Elementary School Building CommitteeMay 9, 20117PM Town Building/COA Room

Ellen Sturgis called the meeting to order at 7:00 pm. Present were:

ESBC: Ellen Sturgis; Amy Hastings; Craig Martin; Charlie Kern; Stephen Quinn Greg Irvine; Gary Bernklow, Michael Wood (late)

SMMA: Phil Poinelli; Lorraine Finnegan

CMS: Paul Griffin; Neil Joyce

Public: Anne Needle, The Stow Independent

1. Minutes Volunteer – Gary Bernklow
2. Approval of Minutes 4.4.11 and Exec Session minutes April
   1. Charlie Kern moved to approve the Minutes of April 4th  as amended.
   2. Steve Quinn 2nd. No discussion and minutes unanimously approved with no abstentions.
   3. Craig Martin motioned to approve the executive session minutes of April 4th as amended.
   4. Charlie Kern seconded. The motion was approved unanimously with no abstentions.
3. Project Manager (CMS) update (including but not limited to):
   1. Review of budget/costs to date
   2. RFI request list
   3. Current schedule of completion
   4. Votes as needed: Payment Requisitions, Change Orders (if any)

* Paul Griffin reported that the construction staff now up to 60 or so employees which represents 10 or 12 trades. Expected to go up with masonry, etc. Moving along “quite well”.
* Still some violations such as starting at 6am instead of 7am and taking water in excess of 600 gallons a day. Paul informed Stella that water will cease unless they can conform to water measurement requirements. CMS will hold Stella to the 600 gallons a day.
* Conservation meeting: Stella and Cincotta outlined their plans, ConsCom will stay active and will shut down if they find it necessary. Joe Stella is the responsible party. SMMA was not there so as not to deflect the responsibility for compliance.
* Craig Martin noted that two spills of hydraulic fluid have not been cleaned up despite Stella’s claims. Craig inspected and it was not cleaned up as of this morning.
* Paul received call from MSBA regarding newspaper article in which he claimed “they change the regulations all the time”. MSBA did not like this, but Paul feels that he was correct in his assessment that they make many changes. Paul will straighten this out.
* Ellen asked where we are in terms of the actual schedule and delay for completion?
* Paul said the latest schedule was not delivered as of last Friday. Stella still shows a 4-6 week delay. Paul feels that overall Stella will probably make it on time and that those 6 weeks might just be to cover themselves. Gap should narrow with the number of employees increasing.
* Steve: What has been done? Where do we stand?
* Paul: Majority of roof is on, 2nd floor is poured; planning to pour the roof (areas of concrete deck, etc) in the next week or so. Transformer on schedule.
* Amy asked about the Thompson & Lichtner timeline and proposal to test windows.
* Neil responded that they have typically tested 2-3 windows per day. Several of the windows are the same type, just different configuration so we may be able to include those together rather than pay for each separately. Neil has calculated total evaluation time of 5 days, which was requested previously by the committee. Neil discussed the testing schedule with T&L and they did not indicate a problem with the schedule.
* Paul: Site earthwork, masonry, geotech, steele, testing being done through SMMA. Sanborn Head, Assoc are geotech testers. In addition to included work, will be $7500, which includes SMMA markup.
* UTS – Earthwork, foundation, steele inspection, etc: Will be $50,000 more than originally estimated to include additional time and perhaps some of that time has been for re-work (repetitive services for items done incorrectly). There is a possibility for a back-charge to Stella or a change-order for overtime back charges to inspect the re-work. We have to pay this to keep the inspectors working, but might be able to back charge for testing to Stella.

**Motion:** Ellen made a motion to increase the geotechnical testing budget by $7,500, to come out of owner’s contingency. Amy 2nd.

* Discussion: Steve Quinn asked when this will take place.
* CMS responded that it would probably not be until the Fall 2011, and that this number is a projected estimate of the amount needed to complete the geotechnical testing.

**Vote**: The motion carried unanimously with no abstentions.

**Motion**: Ellen moved to increase the budgeted amount for construction materials testing (for UTS) in the amount of $50K. Gary Bernklow 2nd.

* Discussion: Steve asked how much was the original amount?
* CMS: It was originally $50K.
* Steve asked how much might be back-charge-able?
* Glenn said approximately 140 hours should be billed back to Stella. That would translate into at least $14K back to Stella.

**Vote**: The motion carried unanimously with no abstentions.

* Steve noted that there appears to be a lack of site oversight on the project. We should not have to repeatedly keep them from doing things incorrectly.

**Motion**: Ellen moved to approve requisition 11 not to exceed $1,270,856.07. Craig Martin 2nd.

* Discussion: This requisition puts us at approximately 30% complete.

**Vote**: The motion was unanimously approved with no abstentions.

1. Architect (SMMA) update

* Change order number 011 – Change to aluminum window frame and steel to support it.
* #49 voids #4 and replaces it.
* Dumpster emptying had never been charged, it is in here.
* Gas service piping route had to change to avoid conflicts, and cannot be underground after it reaches the meter. See attached Change Order document.
* Lorraine and Phil noted that we should issue a CCD – Construction Change Directive in order to keep the work moving forward. There is no option for the contractor to make any changes to a CCD.

**Motion**: Ellen moved to approve change order 11 in the amount of $23,260 from construction contingency. Charlie Kern 2nd.

* Discussion: Steve asked if the 10K for skylight includes engineering?
* SMMA responded that it does

**Vote**: The motion passed unanimously with no abstentions.

* Charlie asked if Stella had ever given a cost for running a pipe off of the hydrant?
* Paul said he asked and Joe Stella said he would get right back to him.

1. Communications: correspondence; public update

* Town meeting met on 2nd, voted down the stone building warrant article.
* Election tomorrow.
* Call from resident regarding the way the fence was constructed and how the trucks needed to back onto the property, causing some destruction to his property. Paul met with Cincotta to move the fence in so that this problem will not recur.

1. New Business/Old Business

* Charlie has spreadsheet that supports calculation for tax effect if anybody wants it.
* Is there any interest in a site walk at our next meeting on June 6th? Meet at 6:15 to accomplish that.

1. Public Comment

* Ann Needle asked if part of the change order is going to break into CCD’s?
* Paul said they will be changed over to CCD’s to force the work to continue.
* Craig asked about public records request from Quinlan and Sadowski P.C. looking for all correspondence related to the contractor.
* Paul noted CMS will handle this request and attempt to reduce the number of documents that might be required. Has been in touch with the lawyer in question.

1. Next meeting **June 6;** discuss summer dates
2. **Executive Session to discuss negotiating strategy with Contractor**

**Motion**: Steve moved to adjourn at 8:28pm. Michael Wood 2nd.

* Discussion: None

**Vote**: The motion passed unanimously with no abstentions.

Respectfully submitted by Gary Bernklow

June 2, 2011

Approved 6.6.11