TOWN OF NEWINGTON
TOWN HALL RENOVATIONS PROJECT BUILDING COMMITTEE
CORRECTED SPECIAL MEETING MINUTES
June 26, 2019
Town Hall Lower Level, Conference Room L101

Corrections are in Bold Type

I. Call to Order – Mr. Harpie called the meeting to order at 5:00 PM.

II. Roll Call – Members present: Joe Harpie, Chairperson; Beth DelBuono, Ed Murtha, and Don Woods. Others present: Roy Zartarian, Mayor; Frank Tomcak, Downes Construction Company; Kyle Baron, Quisenberry Arcari + Malik Architecture; Mark Schweitzer, Colliers International; Tanya Lane, Town Manager; and Jeff Baron, Director of Administrative Services.

III. Approval of Prior Meeting Minutes – Ms. DelBuono made a motion that the minutes of the June 19, 2019 meeting be approved as written. A second to the motion was made by Mr. Murtha. The motion passed by a vote of 4 YES to 0 NO.

IV. Public Participation – A letter from John Bachand, 56 Maple Hill Avenue was read into the record at Mr. Bachand’s request, by Ms. DelBuono. The letter was also distributed to all Committee members present and the contents follow these minutes. Mr. Jeff Baron stated that the e-mail chain referred to in the letter had been distributed to all Committee members earlier in the week. Mr. Kyle Baron stated that the Community Center ramp did not have to go in before the project started. The Project Architect has been working with the Town Building Department on approvals. A new ramp will be installed in the second week of July. It will include paving over the existing staircase. Mr. Harpie addressed clutter in the building: he was not aware of specific clutter, but the condition of the building is why it is scheduled to come down. Mr. Tomcak added that there was no scope of work inside the existing building. Mr. Kyle Baron took this opportunity to provide a State Department of Transportation update to the Committee. Most items concerning the encroachment right of way are closed. The fence is now a closed item. Items 3-5 were done and accepted. Only the gate at Cedar Street is a State concern. This will have to go to a traffic study, which is handled by a different office within the State Department of Transportation. Once that is completed it is expected that the encroachment permit will be granted. The mayor asked if approvals were given in writing or over the phone. Mr. Kyle Baron responded that they had been provided verbally. The Mayor asked that they be provided to the Project Building Committee once they are received in writing. Ms. DelBuono asked about the gate. Mr. Kyle Baron responded that the Contractor hadn’t touched the island yet. Mr. Woods asked about the Community Center ramp: since the
sidewalk near the ramp was chipped away, whose responsibility it was to correct? Mr. Tomcak responded that the ramp was scheduled for replacement in the second week in July. Patching would be a maintenance item that would be the responsibility of the Town, although it could be resolved through Downes Construction. Mr. Kyle Baron concluded that they were awaiting final approval from the State following completion of the traffic study. The fence can stay where it is, that is not an issue. Mr. Harpie concluded the discussion by stating that what we are doing on the site will satisfy the State. There was no other public participation.

V. Consider and Take Action on Change Order Requests – Mr. Tomcak presented a Potential Contract Change Overview, which was a Change Order Proposal (COP) Log showing COPs 1-19. Number 5 was approved at last week’s meeting. Numbers 6 and 10 are for the Committee’s consideration this evening. The other COP’s are either in budget status or are being reviewed. The net total of this COP log is a credit of $105,693. COP No. 6 is for polluted and asbestos containing material soil removal at the old junior high school location. The project carried an allowance of $187,500, which was exceeded. This COP is in excess of the allowance, for soil removed through June 14th. Ms. DelBuono asked if there was another COP coming. Mr. Tomcak responded that yes, it was COP No. 18 on the summary (for $96,000). COP No. 6 is roughly half of the amount that is above and beyond the allowance. Both Downes Construction and the subcontractor have tracked the material as it has left the site. There is substantial documentation that has been provided to the Town. COP No. 10 is for the removal of fuel contaminated soil that was located just outside the footprint of the old junior high school. This was 392 tons of fuel contaminated soil. Mr. Tomcak made sure that there were no overlaps with quantities. Mr. Harpie asked Mr. Tomcak to explain the difference between soil hauled to Chicopee, Massachusetts versus soil hauled to Minerva, Ohio. Minerva, Ohio was where asbestos containing soil was taken. They charge $125 a ton. Chicopee was where polluted soil was taken. The charge to do so is $48.95 per ton. Mr. Murtha asked what they use it for. Mr. Tomcak replied that they are an authorized facility for polluted soil. Chicopee had the most competitive cost for polluted soil. Mr. Tomcak then spoke about the credits that were included in his Potential Contract Change Overview. No. 7 is a potential credit not to abate any more gym floor from the old junior high school. This saved over $100,000 and could offset the polluted soil removal. No. 12 was for potential savings from the general trades package of roughly $95,000. No. 14 was for a change in the size of the gas pipe coming into the building that would require slightly less expensive material, saving $2,000. No. 15 was for what Mr. Tomcak referred to as base bid reconciliation, mostly math errors contained in bids that were detected during the contracting process. This is a credit of $140,000. The credit for taping exterior joints is at $11,855 and the credit from the fire alarm allowance is $5,825. Ms. DelBuono made a motion that the Committee approves the Change Order proposals of Downes Construction Company, dated June 21, 2019, for removal of asbestos containing material and polluted soil, for the amount of $83,409.19, and for the removal of gasoline impacted soil, for the amount of $23,577.23, for a total of $106,767.42. A second to the motion was provided by Mr. Woods. There was no further discussion. The motion passed by a vote of 4YES to 0 NO.
VI. Consider and Take Action on Fund Transfers – A transfer is needed to cover the cost of the Change Order proposals that were just approved. Ms. DelBuono made a motion that the Committee approves the transfer of $106,767 from the Owner’s Contingency line item to the Construction line item. A second to the motion was provided by Mr. Woods. There was no further discussion. The motion passed by a vote of 4 YES to 0 NO.

VII. Any Other Business Pertinent to the Committee – Mr. Murtha asked if the project was on schedule. Mr. Tomcak replied that Downes Construction’s subcontractors continue to work overtime to get back on schedule, as they will throughout the summer. They are currently behind but expect to be caught up by the end of the summer. Mr. Harpie spoke about meeting to approve change orders. There were change order proposals that required Committee action. This was part of the Committee’s obligation. Those Committee members with issues about that needn’t bother to show up. Mr. Harpie asked Downes Construction for an update on where the project stood with regards to utilities. Mr. Tomcak responded that there was an issue with the main electrical room, with both the placement and number of conduits. They will either need to reconfigure the number of conduits or commandeer part of the adjacent storage room. The Town could potentially be losing a storage room. Mr. Harpie asked where we were with the Metropolitan District Commission (MDC). Mr. Kyle Baron responded that there had been discussions between MDC and the Town Engineer. A meeting was scheduled for the third week of July. This will explain the switch over process. He did not expect to have any further updates until then. MDC had reached out to the Town. Paperwork was submitted to a different division of MDC during the school grant application process.

VIII. Public Participation – None.

IX. Comments by Committee Members – Mr. Murtha asked when the old Town Hall was coming down. Mr. Tomcak replied that was scheduled during August or September of 2020. Mr. Murtha asked about salvage of items from the existing Town Hall. The Town Manager replied that although the Town was without a Facilities Director, the design team had been working on plans for this. They won’t throw anything away that needs to be saved. Mr. Harpie asked about overtime. Mr. Tomcak reiterated that they should be caught up by the end of summer so steel can be delivered on its’ scheduled date. Mr. Harpie stated that the project was fortunate to be where it is financially. Ms. DelBuono also asked about overtime. Mr. Tomcak replied that the cost was in COP No. 9 (for $38,084). Mr. Harpie asked about the soil quality. Mr. Tomcak replied that after analysis, some crushed stone would have to be brought in. This was not unusual, it was within the capabilities of Downes Construction.

X. Adjournment – the meeting adjourned at 5:38 PM.

Respectfully submitted,

Jeff Baron
Director of Administrative Services
June 24, 2019

Gentlemen, Joe, Jeff

Please read the following into the record of the 6/26/19 town hall reno meeting during the first round of public participation.... And please answer the questions.

There is yet another potentially serious matter I have been monitoring, that is the failure to follow the approved plan in regards to the new main east side entrance on Garfield Street. These improvements needed to be in place BEFORE the main east side entrance to the lobby was closed. The new Garfield entrance improvements were obviously something the architect felt was necessary, being the only other main entrance to the building, besides the west side main entrance. I would like to know what justification has been cited to forego these improvements to public safety/ access and egress...besides the obvious...to simply save money?

See snip of construction sheet C-200. Along with pictures of the existing on site conditions as of Saturday June 22, 2019. Please provide copies to the building committee.

I would also like to know if the entire building committee is aware of the email chain from which this question arose? That email chain documented the fact that as of last Friday, June 21, 2019 the CT Department of Transportation has denied the issuance of an encroachment permit to work on State property. The permit was required before work commenced on state property, now after going into the 3rd month after improvements have been made, and are in place today, as of Friday no permit has been issued. I find this problematic, and if the entire building committee has not been made aware, that would even be worse.

Upon my inspection on Saturday, the hallway inside this entrance was unkept, and somewhat cluttered, the outside is unkept and in disrepair. This is a disgrace IMO. You have 28 to 30+ million dollars at your disposal (depending on who you ask), this is one of only 2 main entrances to our flagship municipal facility... What the heck is going on man????