights. Scott said he wanted to point out a 6' vinyl chain link fence goes around the entire playground area and ties back into the playground. We also, as part of the project, have the 6' vinyl chain link fence on top of the retaining wall at two locations and those are functional fences to keep children in and intruders out. *Bill Dwyer entered the meeting.* The one in the back is functional so no one could fall from the high side over that retaining wall, even though in some instances it is not a very high wall. Scott Dunlap said that has nothing to do with the aesthetic changes we ultimately want to make to benefit the abutters. We may design some wood fencing or something that would blend more and add plantings, etc. in that location but it would still be their intent to keep that functional fence on top of the retaining wall and wait until the wall is in place and the final grading done so that the abutters can see what it will look like. Scott Dunlap said he did not want anybody to get upset if they saw the retaining wall or fencing going in and think they were not going to follow through with those discussions. It is their understanding that when that is in place they will discuss the aesthetic options with the abutters but will do whatever the Committee wants.

John Reilly asked if we have established a timeline for that since we are in the spring. If this does not get done soon they will have to wait another year, why couldn't we get the remediation work done earlier rather than later. Scott Dunlap said they certainly could work with Scott Libby on that. The plan on the retaining

wall is maybe three weeks away so he would work with Scott Libby to put pressure on TLT. Scott Libby said the plan is, in the next couple of weeks that wall will go in. Scott Dunlap said they would get a more detailed schedule and report back on when that might happen.

Cathy Bowes said she recalls from discussion about a year ago that the fencing was going to be more aesthetic fencing rather than chain link along Harborview Road. Scott Dunlap said he would go back and take a look at that. Cathy said it would match the fence that would go around the play structure or be similar to the fence. Scott Dunlap said he remembers the discussion and would go back and see if it was modified.

Phil Lemnios said so the committee agreed to another type of fence other than chain link on that retaining wall, is that correct. Scott Dunlap said the chain link would be there, as a function barrier and something would be done aesthetically on the abutter's side maybe another decorative wood fence. Scott Dunlap added that would not make sense on the retaining wall because they would be concerned that over time it would deteriorate. Scott Dunlap said whether it is wood fencing or additional plantings they are open to do whatever the committee wants. Phil Lemnios asked if there would be a chain link, another fence and then a planting area. Scott Libby said it might just be landscape features. Scott Dunlap said it could be a series of fences that are not connected. The abutters might decide they want sections of wood fence staggered or lattice work, etc. However, that would be totally independent of the functional chain link barrier that would go on the retaining wall.

Charlie Ryder added this chain link would be embedded into the top of the retaining wall. Their feeling was it could be enhanced with decorative shrubbery, etc. Scott Dunlap said as a decorative piece, it might make sense to use wood. Scott Dunlap said this fence is a black vinyl chain link and is considered more aesthetically pleasing and is longer lasting. The committee upgraded to that a long time ago. It was noted the top of the fencing is not sharp. David Walsh said he is comfortable with what they are saying, put the wall in and put the fence on it because of the slope of it. He said when all is said and done, there may be the need to tier a 6-foot area and step it up one more time. His concern is once it is done, look at it and see what the slope is and maybe tier it with something like railroad ties. Scott Libby said his belief is it is best to take a step back and evaluate the best options since it is in its worst state right now.

Jay Meschino said to Scott Dunlap that he has highlighted the fence around the field and asked if the total scope of fence goes around the perimeter. Scott Dunlap said there is a lot more. Jay Meschino said his recollection is that for the privacy screening it was primarily plantings that would be used. Scott Dunlap said the

board at some point in time asked that we work to develop a proposal that might include additional landscaping, fencing, or whatever might improve that.

John Reilly said before the chain link goes up, there is a lot of brush that was cut down during the gas company work that needs to be cleaned out. The area is toward the back of the school. He asked if that area be cleaned up.

Bill Tramontana said with the plantings, the biggest issue is how that building has impacted his property so it is very important to choose plantings that buffer that building since it is tough to look at. Also he thinks we have to choose the correct plantings that will last there since it is a tough area. Scott Dunlap said their landscape consultant is the person they rely on to choose what will work best.

Scott Libby asked if there is a proposal in place for Ai3's additional services for this work. Scott Dunlap said they don't, they agreed to develop it at no cost. Scott Libby added this is going to be a Change Order and a proposal request will be prepared for pricing if you want TLT to do it. Scott Libby added if you choose to do it under Chapter 30 you could get some local landscapers to do it. Phil Lemnios asked if it would be possible for the landscape architect to meet with the abutters for about an hour to get a sense of what they would be interested in. He asked if it would be beneficial for them to meet with the abutters so they can hear first hand what their concern is and what they are trying to accomplish. Scott Dunlap responded their proposal would be just that -- that the first step, once the wall is finished and the grading completed -- that they meet with the abutters.

Jay Meschino said there is landscaping already in the contract. Scott Dunlap said none for this area, there were no trees planned for that area, it was to just restore the area. Scott Dunlap said they would have a landscaper on the site for other areas. The advantage of considering a local landscaper is, because it is a sensitive area, you might have better attention if the plantings started to fail, rather than if just doing a wholesale landscaping. Scott Libby added that would probably allow for better pricing on labor, overhead and markup. Phil Lemnios said the key is the selection of plants. The landscape architect would be able to tell us the types of plants to use.

John Reilly asked that everyone remember there are abutters across the street too and that the fence will be along Harborview by Steve Avakian's house. In the plan we designed some additional parking. Peter Lombardo asked if the area by Bill Tramontana's is Town or private property. Scott Dunlap said all the change in slope is on Town property. Bill Tramontana asked if the landscaping would be done after phase 1 or after the completion. Scott Dunlap said he doesn't know and asked Scott Libby. Scott Libby said the plan was to kind of walk away from phase 1 and focus on phase 2 so that area should be restored, he believes, no later

than the fall but he would verify that on Tuesday. David Twombly said at the last construction meeting Don Maver said they would start the site work in about 6 weeks. So in two weeks from now they were going to start the brick work and put the fence in two weeks later and two weeks after that the site work would start. Scott Libby said it is a fall planting cycle. Phil Lemnios asked if there is a one-year guarantee on the plants.

Jay Meschino asked how the abutters get connected with the architect or person who would make the recommendations. Scott Dunlap said when the fence goes up and the grading is right, they would come before this Committee to get final approval and say our landscape architect is available on certain dates and let the Committee set the date and let the abutters know. Scott Libby said the rough time frame would be the end of June/July.

- **Other:**
  - *Massachusetts Access Board:* Scott Dunlap said this may have been included in the packages earlier this month and he wanted to update the committee. Scott Dunlap said they forwarded the letter to the Massachusetts Access Board and the main entry is referred to in the letter. He said the existing floor level does really not change as part of the project and there is a fairly substantial elevation difference between the roadway and the sidewalks getting up to that entry level. When they designed the area they had two options on how to do it, which was a similar situation as Memorial School. Back in 2005 during the design process they proposed two options, one was to do a vertical lift inside the main lobby that would allow someone accessibility from the corner of the main lobby and come out into the lobby. Scott Dunlap said they also proposed an option that took them on a gentle slope and on a switch back series of ramps got them to that height. Even though it was more expensive they liked the vertical lift idea since it allowed direct access. If you really look at what some of what the Accessibility Board pushes, a ramp is always accepted even if it gets long and a lift is accepted only if the local historic groups support it. In this case when they contacted MAB in 2005 they did say we contact the local authority and they talked to that group. Everyone agreed the vertical lift was the best solution. This letter was sent to update the MAB, since at the high school they sort of changed their minds, telling them we talked to the local board and this is the way the building is designed. They are now waiting on a response and confirmation from them telling us we followed the direction they gave us or that they would want us to reconsider the ramp idea before we get to construction in that area.

## 5. Fiscal Report:

- **Warrant #480** was presented to the Committee containing one invoice from WatchAll in the amount of \$225 for exterior rodent control performed on April 6. *John Reilly made a motion to approve Warrant #480 in the amount of \$225. Charlie Ryder seconded the motion.* Jim Tobin asked how long this would continue. David Twombly said we have talked about this before and if we stop it and the rodents return, we will have to go back to weekly treatments. He said he would be in contact with WatchAll but it will probably continue until this time next year because we will be starting work on the existing building. At that time we will reevaluate it. David Walsh said this came up at the last meeting and we were all in agreement that the reason we don't have a rodent problem is because we have been proactive. Jim Griffin added, initially this was driven by the abutters to control the exterior rodent population. Phil Lemnios said construction typically disturbs rodents. Jay Meschino said once construction started they swarmed the neighborhood. Jay Meschino asked if they have reported any findings. Scott Libby said there have been no hits for months. He added at the time we started construction it was the time of year rodents typically find a home. Scott Libby said to date we have expended \$2,560. It was a one-year contract and come this fall the service authorized to date will end. He asked if the Committee wants to terminate the contract or extend it. John Reilly said perhaps someone could contact the company and negotiate a reduced lump sum. David Walsh said years ago the town always had a program in place for invading the rocks and that controlled the problem. Phil Lemnios recommended leaving it in place at least until the end of the summer and revisited it in September. He also agreed about getting a proposal for next year at a lower cost. Scott Libby added the general contactor is doing what is asked of them and they are not leaving a lot of debris around the site that would cause infestation. *All approved Warrant #480 in the amount of \$225.00.*
6. **Town Manager's Report:** Phil Lemnios said he has nothing to report this evening other than he is going to meet with Scott Libby and they are going to develop a Change Order review policy.
7. **Superintendent's Report:** None this evening.
8. **Old Business:**
- **Commissioning Agent – Energy Management Associates, Inc:** David Twombly said Steve Di Giacomo of EMA is here to talk about commissioning and inside the packets is a document regarding commissioning that Steve put together. Steve Di Giacomo said for the most part this document was put together from journal articles over the last several years and contains reasons in support of commissioning. It details how Commissioning can reduce energy and maintenance costs. Steve Di Giacomo said he has looked at the building's blueprints and wanted to say traditionally there are about 11 different steps in the process and you have essentially skipped the first three steps. It is not really costing you much, if anything, other than

avoiding his fee for the first three steps. He said normally you would do a design review he would collect from the architect and engineer a design narrative to ensure the owner had communicated clearly what the space would be used for so it meets your needs. They would have created custom specifications that would address commissioning. If hired in the beginning the one thing he would change or challenge is he would recommend if you are not installing occupancy sensors or motion detectors in the classrooms, you should go ahead and do so. If you are, spend the extra money and get an auxiliary relay on the sensor to tie into the building automation system so if it is a unit ventilator in a classroom you can control the outdoor air and if a VAV box, you can adjust the minimum fresh air. This will reduce gas or oil heat costs. It will reduce the fan brake horsepower, reduce the chiller compressor energy and the cooling tower energy and the amount of reheat energy and reduce the energy on variable heat pumps. He said there is a huge trickle-down once you start changes things in the system. He would ask the engineer to consider something like that. The cost for something like that would be maybe \$30,000-\$50,000 with a payback fee in about six months. He said this could still be considered now. You are probably going to spend about \$300,000 between gas and electric roughly and without fine-tuning, that could be easily \$400,000 without commissioning. Steve Di Giacomo said at this point there are still a lot of opportunities on the table and a lot of work to be done commissioning and functional testing.

Steve Di Giacomo said the steps are the design phase. A submittal review to review what the engineer reviews. He would take the documents and work them into a commissioning plan then form his team. He said it very much a collaborative team effort with the owner, architect, engineer, mechanical electrical, owner's rep. etc. Steve Di Giacomo said they ask for start up documents based on manufacturers' recommendations. He wants to see the procedures and it is usually taken out of the O&M manuals. He is there to spot check and to make sure the equipment is properly started.

Steve Di Giacomo said after start up they go into balancing. About 40% of the time, the balancer shows up with equipment that has not been properly calibrated. He normally requires a meeting with the balancer before hand and requests a copy of the certificates that demonstrate the equipment to be used to do the balancing has been certified. Once through balancing, functional testing is done. This is when he, with the contractors, develops customized testing services and he witnesses it. There is a head end computer that gets fed a lot of information. Many times a control test is done and when a CO detector is set off and the computer identifies it at a different classroom number. Steve Di Giacomo said they also help with some of the close out documents. Steve Di Giacomo said the traditional role of the commissioner is to coordinate training. The last thing he would do is visit the site again before the warranty period is up to make sure the systems are still operating. Steve Di Giacomo



said he hopes the Committee can see the benefits. There is a proposal that he is very comfortable with of about .65 per square foot, which he said is very competitive.

Pat Finn asked what were the things Steve mentioned earlier that should be added. Steve Di Giacomo said occupancy sensors that are based on infrared and ultrasonic technology and there are also ones that listen and you usually get two of the three. Steve Di Giacomo said he would ask the engineer for a price to tie into the building automation system and what he thinks it will save you. Scott Libby asked what is required for the installation aspect of those sensors because the painting has started and floors and ceilings are going in now. Steve Di Giacomo said this is much longer into the process than he normally would be and these are recommendations he would make earlier and perhaps this could be done in phase 2. Jay Meschino said it sounds like something worth considering even if it means disturbing phase 1 if we are talking about reducing operational costs over the life of the building. Steve Di Giacomo said if the tiles are in, you may want to rethink the cost but it depends on what the engineer thinks the savings would be vs. the cost to do it now.

Paul Dunphy asked who would be a candidate for the training. We have one mechanical person who works for the School Department that would be the primary trainee. He asked if Steve would recommend including other staff or contractors who work in the schools to do this training and is there a cut off level. David Twombly added we have sub contractors who do the School Department's plumbing, heating, generator, etc. work. In addition to training Jim Griffin, maybe also some of those contractors who work on the systems and other Town department heads can be trained. Steve Di Giacomo said with this system you will have different levels of password security so some people can look up information and others that can access all of it or others that can do temporary overrides. These systems are pretty nimble. Steve Di Giacomo said having the same systems in the schools helps minimize cross training and allows them to talk to each other if necessary.

Paul Dunphy asked if the training gets videotaped. Steve Di Giacomo said only if it is in the spec. Steve Di Giacomo said he would request the training material in advance and review them. Steve Di Giacomo said Scott is the hub, he does the scheduling and any RFIs that he has will go through him and we have to have a chain of command and he needs to work with the construction management team.

Paul Dunphy said in the proposal on page 14, there is a list of systems to be commissioned and asked if these are specific to the project. Steve Di Giacomo said absolutely, those are specific to the project. Paul Dunphy said on the deliverables payment schedule, the project is so far along he is sure we can adjust the number downward. Steve Di Giacomo said he would be willing to work with you on that. They are already at 65¢ per square foot. He added a lot of what he has for site visits his contingency for super trend logging later on in phase 2. He does not have a split

between phase 1 and phase 2. Paul Dunphy asked if we could consider this a “not to exceed” figure and negotiate it downward. Steve Di Giacomo said it is a fixed fee figure but agreed that number would not be exceeded. Paul Dunphy said he does not know if the fee is public information. Jim Lampke said we cannot go into Executive Session to negotiate a contract of this nature but the staff can meet to deal with the contract issues.

Steve Rusteika asked if Steve Di Giacomo could give an idea of what he sees going on in phase 1 since we are so far along. David Twombly said in the proposal it talks about a certain fee for 15 visits but since we are so far into the first phase, can we review the number of visits and scale it back. Steve Di Giacomo said he has the right dollar figure to do the work properly for you. There is no contingency -- actually the contingency is built into the large hour number and that is for some super trend logging in phase 2 and there are only 100 hours for testing and witnessing. David Twombly noted he gave Steve Di Giacomo all the designs and specs. Scott Libby said there is rigorous program in place with the engineer and this really is a third party validation he does not want anyone to think we have bare bones training. He said there are rigorous specs and quite a bit of training and he is a little concerned about duplication of effort although he is an advocate of a third party validation. Dr. Delaney asked if he could look at it and come back and tell us. Scott Libby said he is not a mechanical expert. Scott Libby said there is more conscientiousness in the industry and the trend is we are seeing better specs. He is an advocate of third party services and it is in your best interest. He just wants to make sure you are not paying twice for a duplication of effort. Phil Lemnios said he is hearing so many conflicting benefits or lack of clarity and purpose and asked if PMA at this stage of the project, and what they know of the project, could come back with a proposal of what you would envision the Commissioning to be. Phil said he also did not really hear an answer to the training (how many people would be trained and by whom, and EMA role in that). It seems to him that we all want to be sure that what we are paying for is what we are getting. The secondary aspect is looking at the systems for energy efficiency and where they can be tweaked. Steve Di Giacomo said the more time he can spend on the site with the building automation system the better. Phil Lemnios asked if PMA could give advice about what the next logical element to add would be, if any. Scott Libby said he has no expertise on this and would ask Ai3 engage in evaluating the proposal since they know the specs better and then jointly they could share the information and collectively come to the committee with recommendations. Phil Lemnios said we don't want to jump into this if it is not in our best long-term interest. Setting the expectation level at the front end will avoid confusion. Scott Libby suggested, Griffith and Vary could talk to them and see if they can attend a project meeting and maybe have him give an overview of the specs and his evaluation and then come to the committee meeting and share the knowledge. Phil Lemnios said in this document “why do commissioning” these are examples of issues corrected. When you look at some of those items, if we did not have commissioning,

how would that normally get done. Scott Libby said punch list and engineers review. Phil Lemnios said if the HVAC engineer is going to look at what the contractor put in place and say it meets specs so what is PMA's role in that process. Scott Libby said from a technical respect, nothing, they will be making sure it occurs and being some part of that process. Testing and commissioning from an engineer perspective it could be a 2-5 day exercise so PMA would check in during that time. Jeff would participate in the inspection reports by pointing out areas that need to be checked or fit up or things that are loose. They are part of it but have no responsibility for the actual inspection. Scott Libby added the engineers have been very proactive. Phil Lemnios asked if the engineers issue any type of certification at the end of the project. Scott Libby said they give you a general engineers certification, which is required by code. Scott Libby said Griffith & Vary is going to do a good job but you should also entertain that 3<sup>rd</sup> party who is not tied into the architect or contractor.

David Walsh said regarding the duplication the services, PMA made a statement earlier that they would not rush to bring them in until 30-40% of phase 2. During EMA's presentation we were told there are 11 steps and we have missed three but we did not lose anything so he is not sold on commissioning and thinks there is a lot more we need to explore. Paul Dunphy said between the last and this meeting, we all got the air quality report for the high school. He said some of the things there would have been picked up if we had commissioning and we had Griffith & Vary on that project and the same control system on that project. It is critical that in an elementary school we provide the indoor air quality designed into the project. It really is dedicated third party oversight to make sure we got what we paid for.

Jim Griffin said to date the submittal from the HVAC contractors at the high school on the testing and balancing has been rejected 4-5 times and we still don't have an accepted balance report from the high school. Anything that can help prevent that and hold the trades accountable so we don't make that mistake again is wise to do. A lot of things in place are still not accepted. Peter Lombardo said we need to be looking at this as an insurance policy to make sure everyone is doing what they are supposed to be doing. Commissioning would be insurance to make sure they have performed.

David Walsh said he is not discounting commissioning, it is a matter of when and how much. To him to compare the high school to the job we are getting at the Jacobs School is apples and oranges. Paul Dunphy said all he is saying is that some people think the engineers are going to commission this school. Dr. Delaney added we do have some issues with air quality at the Memorial as well. Paul Dunphy said that is why it is assigned to a third party and is worth its weight in gold. The school staff is going to have some baseline documents and training.

Steve Di Giacomo said not every job that does a design review provides a home run because some engineers are that good and get it right the first time. It is an insurance policy and an inexpensive one. The range you will find is 65¢ to .90¢ per square foot for a school and he is at the low end of that. The insurances he will provide will get you what you need to virtually guarantee good indoor air quality and energy savings. Steve Di Giacomo added classroom noise is also a big issue as well.

Jay Meschino mentioned that he thinks there is value in duplication of effort for this topic. That we check and recheck air quality is at the top of the list as well as long term maintenance. This step, although it looks like a lot of money know, will go a long way to save money. Jay noted an example, from page 4 of EMA's document, is pumps cycling on and off at wrong times. This would have a huge impact on the replacement cost of pumps, the efficiency and energy costs. The impact will be so positive in the long term and we cannot afford not to do it.

Jim Tobin said he would still like to hear what the architects and PMA have to say about it at the next meeting. Jim Tobin said regarding the poor air quality at the school he would like to hear from Ai3 why we are having this problem at the schools. Scott Dunlap said, first, he thinks the committee decided at the beginning there would likely be commissioning and the entire spec was written assuming there would be commissioning. The only issue is adjusting your money so you are spending it in the right area. Now it is too heavy in construction and not enough in the operation. He thinks the money is well spent in the right areas. Regarding the high school, the issues there are that we still don't have an accurate balancing report and all the systems have been rejected. A commissioning agent is not going to physically solve those problems, he is going to write you another report saying he rejects it too, so it is a matter getting the installing contractor to resolve the issues and do a legitimate balancing.

John Reilly said parents have concerns about air quality at Jacobs School. We owe it to them we have to realize the children that are occupying the school are very sensitive to quality of the air level. The School Department has stated it is a goal of theirs to bring more special needs children back into the system who probably have a more sensitive immune or respiratory system so we need to go the extra mile and guarantee to the parents that the school is running at its optimum level.

Scott Libby added the Commissioning agent is a consultant and cannot physically make adjustments or make them do something. So at the high school it sounds like the situation is Griffith and Vary is performing you a service and overseeing it, they are not saying the building is all set and they have rejected five submittals. What you are going to get is another punch list but, again, there is no guarantee -- the word guarantee does not exist in this industry. Scott Libby added he likes the idea of the 3<sup>rd</sup> party.

Charlie Ryder said he has been on the construction projects since inception and we have seen and heard the horror stories that can occur and many have occurred to us. He thinks there may be redundancy here but he has long-term health care and hopes never to use it but it is still worthwhile. Phil Lemnios said his only problem is what are we buying exactly and that is why he is looking for a recommendation from PMA and Ai3. At this stage we are months into it and about to start phase 2. Maybe phase 2 becomes more intensive because it has not yet started and there is an opportunity in phase 2. His only question is making sure we know exactly what we are buying. Phase 1 might be a different type of commissioning than phase 2. Paul Dunphy said he thinks he knows exactly what we are buying and it is in this (EMA) document. The document lists the various systems specific to this project. In terms of recommendation, he thinks we heard both PMA and Ai3 say they were in favor of commissioning and Jim Griffin say we need it. Pat Finn said the Town Manager made an excellent suggestion to meet with the staff to pin it down, and no one is against it. David Twombly if we wait two weeks that should be fine but when we come back here in two weeks we have to make a decision because the longer we wait the further behind this gets. John Reilly said last week we created a sub committee for another topic and now it may be appropriate to authorize Town Manager, and perhaps Paul Dunphy and another member to sit down with PMA and Ai3 and get the details worked out and also authorize Phil Lemnios to sign the contract. Phil Lemnios said he welcomes that idea. Jay Meschino volunteered to be a part of it. *Charlie Ryder made a motion to form a sub committee to investigate commissioning with Paul Dunphy, Phil Lemnios, Jay Meschino and Charlie Ryder working with Scott Dunlap and Scott Libby and authorize Phil Lemnios to sign a contract and the sub committee report back to the Committee. Jay Meschino seconded the motion. All approved.*

John Reilly said he would like to have a separate meeting for just the high school issues so maybe the next meeting can be exclusively high school issues. He thinks Hermes has been working on the air quality issues but thinks we should isolate the high school issues.

- **Committee walk thru of Jacobs:** David Twombly informed the Committee they would like to schedule a walk thru of the Jacobs School for the School Building Committee and School Committee and asked Town Counsel if that triggers any open meeting requirements. Jim Lampke said you could do a posting if the committee will be taking any action but don't have to post it if it is just a site visit. David Twombly said they were thinking about doing it at 6pm prior to the next School Building Committee meeting (May 10) and it would be open to all School Building Committee members. David said Don Maver and Jeff Costa would be there.

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John Reilly said when we do set the date for the high school meeting members should let Debbe know any issues that should be on the agenda.

- **Indoor Air Quality Assessment – High School:** To be discussed at next meeting.
- **Goal Posts:** To be discussed at next meeting.
- **Rent-a-crate:** David Twombly said he has not received any bids from Rent-a-crate yet so would bring it up at the next meeting.

David Twombly informed the Committee that the baseball field was completed today and they just need to install home plate and the pitchers mound.

Pat Finn asked if the courtyard was discussed today. It was noted it would be on the high school meeting agenda.

9. **New Business/Submission of Agenda Items:** None this evening.

*Paul Dunphy made a motion to adjourn the meeting. Jay Meschino seconded the motion. All approved.* The meeting adjourned at 9:45pm.

Respectfully submitted,

Debbe Bennett  
Recording Secretary