

Municipal Building Committee  
Minutes of Meeting  
5 August 2015

Approved:  
August 19, 2015

Location: Room 23, Forbes Building

Members present:

John Arnold  
Bob Brown  
Dexter Blois  
Bob Fryer  
George Barrette  
Cal Lawrence

Members absent:

Peter O'Neil

Others Present:

Peter Collins, Heery  
Chris Tremblay, Heery  
Jim Malloy, Town Manager  
Police/Fire Chief Al Gordon  
Maureen Ambrosino, Library Director

Zachary Schmalz, Heery  
Brian Humes, Jacunski Humes  
Kristi Williams, Assistant Town Manager  
Captain Bob Rand, Fire Department  
Ed Baldwin, Library Trustee

Mr. Brown called the meeting to order at 8:31 AM.

**Open Forum**

There were no requests to address the Committee.

**Approval of Open Minutes**

Mr. Blois made a motion to approve the minutes of July 15, 2015 and Mr. Arnold seconded. VOTED: 6-0-0.

**Town Hall**

Mr. Collins presented the Committee with the following invoices related to the Town Hall renovations:

Heery International – Invoice #598008 in the amount of \$9,000.00 for OPM services for the month of July 2015.

R.A.C. Builders, Inc. – Application #18 in the amount of \$262,379.00 for work completed on the Town Hall renovations during the month of July. Heery and Jacunski Humes have reviewed this application and recommend approval for payment. Mr. Collins noted that the balance to finish on this project for R.A.C. is \$1,275,212.00, which includes retainage.

Mr. Blois made a motion to approve payment on the above invoices and Mr. Fryer seconded. VOTED: 6-0-0.

Mr. Collins informed the Committee that he'll have an update to the budget at the next MBC meeting.

Regarding construction activity, Heery put together their own schedule with a timeline of when critical items should be completed (see Heery's OPM Report). Mr. Collins mentioned that R.A.C. submitted their schedule, which Heery reviewed and commented on. There was a conference call yesterday between Heery, Jacunski Humes, and R.A.C. to discuss the project and the tentative substantial completion date of September 25<sup>th</sup>. Mr. Collins asked R.A.C. if the date of 9/25 was firm so set up of equipment and technology can be scheduled. After Heery's review and the discussion from yesterday, there was an adjustment to the substantial completion date and it is now Friday, October 9<sup>th</sup>. Mr. Brown asked what penalty will be assessed if the project isn't done by that date. Mr. Collins replied that liquidated damages can be charged from the original contract substantial completion date of July 21<sup>st</sup>, or the Committee can decide if it should be September 25<sup>th</sup>, or October 9<sup>th</sup> with no additional extensions. Mr. Malloy noted that the substantial completion date that was approved by the Committee is currently August 21<sup>st</sup>, since the new roof was added. Mr. Collins said that R.A.C. came back with September 25<sup>th</sup>, but Heery reviewed and feels a more realistic substantial completion date is October 9<sup>th</sup>. Mr. Malloy referred to the email he sent to Heery and reiterated the need for a move in date that will not be changed. He pointed out that furniture was scheduled for delivery September 4<sup>th</sup> and that needs to be changed. Also the bid for the movers expired today, so it now needs to go back out for bid. Mr. Humes mentioned that R.A.C. is also asking for another month after October 9th to finish Punch List items. He noted that the Owner move in can be November 6<sup>th</sup> through the 9<sup>th</sup> and stressed to R.A.C. that the date cannot be moved or there will be liquidated damages back to the original substantial completion date of July 21<sup>st</sup>. Mr. Humes mentioned that he has toured the site twice in the last three weeks and he is

disappointed with the lack of manpower on the job. He noted that R.A.C. has been having issues with some of their subs for lack of performance and being unresponsive – particularly the fire prevention contractor. Mr. Humes said that he checked with Interior Designer, Deanna Dewey, with regards to delivery of the furniture. As long as they get back to the vendors by this Friday with a revised move in date, there will be no additional charge for storage. If we wait until after Friday, there will be approximately \$15,000 in storage fees. Mr. Malloy asked what the substantial completion date is – October 6<sup>th</sup> or November 9<sup>th</sup>. Mr. Collins replied that it is 10/9 with another month for Punch List items. Mr. Malloy asked for a list of the subs and wanted to send out a letter letting them know that their DCAM rating will be adversely affected if the job is delayed further. Mr. Humes recommended that R.A.C. first send a letter to the Town letting us know about the problems they are experiencing with their subs because right now it is R.A.C.'s issue and not a Town issue. Mr. Malloy requested a definite substantial completion date, and if it's not met, liquidated damages will be charged back to the last approved substantial completion date of 8/21. Mr. Collins mentioned that there has been better organization at the job site now than there was 3-4 weeks ago, but the history of the job leads them to believe that 10/9 is a more realistic substantial completion date. Mr. Collins pointed out that they could go back to R.A.C. and let them know that 10/9 is the drop dead date, and if not met then liquidated damages will go back to 8/21. Mr. Blois asked what could be done to increase productivity and Mr. Malloy again mentioned the DCAM rating. If the Town of Westborough gave R.A.C. a poor DCAM rating then they may not get any more municipal work. Mr. Collins agreed and said it does raise a red flag. Mr. Malloy also said that he wouldn't accept another bid from R.A.C. for any additional municipal renovations in the Town of Westborough, such as for the Forbes Building, based on his experience with the Town Hall project. Mr. Collins said that R.A.C. is having some internal problems and will be bringing in another Superintendent to help Ron Lampro as another set of eyes. Mr. Collins noted that Mr. Lampro is a great craftsman and takes his job seriously but may need help with management on the job. Mr. Fryer made a motion to accept the report from Heery with the 10/9 date, but leave the 8/21 substantial completion date intact in the event liquidated damages need to be charged back. Mr. Malloy pointed out that the Town will need to obtain a new bid for moving. Ms. Williams brought up the high density file storage installation by Systematics since the Westborough High School Boys' Soccer team had volunteered to help move boxes and she is trying to coordinate. Mr. Collins felt confident that the room where the high density filing system will be located will be done by 9/15. Ms. Williams said she will discuss and verify the safety of the building with Mr. Collins before confirming with the students. Mr. Brown asked about the substantial completion date and whether it would be 10/6, 10/9, or 11/6. Mr. Humes said it would be 11/6 since he'd generate the AIA document, and then Punch List items would be established. Mr. Malloy mentioned the frustration experienced by Ms. Williams in scheduling FF&E and also with MIS/GIS Director, Mark Stockman, on the technology side since he is coordinating with five different technology companies. Mr. Fryer reiterated his motion to accept Heery's report and Mr. Blois seconded. VOTED: 6-0-0.

Regarding site improvements, Mr. Humes asked R.A.C. to install downspouts in the parking lot area only. He did not give his sketch with the additional improvements and will wait. Mr. Malloy mentioned that the Town's legal counsel is speaking with abutters about closing off the entrance near the Town Hall.

Mr. Schmalz informed the Committee that the new roof work began this past Monday. There was discussion about the staging for the new roof being in the way for other subs to fully complete their work. Mr. Humes mentioned that was a problem. Mr. Malloy asked about the delay with the fire suppression sub and Mr. Humes said that the work on the vaults has been known for 3 months. He said that the fire suppression sub has been non-responsive with R.A.C. Mr. Malloy will follow up with Heery on this issue.

## **Library**

Library Director, Maureen Ambrosino, and Library Trustee, Ed Baldwin, reported to the MBC that Heery was awarded the contract as the OPM for the Library renovations. Mr. Baldwin mentioned that the renovations of the windows and bathrooms are being put on hold for now since larger renovations are scheduled. Mr. Malloy pointed out that the article approving funds for the renovations of the windows and bathrooms will remain in place and can be used in addition to any grants received. Mr. Blois noted that the HVAC system is now working. Ms. Ambrosino said it is but they had one issue unrelated to the HVAC system where there was condensation dripping from a fan unit that was installed in the 1980's. Ms. Ambrosino said that they are having that fan unit looked at and will probably replace old fan units during the larger renovation. Ms. Ambrosino was fairly confident that Westborough will receive a grant from the State. Mr. Malloy agreed and explained that the State likes to spread out funds for Library improvements, and is more likely to give grants for renovation projects than for building a brand new Library. Mr. Malloy asked Ms. Ambrosino about the Library Board of Trustees and their position on the Spurr House. He felt an article should be on the warrant for the Special Town Meeting in October regarding demolition and site clearing. Mr. Malloy pointed out that the MBC could sponsor the article with support from the Library since one of the requirements for the grant is to have sufficient parking. Mr. Barrette offered to speak with the Library Board of Trustees to explain the Town's position. Mr. Baldwin said that they have not taken a formal vote but he felt there was support from the Board to turn the area where the Spurr House is located in to additional parking. Mr. Barrette will speak with the Board and may have the Chairman of the Library Board of Trustees speak at the

Special Town Meeting. Ms. Ambrosino mentioned that there has been discussion about turning the area where the Spurr House is located in to a parking lot and that the demolition and clearing of that site could be paid for with the grant. Mr. Brown asked if the Spurr House could be sold and moved. Mr. Malloy said it could but he wasn't sure that's been presented yet.

### **Fire Station**

Mr. Collins said that there were no invoices to present for approval at this time. He will have an update to the budget at the next MBC meeting.

Mr. Schmalz presented his report on recent construction activity. Regarding Phase 2 items, that schedule is being dictated by the underground storage tank. Heery is trying to make sure progress continues as much as possible, while addressing and executing necessary items for the disposal of the tank. There was a discussion about what was found in the tank. Mr. Schmalz referred to the sketch attached to the Heery OPM Report about the location of the tank. Mr. Schmalz mentioned that the tank was taken off site last Friday and they are left dealing with the soil contamination and figuring out the perimeter. Tighe & Bond recommended bringing in a consultant to do borings and provide more testing and detailed lab results on the soil around the tank pit. Mr. Schmalz said that they will be doing borings in the trapezoid area on the sketch, as well as next to this area. Mr. Malloy said that he received an email from Todd Kirton at Tighe & Bond to see if the other well that was approved could be done at the same time. Mr. Malloy mentioned that he never heard back from the owner of the apartment building on Grove Street. Mr. Kirton recommended putting in a well along the property line instead. Mr. Malloy noted that they will proceed with this work on Friday. Mr. Schmalz felt the well installation should take care of both issues – satisfying State requirements for testing and also the contaminated soil. Mr. Fryer asked if we may be facing a massive excavation. Mr. Schmalz felt it was too premature to tell. They sampled the side walls and underneath where the tank was removed, and found the side walls were fine. It was underneath the tank that was the problem and they don't know yet how far they will have to dig. Mr. Schmalz noted that the condition of the soil wasn't wet but there was a pungent odor. They had to let the soil air before taking samples. Mr. Schmalz mentioned that the next steps, according to an email he received from Tighe & Bond, were to conduct borings and take samples this Friday and send off to the lab. Next week they will go back and access the monitoring wells that will be installed on Friday and test. Then we will have to wait for the results which could take up to the week of 8/17. He would like to still try to get items done that aren't related to the parking lot such as the curbing. There was a discussion about installing the curbing. Mr. Schmalz pointed out that the test results from Friday will determine the extent of any soil removal, which Cyn environmental will need to contain. The Committee inquired about delay of job claims and Mr. Schmalz mentioned that the tank was an unforeseen condition. Mr. Arnold pointed out that the first soil sample was lost and Mr. Humes mentioned that wasn't the Town's fault. Mr. Schmalz referred to the history of the job site and source of contaminant and there was never anything that served as a smoking gun. Mr. Collins mentioned that Heery is looking at G&R's schedule, and once the curbing is set, then they will need a month after that. Mr. Malloy was concerned with pedestrians walking in the street and hoped they could get the curbing done, set the fence back, and finish the sidewalks. Mr. Brown asked if the light poles in the parking lot could be installed, and Mr. Collins said they could since the bases were already established, but Mr. Malloy was concerned with excavation equipment knocking down the light poles and thought it was best to wait. Mr. Blois mentioned that the sidewalks need to be determined before they can continue with planning for the Memorial Park. Mr. Malloy reviewed G&R's schedule and noted that there's a municipal workshop booked at the Fire Station on 10/23 and he hoped that the parking lot would be done by then since they are expecting 30-40 attendees/cars. Mr. Malloy is on top of any signature requests and change orders under \$25K so the job is not held up. Mr. Collins said that he would have a conversation with G&R to keep the job moving forward.

Mr. Schmalz referred back to Phase 1 of the Punch List and said that Heery is still reviewing with the superintendent from G&R.

Regarding the Public Announcement (P/A) system, Mr. Schmalz mentioned that WSP is coming in with a testing tool (meter) to make sure it is functioning properly and referred to an email exchange attached to Heery's OPM Report. Mr. Blois asked about the wiring of the racks and Mr. Schmalz said that BVH reviewed and said it was acceptable but sloppy.

Captain Rand provided an update on the overhead doors. He said that the discolored glass was replaced and new weather stripping was installed at the base of the doors but water still leaked through after yesterday's unusual weather event. Captain Rand mentioned that the manufacturer is still trying to figure out how the leaking is continuing under all of the doors. Mr. Humes pointed out that they still need to address this issue with the manufacturer since the changes implemented didn't fix the leaking (see email attached to Heery's OPM Report).

Mr. Schmalz informed the Committee that the cork flooring has been installed and referred to the diagram attached to Heery's OPM Report. The next steps are to have three coats of polyurethane applied. Phase 1 is in progress for the Municipal Building Committee minutes, 5 August 2015

Ready Room and then Phase 2 involves the Kitchen area. Captain Rand noted that the application process has been a little different this time around. He also asked about dismantling the ice maker to install the flooring. Mr. Humes said he would take a look at it.

Mr. Schmalz reviewed the mechanical systems training itinerary that was attached to Heery's OPM Report. Captain Rand pointed out that the process has been a learning curve and Fire Department personnel are hoping these systems don't need to be maintained on a daily basis.

Mr. Schmalz mentioned that they are still working on obtaining a third party consultant for the concrete floor. He will continue to update the Committee with any new information.

Mr. Collins noted that they tried to get a quote for signage from a company that didn't respond. They will try someone else.

Mr. Blois provided an update on the Memorial Park. He said there has been an issue with paying the prevailing wage. Mr. Arnold and Mr. Blois have heard back from a few vendors and they do not want to pay prevailing wage. He said they may have to look at having these vendors purchase the materials for the Memorial Park and donating the labor. Mr. Blois pointed out that they spoke with the Town of Southborough who did something similar. Mr. Blois reiterated that sidewalks need to be complete in order for them to proceed. He also mentioned that the Memorial Park won't be done by 9/11. They have come up with language for the plaques and Mr. Fryer said he would email this information out to the Committee for their review and any suggestions or changes. It was noted that the Memorial Park will have five complete sides with plaques placed on the ground that can be seen from above. Mr. Blois mentioned that this was their first rough draft and they are still working on it. There was discussion about the types of pavers that could be used. Mr. Blois showed the Committee two samples. Mr. Humes said he would get the name of the brick used on the new station. Captain Rand suggested locating the Fire Memorial closer to the new station and using the existing flagpole and having the DPW do the work. Mr. Malloy said he would speak with DPW Manager, John Walden. Captain Rand was concerned with having it moved before something happens to it during the parking lot installation. There was discussion about lighting for the flagpole. Mr. Malloy will check with Earl Storey at the DPW about installing a solar panel on the flagpole. There was also mention about purchasing a new flagpole and donating the existing flagpole to another town. Mr. Lawrence made a motion to purchase a new flagpole with a light installed and Mr. Fryer seconded. VOTED: 6-0-0. Mr. Malloy mentioned that Town property cannot be donated without approval from the Board of Selectmen.

Mr. Arnold requested that bumps on Milk Street are fixed prior to paving. Mr. Schmalz said he would confirm.

#### **Old Business**

Mr. Blois asked Mr. Malloy if he had a chance to follow up with School Superintendent, Amber Bock, about the Forbes renovations. Mr. Malloy mentioned that Ms. Bock was on vacation and she will get back to Mr. Malloy when she returns next week.

Mr. Collins apologized for not inviting R.A.C. to this MBC meeting. He asked the Committee if he should invite them to the next MBC meeting on 8/19 instead. The Committee felt they were all set for now, but if things don't progress, we could invite them in at a later date.

Mr. Malloy requested that discussion of the Spurr House be added to the MBC agenda for 8/19.

#### **New Business**

There was no new business brought before the Committee.

#### **Future Meetings**

The next Municipal Building Committee meeting will be held Wednesday, August 19, 2015, at 8:30 AM in Room 23 of the Forbes Building.

#### **Adjournment**

Having no further business, Mr. Barrette made a motion to adjourn the meeting at 10:46 AM and Mr. Blois seconded. VOTED: 6-0-0, with 6 being present.

Respectfully submitted,  
Jessica Thomas  
MBC Administrative Assistant