

TOWN OF NEWINGTON
TOWN HALL RENOVATIONS PROJECT BUILDING COMMITTEE

2019 FEB 11 AM 10:00

SPECIAL MEETING MINUTES

February 6, 2019


Town Clerk

Town Hall Lower Level, Conference Room L101

- I. Call to Order – Mr. Harpie called the meeting to order at 5:01 PM.
- II. Roll Call – Members present: Joe Harpie, Chairperson; Beth DelBuono, Jim Marocchini, Rod Mortensen, Ed Murtha, and Don Woods (via speakerphone). Others present: Roy Zartarian, Mayor; Joe Desautel and Tom Romagnoli, Downes Construction Company; Tom Arcari and Kyle Baron, Quisenberry Arcari + Malik Architecture; Tanya Lane, Town Manager; Dave Langdon, Director of Facilities Management; Janet Murphy, Finance Director; and Jeff Baron, Director of Administrative Services.
- III. Approval of Prior Meeting Minutes – Mr. Jeff Baron notified the Committee that there were comments under Public Participation that pertained to the minutes, and asked if the Committee wished to suspend the rules to have the first Public Participation before the Approval of Prior Meeting Minutes on the Agenda. Committee did not express any interest in doing so. Mr. Marocchini made a motion that the minutes of January 30, 2019 be approved as written. A second to the motion was made by Mr. Murtha. The motion passed by a vote of 6 YES to 0 NO.
- IV. Public Participation – Ms. DelBuono read correspondence from John Bachand, 56 Maple Hill Avenue. As this correspondence was part of an e-mail text string that was not read during the meeting, only the portion that was read aloud follows (typed in verbatim rather than incorporating the entire e-mail text string as an attachment to these minutes). “Good afternoon building committee members, after reviewing the draft minutes of the January 30, 2019 building committee meeting, I have noticed a serious omission in the first paragraph of page 5. There was a very important statement made by the Downes construction representative, Mr. Desautel, in his words to ‘correct the record’. In it he stated that ‘we told you the budget we gave you was over the 28.8’ and including, but not limited to ‘we all knew the number was over the budget’. When Mr. Marocchini said he didn’t remember it like that, Mr. Desautel further stated ‘that’s exactly what happened’.

There was more to that exchange that should also be in the minutes. This is the consultant we are entrusting our largest construction project in the history of the town to. It is therefore absolutely imperative that his correcting of the record be preserved verbatim for posterity, for future generations to have to be able to reference. Future councils, and or building committees should without question have such pertinent information at their disposal.”

- V. Consider and Take Action on Guaranteed Maximum Price Proposal Recommendation – presented by Mr. Romagnoli. He began by presenting an Exhibit that was a general summary of the Guaranteed Maximum Price (GMP) proposal. It included the Construction Base Bid amount of \$25,580,229; Alternate #2, the Basement, at \$768,838; Alternate #7, the Parks and Recreation Kitchen, at \$171,176; and an Accepted Value Management (allowance and credit) amount of \$1,149,075; for a Total Construction GMP subtotal of \$25,371,168. Execution of the final GMP is contingent on the acceptance of Alternate #s 9, 10, 11, and 12. As these Alternates had not previously been presented to the Committee, Mr. Romagnoli identified them. Alternate #9 was a carve out of the Police Department work for the façade, at \$503,233; Alternate #10 was for the removal of contaminated soil and the old junior high school foundation, at \$270,294; Alternate #11 was for temporary heat, winter conditions, and winter enclosures, at \$146,976, and Alternate #12 was an allowance for items that were included in Addendum 5, such as the sump pump and underslab footing drainage, at \$157,484. Mr. Murtha asked if the \$157,484 was accepted, would that be the end of the Town’s problems? Mr. Romagnoli responded no, but that was the number that needs to be carried.

The figures assigned to Alternate #s 9-12 led to a series of questions from Town staff, as they were different from the figures used at a recent meeting between the Town and the Construction Manager to prepare for the Project Building Committee meeting. Where did Alternate #9 and Alternate # 10 come from? Mr. Romagnoli responded that Alternate 10 was the result of the hazardous material identified as being present in the old junior high school flooring and adjacent contaminated soil. The difference was put back into the base bid amount. The detail is on the Exhibit presented. Of the contaminated soil figure, \$187,500 for the junior high school foundation removal is the difference. Downes Construction was trying to get to the referendum number. The Town Manager observed that the Town was in agreement with the Construction Manager yesterday morning and now they are a world apart. The Finance Director explained to the Committee that items were put into the GMP that were in the referendum, and those items that were not in the referendum were pulled out. The Police Department facade was not part of the \$28 million. The basement and the Parks and Recreation kitchen were put back in. The Town wanted the numbers to match, they are now \$137,000 off. Mr. Romagnoli returned to Alternate #10. The contaminated soil removal and the junior high school foundation are one and the same. The foundation is clearly defined on the bid drawings. The risk was in the contaminated soil. That is more of an unknown. Downes Construction decided to carry it as an allowance. It is part of the whole job. It was one of the high risk items. The scope of work has been unfolding in the last 72 hours. Mr. Marocchini asked why Downes Construction was not factoring taking out the basement. Mr. Romagnoli replied that a value for it had always been in the project. Downes Construction was just carving it out. The actual foundation is less of an unknown than when the design for the project started. It was always in the project number. Downes Construction also carved out the value of the Police Department basement. A series of questions on the dollar amount numbers followed, after which the Finance Director concluded that they were consistent

with the amounts from the previous day except for Alternate #s 9-12. Mr. Romagnoli stated that Alternates 11 and 12 are allowances, to be spent as needed. He thinks that the dollars presented are what is needed as an order of magnitude. Mr. Harpie added that, although he doesn't wish to spend it down, the Committee has some contingency that could be applied. Mr. Marocchini asked, why not deal with Alternates 11 and 12 as they come? He knows the Committee has to plan for the Police Department façade, and for the contaminated soil and junior high school foundation removal. He doesn't understand Alternates 11 and 12. Mr. Desautel replied that Downes Construction can start at zero, it is up to the Town if the Town wishes to absorb that risk. The police station has always been in the project number, all Downes Construction did is pull it out. Mr. Marocchini observed that the base bid number did not drop by what Downes Construction pulled out. Mr. Romagnoli responded that trade pricing came in during the previous week. Alternate 11 is an allowance. Downes Construction is continuing to look ahead and to mitigate cost change orders. Mr. Marocchini asked if it was worth putting aside the extra money and not using it? Ms. Murphy replied that she wouldn't carry the temporary heat and winter conditions, but Alternate 12 protects the Town, and she would keep that. Mr. Arcari added that the temporary heat and winter conditions was an added cost. The Construction Manager is identifying a risk item that will expand the cost up to \$146,000. Is it prudent to eat the cost out of the contingency or to say that we're going to have this expenditure? Mr. Harpie pointed out that the Police Chief had not yet seen the design for the Police Department façade. Mr. Arcari explained that the original façade was presented at the start. There were various cost estimates. They went through a value engineering exercise to change the façade. It was determined that brick was the best product. The amount was never less than \$500,000. This \$503,233 value was never previously identified as a separate cost. Mr. Harpie stated that it was \$437,000 in September. Mr. Romagnoli stated that the September cost didn't include markup. The amount was refined during the scope review process.

Mr. Harpie asked about exceptions to Alternates 9-12. Ms. Murphy responded that there has to be an approved appropriation. Mr. Marocchini asked, other than the allowances, can nothing else change? They can pay for some things out of the Capital Improvement Plan if we are short by \$137,000. Mr. Desautel responded that if no more information comes in to Downes Construction, then the numbers will stay the same. Ms. DelBuono asked what the \$503,233 was addressing in the Police Department. Mr. Romagnoli responded that this included a number of trades; sitework, excavation, cold formed framing, mechanical/electrical/plumbing, hardware, some roof work and re-roofing, and reinforcement of one masonry wall that will now be an exterior wall. There is quite a bit of work to be done. Mr. Harpie stated that the GMP is \$25,371,168, plus the Alternates (the \$25,371,168, plus the \$870,190 Owner's Contingency, plus the \$2,577,000 Owner's Soft Costs, totals the \$28,818,358 approved at referendum). Mr. Romagnoli told the Committee that savings from the value engineering process go to the Owner. The value engineering number is not a final number. The detail is included in Exhibit I, the Value Management Log. The Finance Director stated that the funding was tight. Mr. Harpie asked if eliminating an allowance would work better. Ms. Murphy felt

that it would. Ms. Lane felt that acceptance by the Committee this evening would give the staff another week to vet the numbers. Mr. Langdon stated that he sat in on all the scope review meetings. Mr. Tomcak and Mr. Romagnoli of Downes Construction were 100% professional. He learned a lot just sitting in the room. He asked Downes Construction to expand on the carpentry scope review. Mr. Romagnoli responded that doors, frames, hardware, millwork and specialties items were all bought in such a manner as to avoid the markup that normally came with a general trades subcontract. They were purchased as directly as Downes Construction could.

Mr. Arcari stated that he was a little shocked because the number went up. He is finding that these are minor adjustments, for the most part. The total number expended, from last week to this week, the difference is a couple of hundred thousand dollars. This is the winter conditions and the allowance for Addendum 5. There is no breakout of General Conditions, but he is not privy to the Owner's contract. This allows for the opportunity to ask questions in the next week. There is no big difference between today and last week. Mr. Marocchini asked if the Town Council went for all the Alternates, does the GMP change to become that number? Mr. Desautel answered yes, the Town may have to account for the Alternates separately, but there will be one GMP. Mr. Romagnoli presented the next steps that would occur if approval is given by the Town Council. Downes Construction would submit an AIA (The American Institute of Architects) amendment, based on the Town Council's approval, along with a list of other project documents. Mr. Arcari asked if some of the value management items can be firmed up and finalized. Mr. Romagnoli answered yes, Downes Construction will continue to work on this. Mr. Desautel added that information was also needed from the design team to finalize some of these items. Mr. Harpie mentioned shop drawings. Mr. Romagnoli stated that all value management should be done before submittals and shop drawings are received. Mr. Langdon asked about the utility consumption by the Owner, did it include everything but Alternates 11 and 12? It included all temporary utility bills, they would be the Town's responsibility. Mr. Langdon wanted the Committee to be aware that this amount was not included in the Alternates and was not in his operating budget. It is an extra expense for temporary power, temporary heat, water, etc. Mr. Woods asked about the status of the gymnasium Alternate. Mr. Langdon told him it was one of the Add Alternates. Mr. Woods asked if all the Add Alternates were being presented to the Town Council as a priority one? He was told that they are. The Committee then suspended deliberations for a recess at 5:57 PM. It came out of recess at 6:03 PM.

Mr. Marocchini then made a motion that, in accordance with Chapter 1, Article X of the Newington Code of Ordinances, § 8-45, the Town Hall Project Building Committee agrees to refer the Guaranteed Maximum Price Proposal received from Downes Construction Company, the Construction Manager at Risk for the Town Hall Community Center project, for a total of \$25,371,168, to the Newington Town Council for their consideration, and recommends that the Town Council accept it. A second to the motion was made by Mr. Mortensen. Discussion: Ms. DelBuono acknowledged that this was a difficult decision as the second motion that will follow this one will put the

Committee over the referendum amount. This is what the Committee is asking the Town Council for. Mr. Harpie stated that he shared those reservations. If the project was reduced, it would reduce the functionality of the building. He hopes that the Committee has kept the public's trust. This is an historical moment in Newington's history. This is the farthest a new Town Hall has gotten. It needs one more good breath from the Town Council. The motion passed by a roll call vote of 6 YES (Mr. Marocchini, Ms. Del Buono, Mr. Mortensen, Mr. Murtha, Mr. Woods, and Mr. Harpie) to 0 NO.

Mr. Marocchini then made a motion that the Town Hall Project Building Committee calls to the attention of the Town Council the Exhibit of Add Alternate items that is within the Guaranteed Maximum Price proposal received from Downes Construction Company, that the Committee agrees should be included within the project, but are not included in the \$25,371,168 Project budget, and requests that the Town Council consider the additional funding identified for the these Add Alternate items, which will affect the function and size of this building project. A second to the motion was made by Mr. Mortensen. Discussion: Mr. Harpie identified these Alternates, what each was for, and its' amount. Alternate 9, Police Department, \$503,233; Alternate 10, Remove Contaminated Soil and the Junior High School Foundation, \$270,294; Alternate 11, Temporary Heat/Winter Conditions/Enclosures, \$146,976; Alternate 12, Addendum #5 (allowance) , \$157,484; Alternate 1, Gymnasium Expansion, \$413,422; Alternate 2, Basement, is included in the GMP; Alternate 3, Generator, \$231,471; Alternate 4, Kitchenettes, \$138,158; Alternate 5, Spray Foam Insulation on Exterior Wall, \$120,409; Alternate 6, Gymnasium Equipment, \$ 174,325; Alternate 7, Kitchen (Parks and Recreation), is included in the GMP; and Alternate 8, Roof Screen, \$388,509. Ms. DelBuono stated that she was struggling with this vote. The gym expansion bothers her the most due to the parking requirement. Also, the gym equipment. Mr. Harpie spoke about digging at the basement, and charged Downes Construction to find any innovative ways to avoid the water table and contaminated water. Mr. Murtha stated that the Committee had done its due diligence to bring the project in at \$28.8 million. He was bothered by the \$2.5 million in Alternates. The voters gave us \$28.8 million. Taking dollars out of the Capital Improvement Plan will hurt something else. Mr. Mortensen said he was thinking of all the work and the time all the Committee members have gone through. There wasn't enough money to build what the Committee shrunk down three times. People have delayed this project for eight years. Maybe all but one or two Alternates are necessary. This is a fifty year building. People will try to pick this apart. This is the right thing to do and it needs to move forward. He will vote in favor of it. He hopes the Town Council will understand the predicament that the Committee is in. We want a building that we can be proud of. It is not a perfect world or a perfect process. There is a need to get behind the building and get the project done. Mr. Harpie concluded discussion by stating that there were a number of delays from certain stakeholders. Time is money. The project moved forward. This is a real opportunity to build a very nice building. He thinks the public will be pleased. He is proud to be a part of it. He thanked the previous Project Building Committee Chairpersons, the Town Manager, Mr. Langdon, Chris Miner of the Town Council (and former Committee Chair) and the

public. The motion passed by a roll call vote of 6 YES (Mr. Marocchini, Ms. Del Buono, Mr. Mortensen, Mr. Murtha, Mr. Woods, and Mr. Harpie) to 0 NO.

- VI. Any Other Business Pertinent to the Committee – Mr. Harpie asked Downes Construction to review the logistics/lay down space activity with the Committee. Mr. Romagnoli stated that Downes Construction will review the plan with Town safety personnel and identify programs Downes Construction will need to work around. After the GMP is approved, Downes Construction will start mobilization. Two means of access and egress are needed from the site. Mr. Desautel asked about the Town Council meeting. Mr. Marocchini responded that there is a special meeting that will be scheduled for February 19th. Some Town Councilors are expected to be absent for the regular Town Council meeting on February 12th, so consideration of the GMP will be delayed until the 19th. Mr. Harpie asked about the timeline of activity coming back to the Project Building Committee. Mr. Romagnoli said that he would prepare the AIA amendment. They would begin to share information and look for a Notice to Proceed. They could then enter into contracts with the subcontractors. Mr. Desautel added that if the Town Council agrees to the project, either a GMP agreement with signature or a Notice to Proceed from the Town will be needed in order to proceed with contracts. The Town Manager and Ms. DelBuono both asked Mr. Arcari and Downes Construction to be present to answer questions at the Town Council meeting on February 19th. Mr. Harpie asked if mobilization was scheduled to begin in March. Mr. Romagnoli replied that it was, and hazardous material abatement for the Transition Academy wing of the existing Town Hall at the end of March. The Committee agreed to tentatively schedule its next meeting for February 27th.
- VII. Public Participation – John Bachand, 56 Maple Hill Drive, spoke about transparency, his earlier correspondence, the risks in taking down the existing building, and the water table. Rose Lyons, 46 Elton Drive, spoke about costs, the Town Council’s consideration, and about taking funds out of the Capital Improvement Project funding.
- VIII. Comments by Committee Members – Mr. Harpie said that the Committee didn’t have any say in how much money they got to spend. You have to execute what you have been asked to execute. You need to be booster, not a naysayer, and work with the dollars that you have. This will be a new facility and something that the Town can be proud of.
- IX. Adjournment – the meeting adjourned at 6:40 PM.

Respectfully submitted,

Jeff Baron

Jeff Baron,
Director of Administrative Services