

COMMITTEE ON JOINT SCHOOL BUILDINGS

September 15, 2008

4:30 PM

Chairman Beaudry called the meeting to order.

The Clerk called the roll.

Present: School Committee Members Beaudry, Craig, Gelinas
Aldermen Mark Roy, Jim Roy

Absent: Alderman Sullivan

Messrs.: T. Clougherty, C. DePrima, T. Arnold

Chairman Beaudry addressed Item 3 of the agenda:

3. Tim Clougherty, Deputy Public Works Director, to provide an update to the Committee on current projects.
 - Manchester School of Technology (MST) project
 - Design/Build Project
 - Central High School

Mr. Tim Clougherty, Deputy Public Works Director, stated as you have probably seen in your packet, you have an update on the various projects. The Hallsville Elementary School Project where we had undertaken some structural repairs primarily to the wooden beams in the attic is complete. The Highland Goffes Falls Elementary School, the open concept classroom conversion, which was approved in this year's CIP process is going...we are going to start that off in earnest, the bidding process, toward the end of the calendar year with bids hopefully sometime right around January so we will have plenty of time to gear up and have that undertaken for next summer. The most substantial project on our plate right now is the Manchester School of Technology addition and renovation. The first phase is complete. I believe it has been successful. It has been concentrating mainly on relocated parking areas and roadways on the exterior, as well as the northwest side of the building, Wing A, video production, horticulture, landscaping...graphics was relocated from Wing B and we are in the process of converting what was formerly a large storage room into sheet metal welding and manufacturing. Those

areas are complete. In Wing B the work included conversion of the old printing lab into PASS classrooms. We have some minor items that have yet to be completed there, as well as some additional furniture and equipment to be ordered. All in all, things are moving along very well. We are on time and on budget. We did have one change order that I wanted to bring to the Committee's attention that exceeded the \$5,000 stipulation that we had discussed back in June. It was a \$22,690 site work change order for unsuitable soils that were discovered during the excavation of the parking area. Essentially, our designers made some assumptions that structural fill was brought in and spread uniformly throughout the parking area and unfortunately when we got into it, it was discovered that some of the islands that were in the middle of the parking area were used as a dumping ground and we had to excavate more organic material in order to expand the parking area to the current configuration. There was also an area to the south that was expanded and we had to dig down a little bit further than we had anticipated and bring in some structural fill and some erosion type material. We believe that those costs were justified. The architect is in agreement and the engineer has verified the cost estimates and we recommend that the Committee approve that change order. This was a change order that would have affected our schedule as we discussed last time so we did move forward with it at that time. The contractor would have been held up had we not authorized that.

Chairman Beaudry stated I can understand doing it so it wouldn't hold up the project but I am concerned that when they bid the job...don't they have contingencies for when they run into situations like this? Why would that be a change order? If they didn't assume there was bad soil under there why should we eat the cost?

Mr. Clougherty responded because we told them to excavate a certain amount of material and to replace it with a certain amount and kind of material and the stipulated sums that we had given them...in other words we told them to excavate to a certain grade and that was one foot below the existing grade across whatever...21,000 square feet or one foot down and 7,000 square yards and they assume they are going to excavate that. After they excavate that we have onsite inspectors through the Facilities Division as well as independent testing agencies that are there to witness this and after they removed this they still saw organic soil. They still saw loam and other types of organic material, which is unsuitable for constructing a parking lot. At that point, we instruct the site contractor to continue excavation until he finds fill that is suitable for construction of the parking lot.

Chairman Beaudry asked is that a normal procedure for the client to tell the contractor how much we want removed?

Mr. Clougherty answered it is very common. Otherwise we would basically be gambling. We would be asking the contractor to assume the risk for making a judgment call as to how much material he would have to excavate and in some instances if he built a contingency into that we would pay for that regardless of whether the material was used or not. In this situation, it is a little bit unusual because there was an entire parking area and we had a good idea of what the soils were under there but there were islands in the middle and we didn't take the expense of doing test pits there or anything like that as opposed to when we are doing a foundation for a building or a slab on grade. On something like that we will hire an independent testing agency to do a geo-technical analysis of the soil and they will actually give us a representative idea of what that soil is at every elevation. That is so that we can insure that our footings are adequately designed to handle the structure so we know exactly what is going in for the building. In this case it is a parking area. It isn't all that crucial. We are paying a change order in addition to what we anticipated but the costs are right in line with what we would estimate so we don't feel that we are being financially burdened at all or unfairly charged.

Chairman Beaudry asked and this would have been part of our cost anyway if we knew the stuff was there?

Mr. Clougherty replied certainly. If we would have told them to excavate to three feet versus one foot, we would have paid an additional \$22,000 plus. By the way, that MST Project is going to be slowing down a little bit. We are going to be doing some work at night continuing to wrap up the roof in some areas but in earnest it is going to be slowing down and we will be ramping up during school vacations and times when the school is unoccupied. The project is still scheduled to be substantially complete for the fall of 2009. Moving on to the Design/Build Project and the corrective measures that were undertaken there, we did engage two different HVAC consultants that we talked about in June. We have received their reports and we have asked them to finalize the reports, as well as to provide us with an estimate for some of the repairs to be made. We are happy with the results from both Parkside and Hillside. We are comfortable with the evaluations that were provided from both firms. They were parallel to each other, a little bit different in some respects but we feel we have some measures that we can undertake to reduce the sound levels there and if those are successful we will continue those along the balance of the schools, which I believe is about ten schools in order to mitigate some of those sound levels. Regarding the electrical panel and feeder replacement, we had the electrical systems evaluated at both Memorial and West High Schools. Both of those evaluations are done and we have some recommendations from the engineer. It is nothing too substantial and we are going to be moving forward with undertaking those. Regarding the door hardware, we recently put out a bid for door hardware that included unit prices for

all of the deficiencies. In other words, there were say 50 different line items for a door handle or panic device or door closer or something like that. So we are going to be able to undertake the corrective measures that are identified at all of the schools that you see on your list. We completed our annual testing and replacement of emergency battery units or emergency lighting at the schools that we knew had some deficiencies. That is complete. We have also this summer undertaken the repairs of the faucet and toilet operation sensors that were identified on the previous sheet. We are moving forward with the energy management system and computerized maintenance management software. That is essentially complete. We have some tweaks to do with the accounting of it but that is just about done. At the Beech Street School, the front apron, we have discovered some issues there. I believed we talked about that at the Building & Sites Committee. They are more substantial than we had anticipated initially and we are going to have the project designed by a structural engineer and then we are going to have quotes to follow that in order to do those corrective measures. Financially we are in good shape. You can see the balance for each of the individual items that we have talked about on the following financial sheets. On Page 3-9 there was a request at the Building & Sites Committee at the School District last month on a subject regarding a granite slab that has been stored at our Drop Off facility for the past four or five years. You have a proposal in your agenda that is somewhat dated here from Complete Masonry totaling \$5,500 to basically construct a sign out of the granite slab that isn't really shown too well in the picture but trust me when I tell you it says Manchester Central High School. So we have that proposal for \$5,500. We are prepared to move forward with that if the Committee so chooses. I would recommend moving forward at a level of say \$8,000 to make sure that we have enough monies for trucking and anything else that may come up here. Like I said, this proposal is about a year old. We have had an escalation obviously in fuel and other costs so just to make sure we don't have to make the Committee short on dollars. I will leave that up to the Chairman if you care to take a motion.

Chairman Beaudry stated this is something that came unanimously out of the School District to have that historical monument back at Central High. The only concern I have...it is coming out of the Design/Build but I don't understand why that wasn't put back originally. The original plans...anything Gilbane took away they were supposed to put back and that was one of the things. Unfortunately they are gone and we are stuck with the cost but I would move that we spend up to \$8,000 to have the granite slab put back at Central High School.

School Committee Member Gelinas moved to authorize up to \$8,000 to move the granite sign for Central High School from its current location at the Drop Off facility to Central High School. Alderman J. Roy duly seconded the motion.

School Committee Member Gelinas asked when can we expect this to be done?

Mr. Clougherty responded I would say within a couple of months. I haven't had the opportunity to touch base with the contractor as to when it could be done but I can't see why it couldn't be done in the next eight weeks or so. I would ask the Committee...as far as location of it my understanding is we are looking at the corner of Beech and Lowell. We will do our best to place it there if that site allows, otherwise we will work with the principal to find a suitable location. Does that make sense?

Chairman Beaudry replied it makes sense. The only thing is I would hope that it is going to be very visible and not stuck somewhere where people can't see it.

Mr. Clougherty responded we will certainly do our best to take that into consideration.

Chairman Beaudry called for a vote on the motion to authorize up to \$8,000 to move the granite sign for Central High School from its current location at the Drop Off facility to Central High School. There being none opposed, the motion carried.

Chairman Beaudry stated I would entertain a motion to accept the change order. Do you have a change order number Tim?

Mr. Clougherty replied yes. It is Change Order #6 for \$22,690.

On motion of Alderman J. Roy, duly seconded by School Committee Member Gelinas, it was voted to approve Change Order #6 in the amount of \$22,690.

Chairman Beaudry asked are there any questions on the Design/Build? The only question I have, Tim, is on the changes and stuff that is being repaired, is there any warranty to the actual parts? I know that the labor is gone but like door hardware, the people who sold us the hardware, were there any warranties on that or the faucets or the toilet sensors? Was there an extended warranty above and beyond what Gilbane was giving us?

Mr. Clougherty answered in some cases certainly and in other cases not necessarily. On roofing, we have been working with a local contractor for any repairs that we have relative to roofing. We have our labor and material warranty on that, as well as an extended product warranty. As far as the door hardware goes, we have taken steps to standardize the types and manufacturers of door hardware and we have a very close relationship with the manufacturer's representative for that hardware so he is very in tune with the deficiencies that we

have experienced. He has replaced product in kind and under warranty without cost in several instances. We are pursuing that whenever those opportunities are available to us but I am not going to represent that they are always available to us. As far as the toilet sensors that you mentioned and the faucets, a lot of times the problems that we have with those are vandalism. The children or someone is ripping the wires out of the bottoms of the units and we are trying to find a way to make them as vandal proof as we possible can.

Chairman Beaudry asked the wires are exposed?

Mr. Clougherty answered that is the way that the sensors are made. They are under a cabinet three feet back where the faucet itself is, but someone is finding a way to access those and be mischievous with the wires themselves.

Chairman Beaudry stated just a suggestion and maybe I shouldn't say it on television but I know Red Robidas has a portable camera. Maybe we should put cameras in some of these places where vandalism is taking place and see if we can catch the people who are doing it.

Mr. Clougherty responded I don't think people would be real crazy about putting cameras in bathrooms.

Chairman Beaudry replied well no, but if it is pointed at a sink and just a sink or wherever they are ripping the wires out of...

Mr. Clougherty interjected we can take it up with them.

Chairman Beaudry addressed Item 4 of the agenda:

4. Discussion relating to Memorial High School Athletic Complex Project.

Chairman Beaudry called Mr. DePrima and Mr. Clougherty forward. The reason why this is on the agenda is the School Board at the last meeting requested that we look at some of the money that is remaining at Memorial High School so we can take the sand out of the three playgrounds at Smyth, Parker-Varney and Jewett and replace it with the wood chip material so that it is safer for the children and we don't have dog and cat feces and everything else that doesn't belong in there.

Mr. Chuck DePrima, Acting Parks & Recreation Director, asked what specific information are you looking for at this point?

Chairman Beaudry stated well the project I know isn't complete because we are still in litigation. I don't know if you can get into any of that because it is

litigation, but where does the building stand and how much money is left over in that project and can we move some of that money, approximately between \$14,000 and \$18,000, to remove the sand?

Mr. DePrima responded right now we are still in negotiations with both the contractor, Gilbane, and the consultant on limiting the situation with the buildings. As far as the balance is concerned, there is approximately \$90,000 total in that account right now. As far as moving it from one project to another, I don't know what Committee that would have to be approved through first.

Chairman Beaudry stated maybe the City Solicitor can help out but if it is bonded money and it is on a project, Joint School Buildings was in charge of the money for that project. Can this Committee do it or does it have to go through the Aldermen to move some of the remaining money from that project to another School District project? We are paying the debt service on it.

Alderman M. Roy asked the money you are referring to, is it the \$105 million bond?

Chairman Beaudry answered no. This is the \$5.2 million Memorial High School project, which was a separate bond. We were still in charge of that bond.

Alderman M. Roy replied when you said bonded money I just wanted to...we talk about a lot of different piles of bonded money.

Mr. Tom Arnold, Deputy City Solicitor, responded I couldn't answer your question without looking at the documentation when the action was taken by the Board. I would be happy to do that for you but I don't have that answer off the top of my head.

Chairman Beaudry asked if you could, I would appreciate it. It was moved unanimously on the school side to see if we can use that money to replace the sand in three playgrounds so if there is some way we can do that, we would appreciate it. If you can check on it and get it to our Administration so they can provide us with the information that would be great.

School Committee Member Craig stated I don't know that until we know what money is needed to remedy the situation that I would feel comfortable moving money out. When will we have that information?

Mr. DePrima responded that is a good point because some of that money is being paid now. Some of the money left in that account is still owed as retainage on that project pending the outcome of the litigation.

Chairman Beaudry stated I know litigation is slow but this has been two years now I think that we have been dealing with this situation and every time we have an update it is basically the same update that we are still working with Gilbane on trying to mitigate this situation. Are we going to go to court or what? I am satisfied with the report that we saw several months ago that the building should be torn down. I would personally support that and let's get the job done. We are going to wait so long and eventually...I mean the buildings are going to be deteriorated just from the water coming in all of the time. I don't know how that will be in the courts but I would rather see something get done sooner than later. I think two years of looking at this situation is long enough for me anyway. Again, I don't know who...are the same attorneys working on this situation as were working on the lawsuit for the design/build?

Mr. Clougherty responded it is the same counsel. Obviously I am uncomfortable...I can provide you with all of these answers but an open forum is not the place to do that because it is potential litigation. If the Chair feels it necessary to go into executive session to hear the details of where we stand, I would defer to Tom Arnold on something like that. I don't think that we have...Chuck and I are not the people who should be giving you an update on where we stand legally, which it sounds like is what you are looking for. We would be more than happy to provide that update but I don't believe this is the right forum for that.

Chairman Beaudry stated why don't we have the attorney come to the next meeting or somebody to update us on that. We can go into executive session.

Alderman M. Roy stated I have a question for Tom Arnold. Before we pay the attorney representing us to come here and give us an update, is this something that we can go into a five minute non-public session and you can give us an update on? Are you in consultation with this attorney?

Mr. Arnold responded yes I am. I could give you an update in a nutshell. Again, I would prefer that we recess to meet with counsel or quite frankly I could probably address any Committee or Board member's concerns separate and apart from the meeting to bring you up-to-date on what is going on.

Alderman M. Roy stated with that said I would prefer that we not request our formal attorney to come but get an update from the Solicitor's Office so we don't get charged any money.

Chairman Beaudry asked did I hear you correctly, Tom, that you are ready tonight if we go into non-public to give us an update?

Mr. Arnold answered I could give you an update in a nutshell tonight but quite frankly you would probably be better off if you want to meet as the Joint Committee to set that up for next month and I can bring my appropriate documentation. As I said, I think that also rather than doing it in the formal context of a meeting or recessing to meet with counsel, if any member of this Committee wanted to speak with me outside the meeting, I could bring you up-to-date.

Chairman Beaudry stated from my own concerns we have \$95,000 sitting in a project and we need about \$14,000 to take care of three schools and the safety of our students. I would rather see the safety of our students come first. That is why I want to know what is going on with this project. It has been two years and we have had two different opinions...not different opinions but two opinions that were the same that the building needs to be basically torn down. So again I would rather move sooner than later. Is there any additional information on that project or any concerns that the Committee should know about?

Mr. DePrima responded no.

Chairman Beaudry stated I have a question for Tim. The wireless clocks...are they installed and are they working at Wilson and Beech?

Mr. Clougherty replied I got a call last week from one of our technicians and they were in the process of installing them. I didn't inquire as to which school they were working on but we are in the process of doing it.

Chairman Beaudry stated and that was about eight months ago that we brought this up.

Mr. Clougherty responded actually I think it was approved just before the beginning of the summer. That is when they were ordered. It takes some time, obviously, for them to come in.

Chairman Beaudry asked can we have an update on that at our next meeting?

Mr. Clougherty answered certainly.

There being no further business, on motion of School Committee Member Gelinas, duly seconded by Alderman J. Roy, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee