



TOWN OF UXBRIDGE
FIRE STATION BUILDING COMMITTEE
UXBRIDGE, MASSACHUSETTS 01569

Mike Vezina, Chair
Jim Hogan, Vice Chair
Harry Romasco
Tom Dion
Todd Bangma
Jeff Lourie
Benn Sherman
David Genereu (Ad hoc)
Bill Kessler (Ad hoc)

MEETING MINUTES
Wednesday, July 19, 2017

DOT 16 JUL 24 5:04

COMMITTEE MEMBERS PRESENT:

Tom Dion	Uxbridge Fire Department
Todd Bangma	Uxbridge Fire Department
Harry Romasco	Resident
Benn Sherman	Uxbridge DPW Director

**Received by
Uxbridge
Town Clerk**

OTHERS IN ATTENDANCE:

William Kessler	Uxbridge Fire Chief
David Genereux	Uxbridge Town Manager
Paul Cudmore	PMA Consultants
Stephen Rusteika	PMA Consultants
Zel Tonic	Context Architecture
Dikla Milequir	Context Architecture

It being 4:40 pm, the meeting being properly posted, duly called and a quorum being present, the meeting was called to order by the Acting Chair Tom Dion.

1. Citizens comments

No Citizens present

2. Acceptance of minutes

No minutes presented

3. Extension of PMA Consultants contract

For the purposes of discussion, Chief Kessler explained both agenda items 3 and 4 together for the committee to evaluate.

The contract schedule has substantial completion set for June 9, 2017 and final project completion set for August 8, 2017. The contractor is not meeting these milestone dates and the Town is pursuing liquidated damages (LD's) from the contractor to help offset the costs of the delays. Part of the costs associated with the delays includes the services of the Owner's Project Manager (OPM) and Architect. In discussions with PMA and Context, their contracts need to be amended due contractual milestones and monies that tie directly to their schedule. The run rate for PMA is approximately \$18,000 to \$20,000 per month. This would be the estimated costs for increasing the PMA contract. The Context Architects run rate since January is approximately \$11,540 per month. This totals approximately \$30,000 per month of additional expenses incurred by the project. The LD's assessed are \$1,000 per day and would essentially balance out the overruns on the project. Chief Kessler is looking for the committee to authorize by vote the Town Manager to execute change orders to cover these costs through project completion.

David Genereux discussed with the Accounting Department the process of assessing LD's. A



contract amendment is required and the general contractor's contract will be decreased. The plan would be to take the monies out of the construction contingency, which has sufficient funds to cover these costs.

Harry Romasco asked for confirmation that the Town will be able to collect LD's. The project team contacted Town Counsel, their opinion is the \$1,000 per day started on June 10, 2017 for the substantial completion milestone, and there will be an additional \$1,000 per day assessed on August 8, 2017 for the project completion milestone until the project is completed. The contractor has contractual rights for appeal, however they have not responded to the Town's notice of the assessment of the LD's. The general contractor, Five Star, was not present to speak about the project status. Five Star has put a new project manager in place following the departure of the previous one. Unfortunately, the contractor has fallen so far behind schedule and they are attempting to rectify the deficiencies.

Chief Kessler explained it is the intent of the project team to withhold a sum of monies equal to the amount of LD's (\$21,000) on the current pay estimate from the contractor. The pay estimate will be held until the requested outstanding items are resolved per the contract. The project is doing everything they can to ensure the project will not incur additional costs resulting to the contractor's schedule issues. Zel Tonic, Context Architects, indicated the team will not authorize payment unless the LD's are added to the pay estimate.

Motion by Todd Bangma, seconded by Benn Sherman to authorize the Town Manager to enter into an agreement with PMA Consultants, Inc. to extend their contract through the end of September 2017 for a Not To Exceed Fee of \$64,000. Motion carried 4-0-0.

4. Extension of Context Architecture contract

There were similar discussions as those in item number 3 above regarding the contractual impacts to Context Architecture. The Context agreement will expire August 8, 2017. Harry Romasco asked for an update of the services provided by Context Architects. Chief Kessler explained that Context Architects is the overall project manager overseeing the construction. They are the project designers and are responsible for addressing contractor requests for information, etc. Zel Tonic further explained the additional duties that extend beyond the completion of the project, which includes final commissioning and sign offs for the various disciplines.

Motion by Benn Sherman, seconded by Todd Bangma, to authorize the Town Manager to enter into an agreement with Context Architecture to extend their contract up to a total of two months for a Not To Exceed Fee of \$23,080. Motion carried 4-0-0.

5. Project Update

Paul Cudmore provided the committee with the OPM Status Report (attached). Paul noted one change to the report regarding the mason's activities. Context Architecture issued a stop work order to the mason subconsultant to address deficiencies in the active work. The subcontractor is working to resolve the issue. There was a correction made to the date the Commission Agent scheduled meeting with the mechanical subcontractor. The revised date is August 2, 2017.



6. Schedule Update

There was considerable discussion on the project schedule. The details are included in the OPM Status Report (attached). As of the start of the meeting, the general contractor had yet to provide an updated project schedule. The project team anticipates receipt on July 20, 2017.

7. Change Order Update

Paul Cudmore updated the committee on the status of current change order negotiations (attached summary). Pending change orders total \$13,074.32 and the contingency balance is \$592,932.33.

8. Budget Update

Budget projections remain on target.

9. New Business

Paul Cudmore updated the committee on an issue that was encountered since the last meeting. While excavating for the conduit runs behind town hall, the new site subcontractor discovered an abandoned underground fuel storage tank. The issue was addressed and the UST was removed within 24-hours of discovery with no impact to the schedule. Chief Kessler added the contractor utilized for this work is a hazmat contractor the town has used previously for other work.

Meeting closed at 5:23 p.m.

*Minutes respectfully submitted by **Benn Sherman**.*

Minutes approved by Fire Station Building Committee

Date Approved: _____

Mike Vezina, Chairman

Tom Dion

Jim Hogan, Vice Chair

Jeff Lourie

Benn Sherman

Todd Bangma

Harry Romasco