

## **Sutton School Building Committee**

Regular Scheduled Mtg., Wednesday, 11/6/13, 7:00 PM  
Sutton Town Hall, 3<sup>rd</sup> Floor Meeting Room

**Present:** W. Mead, M. Hopkins, R. Raymond, J. Smith, D. Davis, M. Bailey, K. Stuart,  
T. Harrison, P. Brennan, R. Weaver  
**Absent:** M. Jerz, G. Coulter, T. Friend  
**Guests:** T. Alix (SBS), J. Winikur (SBS)  
V. Dubé (Flansburgh Assoc.)

### I. Call to Order:

Wendy Mead opened the public meeting at 7:00 PM.

II. Approval of minutes of 10-2-13 meeting: Motion by Tim Harrison  
2<sup>nd</sup> by Roger Raymond  
Vote: 6-0-3

### III. Finance Sub-Committee

Most recent meeting was in mid-October. Tim Alex commented that there was no additional change order for the sub-committee to review at that meeting but that two change orders were in process. Wendy commented that the next meeting is scheduled for 11-19-13.

### VI. Construction Update:

Tim Alex reviewed the update dated 11/6/13, copy of which accompanies these minutes.

Referencing the 10/15/13 meeting and walkthrough with MSBA, Wendy Mead commented that the state authority was being helpful and was positive about the town and project management. She was reassured that MSBA will continue to work with us as the process proceeds positively toward completion.

Note: The term “completing contractor” has been introduced into the jargon to distinguish the new general contractor, when selected, from TLT, the original, now discharged, general contractor.

Jon Winikur clarified that the process of selecting the completing contractor differs from the original public bid. This is a private bid conducted by Western Surety with invitations to submit bids given to six contractors. SBS is vetting the bidders. Three are known, having submitted bids during the original process. Three are unknown at this time.

Wendy inquired about criteria to assess the completing contractor. Jon responded that the contractor must prove competence. Regarding the bids, Jon added that the information on the next phase should be clear but that the items remaining the presently uncompleted phase are less so. He expects some caveats in the bids related to the “punch list” items.

Ken Stuart commented that Western Surety is not obligated to select the lowest bidder. The town is not obligated to accept Western Surety's selection. Wendy added that it is unknown what action Western Surety may take if the town rejects its' selection. The possibilities include obligating the town to pay the difference, presuming that the town's preference has submitted a higher bid, or issuing payment for the balance of the project and giving the town the responsibility to rebid the project.

The ensuing discussion had questions and comments related to the complexity of arriving at a settlement amount, if necessary. Several factors were addressed. Definitive answers are lacking at this time as this is a first time experience for all parties, except Western Surety. At this time there is only speculation.

Jon commented that Western Surety has acted quite rapidly. Flansburgh has given all six contractors access to the ftp site for the plans and specifications.

Western Surety has instructed SBS to not pay the sub-contractors directly. Single sum payments from the town are being issued to Western Surety which is issuing the payments to the sub-contractors.

Vertex has reviewed the punch list of uncompleted items on the current phase. Vertex has contacted equipment manufacturers and sub-contractors to check the uninstalled equipment remaining on site.

VII Old Business/New Business:

Next Meeting: Wednesday, December 4, 2013, 7:00 PM, Town Hall, 3<sup>rd</sup> Fl Meeting Rm

VII. Motion to adjourn made by Donna Davis. Seconded by Roger Raymond. Motion passed unanimously. Adjourn 7:48 PM

Ross Weaver, Recording Secretary