

COMMITTEE ON JOINT SCHOOL BUILDINGS

December 8, 1999

6:00 PM

Chairman Higgins called the meeting to order.

The Clerk called the roll.

Present: Alderman Pinard, Alderman Girard, School Committee Member Higgins, School Committee Member Herbert (late)

Absent: Alderman Klock, School Committee Member Healy

Messrs: K. Sheppard, T. Brennan, R. MacKenzie

On motion of Alderman Pinard, duly seconded by Alderman Girard, it was voted to accept the minutes of a meeting held on October 12, 1999.

Chairman Higgins addressed final reports of the agenda.

Kevin Sheppard stated most of these are very close to final but there are no finals on any of the projects. We are at substantial completion, 99.9% complete with some minor items left. We don't want to closeout those projects until we are satisfied.

Chairman Higgins asked are there any issues that this Committee should be aware of.

Kevin Sheppard replied on the McLaughlin floor, we did get a final report from the maple-flooring manufacturer. It is under review by Frank Marinace and the contractor. They feel the floor, because of the environment and the humidity, that is part of the reason that the floor is not working correctly. They are recommending replacement of a corner or section of that floor but not the whole floor. Frank Marinace does not necessarily agree with that at this point in time. We are going to discuss that report with the contractor, Frank Marinace and the School District.

Alderman Girard stated one of the members of this committee said months ago that the manufacturer is going to come back and blame everything but his product.

Alderman Pinard stated that it was him who said that.

Mr. Sheppard stated we also said let's go that course and see what comes back. We have \$100,000 retainage and that is one option.

Alderman Girard asked is that enough to force them into replacing the floor.

Mr. Sheppard stated that it is a \$50,000 floor.

Chairman Higgins stated we have more than double. But before we do that, we should try to get the architect to work with them.

Alderman Girard stated my concern is that I brought this up many months ago and Alderman Pinard and I have talked about this. We are going to review a report, maybe we will come back and tinker with equipment, we will see how that works. The problem is still going to exist. This is going to bleed for the next five years. I understand the process and the steps that you would like to try, Mr. Sheppard, but I am fairly confident that they are going to lead us to a result five years down the road which will maybe not be able to be enforced. I would just assume to try to force the issue right away.

Mr. Sheppard replied to try to prevent a possible lawsuit from the contractor in the future, one option that could be discussed is *Wood Sciences* the company that worked with us on the Northwest roof trusses. They are experts in wood and I spoke with him being an independent person. I know we tried the *Maple Flooring Manufacturer Association* and obviously they are protecting themselves. They were supposed to be independent. That person could give us an independent opinion. He may tell us he agrees with that report. But maybe for due diligence, the City may want to consider having our own report done by an independent source.

Alderman Girard asked how much would that cost.

Mr. Sheppard replied about \$1,500.

Alderman Girard asked is that going to come from the project budget.

Mr. Sheppard replied that there is a balance on the project and it is substantially complete.

Chairman Higgins stated that it would be worth it in the long run because that means that we covered all bases, there is no room for argument. We have our own architect that will give an opinion, then we will have a wood expert come in.

Alderman Girard asked where has our architect been on this issue.

Mr. Sheppard replied he has read the report and he has spoken with *Bonnett, Page and Stone* about it.

Alderman Girard stated the people who told us that we have to expect problems like leaky roofs on a \$9.5 million dollar project.

Mr. Sheppard stated that Mr. Marinace does not necessarily agree with the report. He needs to discuss this with *Bonnett, Page and Stone*. I have put him in charge enforcing this issue with *Bonnett, Page and Stone*. That's what the City has paid this architect to do. He should be making recommendations to us as to what we should do. He has not given me a formal recommendation yet, but I expect that anytime soon because I am pushing for it. We are looking to resolve this so that it can be done next summer.

Alderman Girard asked what recommendation could he give that is most likely to cover himself.

Mr. Sheppard replied most likely would be for him to agree with the report. But he has come to this committee in the past and said that he does not feel that floor was put in correctly.

Alderman Girard asked did *Bonnett, Page and Stone* put in the floor.

Mr. Sheppard replied in the negative and stated it was a sub-contractor *Sullivan Flooring*.

Alderman Pinard asked would this be a second opinion.

Mr. Sheppard replied that what he would like to do first is push the architect for his opinion. He is the expert. Hopefully that would be within the next couple of weeks. Then if it comes back that we may get into a contest with *Bonnett, Page and Stone*, we could possibly hire this independent consultant that has worked for us in the past.

Alderman Girard stated the only problem is that this is the last meeting of this committee for the year. What is going to end up happening is that a new committee will be appointed. Several of the members of this committee will not be here. You could end up taking this up with entirely new people and there is no institutional memory at that point to know that we have been dealing with this for a long period of time.

Mr. Sheppard replied that there are three people here, Mr. MacKenzie, Mr. Brennan and myself that obviously want to follow this project through.

Alderman Girard asked Mr. Sheppard if he would like them to rely on staff.

Chairman Higgins replied in the affirmative.

School Committee Member Herbert agreed also.

Chairman Higgins stated we could rely on them.

Alderman Girard stated depending on who you listen to, the experts and the staff that we pay to do their job, they are either trustworthy or not. They either know what they are talking about or they do not. So I don't know what you are going to be facing on this committee in a month. It all depends on what group you get.

Mr. Sheppard stated that the School District and the Highway Department is looking to bring this project to completion.

Alderman Pinard asked could you get an independent person that would know it well enough to give a second opinion and get his report before all the others come in.

Chairman Higgins asked you mean instead of going the route of asking the architect and not getting a second opinion.

Alderman Pinard stated so that one does not know the opinion of the other.

Chairman Higgins asked do you think that is what we would end up doing. If Frank Marinace said that this floor is unacceptable, do you think we are going to end up having to get the third party anyway.

Mr. Sheppard replied in the affirmative.

Chairman Higgins asked what if Frank Marinace says that he agrees with what they are saying but we do not agree. We would want to get the third opinion anyway. We should hire the third party for \$1,500 right now and it will either backup what Frank Marinace is going to say or it will say in the City's best interest this whole floor should be replaced. Then the City will have a leg to stand on.

Mr. Sheppard stated I would like to push the architect a little bit harder though. He is the expert and if he says that it is unacceptable then he will have to prove his

point to the contractor. Before we lay out the money to the expert, our architect should give his opinion.

Alderman Girard asked why does he need to be pushed.

Mr. Sheppard replied we received the report a couple of weeks ago, not meaning that he needs to be pushed, but I would like to get something formal from him because we already discussed this.

Alderman Girard stated that he does not have a problem with Alderman Pinard's suggestion that we engage the third party to review the floor in conjunction with the others. In all probability, regardless of what the architect comes up with, we are probably going to have to get a third party for an independent review anyway.

Chairman Higgins stated that we would end up paying more than that for a legal analyst to come in.

Alderman Girard continued and after spending \$1,500 and the floor needs to be replaced, the flooring company (either the manufacturer or the installer) ought to reimburse the City for the \$1,500 and any other expenses we went through for having to get that floor done.

Mr. Sheppard stated that he will make sure the contractor knows that.

On motion of Alderman Pinard, duly seconded by Alderman Girard, it was voted to rely on the opinion of the architect and hiring the services for an independent analysis of *Wood Sciences* as a third party as to the condition of the floor and the remedy that needs to be enacted not to exceed the expenditure of \$1,500. This shall include that the City recover any expenditures incurred to evaluate this floor.

Mr. Sheppard stated it will be between \$1,500 and \$1,700 but I will try to reduce that.

Alderman Pinard asked Mr. Sheppard if he could check with the person on Hanover Street who sells hardwood floors to do the independent analysis.

Chairman Higgins stated that because of nature of what has been discovered, it would be better to get *Wood Sciences* to do the analysis. They looked at the trusses at West High School. We might as well get a wood expert.

Mr. Sheppard stated that they may not want to be pointing fingers at each other either.

Chairman Higgins agreed.

School Committee Member Herbert arrived at the meeting.

Chairman Higgins addressed items 8 through 13 of the agenda:

Alderman Pinard asked about item 9 of the agenda how is the ADA elevator coming along.

Mr. Sheppard replied that he believes that it is complete. They have fixed the relay switch and the resinous floor will be done over Christmas break at the bathroom so that it is operable.

Alderman Pinard addressing item 10 asked how is the ventilation at both schools (Central and West ventilation improvement).

Mr. Sheppard replied that is at substantial completion.

Alderman Girard asked is everything proceeding as it should on all of the projects.

Mr. Sheppard replied in the affirmative.

Alderman Girard asked did we forget any computer labs or any air conditioning or anything anywhere, any furniture or anything else.

Mr. Sheppard addressing item 10(a) the H&V, some of the change orders were approved at the previous meeting but were not indicated as such. The most recent one is change order #6. When we re-did the administration area under the H&V, the new ceilings went in and as part of that the blinds that had been there previously could not be remounted because of the way the ceiling had gone in.

Chairman Higgins asked if that was over at West.

Mr. Sheppard replied that it was the administration office.

Chairman Higgins stated that the same thing happened in the art rooms there was a problem with the blinds. Is it the same issue.

Mr. Brennan replied in the affirmative and stated it was the way they put the ceilings in.

Alderman Girard asked Mr. Sheppard the cost of that.

Mr. Sheppard replied \$2,500 and this is based on Tom Wallace.

Chairman Higgins stated that she thought that was inexpensive.

Mr. Sheppard stated that the other change orders #5 was to insulate the ducts in the tech ed. area. We issued *Meridian Construction* a change order to do the ductwork as part of the tech ed. Change order #4 includes the air conditioning for the tech ed. area, which's the reason for the large number.

Chairman Higgins asked if there was anything that was needed to vote on.

Mr. Sheppard replied if you want to approve those change orders. You have given me the authority to issue change orders.

Chairman Higgins stated we do it after the fact, then you come back and let us know about it.

Mr. Sheppard stated that these are over.

Chairman Higgins asked the ones you just mentioned.

Mr. Sheppard replied in the affirmative.

Alderman Girard asked what was the mechanical changes.

Mr. Sheppard replied that the large part of that was the air conditioning for the tech ed. area at West.

On motion of School Committee Member Herbert, duly seconded by Alderman Pinard, it was voted to approve the change orders as presented.

Mr. Sheppard stated to get into the tech ed., which is the next item 11(a). That project has been turned over to West High School as of December 6, 1999. The Assistant Principal, Mr. Donegan, worked with Mr. Brennan and myself. If you have a chance to take a look, it is amazing what that industrial arts area has turned into. Everyone is very happy with it. We are looking to issue a change order to close most of the projects. It is not listed on there, but there is a change order for \$5,000 which has not been issued as of yet. The contractor is writing it up right now. The original plan called to shop blast it and seal the concrete floor. What was decided in discussing with the school, the best thing would be to shop blast and paint it with a nice finish on it because it was going to be a classroom. That

change order will be \$1,460. What happened is that they shop blasted it and put an epoxy finish on it which is a better finish than paint. We got a better product for the same price of the painting. In the hallway, there was a railing that is on a little slope. The ADA Coordinator for the City came over and felt that we should put a railing there, so it is part of the project. That was \$1,054.

Alderman Girard stated \$1,054 for a railing.

Chairman Higgins stated but it has to be done.

Mr. Sheppard stated it is on both sides with a ramp. We review these for cost. The contractor is *PM McKay Construction*.

Alderman Pinard stated that this is steel not wood.

Mr. Sheppard stated that the contractor has done an excellent job for the City. There is cabling for internet access (conduit) and under the contingency you can see *Telephone Network Technology* ran the wires for \$2,600. The other item would be the intercoms. Originally, they were not part of the plan because it was not intended to be there. We are going to get a quote from *Williams Communications* to do the intercom wiring.

Chairman Higgins asked this is what you have done and you need it get approval.

Mr. Sheppard replied in the negative and stated that we have not executed that change order. If you would like, I can bring it back to the next meeting to formalize. Those are the items that will be part of that change order.

Chairman Higgins stated then you are just updating us.

School Committee Member Herbert asked is *Williams Communications* the same outfit that is putting in the intercom system over at Webster School.

Mr. Sheppard replied in the affirmative and stated that is the reason we want to work with them because they know the school.

Mr. Brennan stated when they designed this project, they did not include any furniture.

Alderman Girard stated that has been before this committee before. This committee has said in no uncertain terms that construction money for these projects is not to be spent on furniture. That resides with the School Department.

Chairman Higgins stated that Mr. O'Shea said that we could find the money. Is he still with us.

Mr. Brennan replied in the negative.

Chairman Higgins asked do you know if he found the money.

Mr. Brennan replied in the negative.

Chairman Higgins asked if Mr. Brennan could look into it with the current administrator so that it does not get lost in the shuffle.

Alderman Girard asked do you understand where the committee is coming from on this. You are walking in after the fact but over the last couple of years, this committee and I have been hit by very expensive items that were forgotten. This one is an item that contains something that does not belong in the construction budget. People were coming in, the principal of the school, notably after the fact to say you are redesigning the area and it is a change in use and we think it should come out of this budget. It is a little bit of trying to get your cake and eat it too. Furniture is the purview of the School Department operating budget. Everybody knew that these renovations were going to be done and furniture should have been budgeted and to come back to the project construction budget is not right.

Chairman Higgins stated the whole project was not done the way you should do things. The project did not get done the way it should have, it just appeared. Everybody thought that everybody knew and none of us did.

Alderman Girard stated that some of the forgotten items, Mr. Brennan, if you are going to be dealing with this committee moving forward, "we forgot the computer room at Parkside" "we forgot air conditioning at West".

Chairman Higgins stated six years ago there was an item forgotten with the Wilson School addition where they forgot a bathroom.

Alderman Girard stated some of the forgotten items in the last couple of years have been very large, very notable. Frankly, I have been motivated more by greed than by "oh we forgot". People try to get things after the fact.

School Committee Member Herbert asked when is this furniture supposed to be there, when do we want this furniture in this facility.

Mr. Brennan replied in January.

School Committee Member Herbert asked so all of this work has been done that is when it is ready to go.

Mr. Sheppard replied that it has been turned over to the school. I think they are in the space.

Mr. Brennan replied in the negative and stated the industrial technology are still in the other area of the school. They have not fully moved in.

School Committee Member Herbert asked are we dealing with \$50,000.

Mr. Brennan replied in the negative and stated that it is \$11,000. We have an interim business administrator, Kevin Maloney and I can talk with him.

Alderman Girard stated I am sure that you can find \$11,000 in a \$100 million dollar budget.

Chairman Higgins asked I thought it was \$29,000.

Mr. Brennan replied that it was reduced because of the configuration of the classroom. They went back and I just received updated information about a week and a half ago.

Chairman Higgins stated that is much better.

Mr. Brennan agreed and stated we asked them to.

Chairman Higgins stated that she is sure that Mr. Brennan could find \$11,000. We have a line item for furniture.

Mr. Sheppard addressed item 8 Memorial High School Science Lab. Change order #10 \$9,000. That was discussed with this committee in the past possibly when we were over there at the last meeting. When they tore up the floors at Memorial High School, it was determined that the floor needed to be prepared before we could put the sheet vinyl down. The contractor took hit himself to prepare the floor to keep the project on schedule. His actual cost for that work was about \$18,000. We discussed it with the contractor and told him that we were not happy even though he did do the work as far as the cost of the project. We offered him \$9,080 and they accepted that for the work.

Alderman Girard asked what they prepare the floor with.

Mr. Sheppard replied they had to dig up the floors and level them. I forget how many rooms were done, it is part of the science lab.

School Committee Member Herbert stated that it is quite a large area.

Chairman Higgins asked if that has already been approved.

Mr. Sheppard stated that he did not see it in the minutes.

Alderman Girard asked if that project is just about done.

Mr. Sheppard replied in the affirmative and stated that there are some locks they are still working on.

On motion of Alderman Girard, duly seconded by School Committee Member Herbert, it was voted to approve change order #8 on item 10 of \$9,080 for tearing up the floors at the Memorial HS Science Lab project.

Chairman Higgins addressed item 14 of the agenda:

Draft Policy for Volunteer Projects --

Chairman Higgins stated this is for major capital improvements to our buildings by volunteers. It includes the things that we had asked for. My suggestion would be to send it over to the School Department to see if they need to add anything. Did Max Sink of the Building Department look at this yet.

Mr. Sheppard replied in the negative and stated that he wanted to bring it to this committee before doing that.

Chairman Higgins suggested that Mr. MacKenzie take a look at it to make sure that we have not forgotten anything.

On motion of Alderman Girard, duly seconded by School Committee Member Herbert, it was voted to approve this in concept subject to changes that the professional staff believes are necessary to successfully accomplish the goals of the policy.

Alderman Pinard asked how are the union members going to feel about it.

Chairman Higgins replied that this is by volunteers.

Alderman Pinard stated but sometimes the unions do not like that idea. I think it is a great idea but they may not.

Alderman Girard stated that the City itself, Alderman Pinard, does not do these projects. Typically, when we go through and do capital projects anyway they are not done by City employees, they are done by contracted help. So whether it is a contractor or a volunteer group, it does not matter to the union.

Chairman Higgins agreed and stated it is not City labor unions.

School Committee Member Herbert stated that is a separate issue. If the City wants to make a policy then you bring it up and discuss it that way.

Chairman Higgins stated that she thinks it is important.

Alderman Girard stated that Chairman Higgins should be congratulated for initiating this policy.

Mr. Sheppard stated that he will formalize with a letter to the School District, Mr. MacKenzie and Mr. Sink and ask for their comments.

Chairman Higgins agreed and stated especially since there will be a new committee after January.

Alderman Girard stated to make sure you contact the Building Department.

School Committee Member Herbert asked for an update on the Hillside gym floor. We had put money into it and we were going to try to get it done in the Fall. It is not being done. The explanation was given to me and it made sense. I am disappointed that we did not get it done. Two things: I would like to get it on record as to what transpired there, where we are and there is also a dollar figure somewhere. Was that in capital.

Mr. MacKenzie replied the SCIP Cash budgeted about \$70,000.

School Committee Member Herbert stated that he is most interested in how does that work in a budgeting cycle. Do you just flip it over, do you use it then we will have to re-visit this for budgeting later.

Chairman Higgins stated that she is most concerned about is that it is not part of this report.

Mr. Sheppard replied because that was part of the million-dollar maintenance.

Chairman Higgins stated so that is not really this committee. That is a good point.

Mr. Brennan stated that one of the major concerns that we had was first, that they would not hold to that bid if we waited until the end of the school year. Then we found out exactly what was going to be involved in removal and the disruption that would have been created in the school. So they agreed to hold the number for the summer work and we had no disruption to the school. Mr. Sheppard and I talked about that.

School Committee Member Herbert asked do you know what the problem was.

Mr. Brennan replied in the negative and stated the gym floor at Hillside has been waffling over the years.

Alderman Girard stated that there is the same problem at Parkside.

Mr. Brennan stated that it is part of our plan to talk about the CIP in terms of gym floors so that we do not have any allocations with the other two schools. We had a significant leak that came out of the boiler room and went across the floor over a weekend and is creating a lot of problems.

Chairman Higgins asked would the City's insurance cover that. I know that we are self-insured.

Mr. Sheppard replied that he was not sure.

Alderman Girard stated that question has been asked by others in other committees only to find out that the City's insurance will cover it. It would be worthwhile to look into it because we could take that \$70,000 or even part of it and put it toward other projects in the schools.

School Committee Member Herbert stated that he had not thought of the insurance and that is a good point. At Hillside, the gym is in the middle like an island in the school. The man tears up the floor in a wood chipper, which surprised me because I would think that is a lot of good wood being wasted. He has to have a place to shunt it out of the building so he could not do it in the winter. Nobody pointed this out to the City. This was an area that we were discussing wanting to do something and thinking about doing it in the fall. As it turns out, it cannot be done. It has to be done when there is nobody in the school. We own the wood. That is the reason it got bumped to the summer. It was physically impossible to do this during school. The second issue is the money, how does that work. The \$70,000 is in the million and goes back there.

Mr. MacKenzie replied it will stay locked in unless people decide to change that. We can unlock operating budget money as part of the CIP, which can be carried over. It will stay until someone decides to change it.

School Committee Member Herbert stated that he does not want to lose track of it because it certainly is a job that needs to be done.

Alderman Girard asked we carry over cash projects year to year.

Mr. MacKenzie replied in the affirmative.

Mr. Sheppard stated that he would check with the Risk Manager.

Alderman Girard asked for a breakdown of the allocation of that million dollars.

Mr. MacKenzie replied Public Works does have a breakdown.

Mr. Sheppard stated that he did not bring it with him.

Alderman Girard asked for a copy be dropped to him so that he can see where the million dollars is going. I understood that it was a million dollars to paint the schools but apparently it is a million more.

Mr. Sheppard stated that \$400,000 was allocated to paint schools.

Chairman Higgins agreed and asked if that was completed.

Mr. Sheppard replied that it is 75% complete. We have been getting very good comments from all of the principals that they have worked on.

Alderman Pinard stated that he would like to thank Chairman Higgins for the nice past two years he spent with her as chairman because it was quite an experience for someone like me. With you as the leader, we went a long way. I also want to thank Alderman Girard and Mr. Herbert.

On motion by Alderman Girard, duly seconded by Alderman Pinard, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee