

Greenwich Board of Education
Minutes of the New Lebanon Building Committee Meeting

DATE: Wednesday, April 5, 2017
LOCATION: BOE, Havemeyer Board Room
TIME: 8:00 - 9:30 am

Committee Members Present:

Stephen Walko - Chairman
Patricia Baiardi Kantorski - Clerk
Clare Kilgallen
Peter Bernstein (BOE)
Dean L. Goss
Jake Allen
Brian Harris
Absent: Bill Drake - Vice Chairman (BET)

Ex-Officio Members Present:

Will Schwartz (DPW)
Drew Marzullo (Selectman)
Adam Leader (RTM)
Absent: Nick Macri (P&Z)
Peter Sherr (BOE Chair)

Others Present:

Ryszard Szczypek (TSKP Studio)
Karrie Kratz (Gilbane)
Peter Adamowicz (Gilbane)
Ronald Matten (DOF-BOE)
Barbara O'Neill (BOE)

1. Call the meeting to order

- a. The meeting was called to order by Steve Walko at 8:00 am.

2. Update from Chairman

- a. Steve Walko informed the committee the State Education Committee voted unanimously in favor of the New Lebanon Project. Mr. Walko said the project would continue to go through the state process as a single bill, although the Legislature can amend the bill. Once the bill passes, it will be signed by the governor without the ability to line item veto.
- b. Steve Walko noted that there are two items remaining to discuss on that could effect the schedule. 1.) If the bill passes but the budget does not pass on time, the Legislature will go into a special session in August which will impact when the construction can start and 2.) DAS will be meeting at the end of April and it is understood that they are looking to take the New Lebanon Project out of the Diversity Grant Program and put it in the Regular Grant Program.
- c. Peter Bernstein commented on the process and asked if the Bonding Resolution passes but the budget does not, will the project still go out to bid. Steve Walko answered that yes it will as soon as DAS issues the letter authorizing the project to go out to bid. Mr. Walko added that he would need to ask the BET & RTM to proceed with the bidding phase if the budget is not passed until August.
- d. **A Motion was made** by Clare Kilgallen and seconded by Brian Harris **to change the number of days the bidders are required to guarantee their bids from 90 to 120 days.** The vote was 7-0-0. Bill Drake was absent.
- e. Steve Walko informed the committee a bill has been proposed in Hartford to eliminate Diversity Grants in the future.
- f. Adam Leader asked if DAS has to act. Steve Walko said they had certified the project in December 2016 but in-light of the “new information”, they are reviewing it again.
- g. Steve Walko noted there is an increase in the cost of construction due to phasing but it would be offset by savings because the project is not using modulars. Brian Harris suggested that if the construction starts later it may increase the budget.

3. Update by TSKP Studio

- a. Steve Walko asked TSKP Studio and Gilbane for an update on the Timeline and the status of the permitting process. Ryszard Szczypek said the local authorities were waiting for DAS to approval the project at their April 26th meeting. Steve Walko asked Mr. Szczypek if he understood why the local authorities were waiting for DAS’s decision. Mr. Szczypek said he did not know but he will speak to Mr. Marr at the next the Building Department meeting about this issue.
- b. Ron Matten said he will confirm if the town has completed the Eversource and DEEP submittals.

- c. Ryszard Szczypek said TSKP Studio has completed the Aquarian Application for the school water service and it needs the Town signature.
- d. Ryszard Szczypek said the Commissioning Agent has completed the 3rd Party Review.
- e. Steve Walko said he had asked Brian Harris to review TSKP Studio's original contract regarding their change order and the status of payments. Ryszard Szczypek discussed the three methods architects use to calculate their fee. Mr. Szczypek said an hourly rate or a percentage of construction cost were not appropriate for this project. The method TSKP Studio used was a lump sum method based on the scope of the project and the duration of construction. He explained that the original scope of work as outlined in the RFP has changed. Mr. Szczypek gave the committee a letter dated April 4, 2017 outlining the reasons TPKP Studio was requesting a Fee Adjustment/Change Order.
- f. The committee discussed TSKP Studio's Change Order. Steve Walko said delaying the project would cost the town \$11,000. a month. Drew Marzullo asked what would happen if the CO was not approved. Ryszard Szczypek said TSKP Studio would take a loss. Peter Bernstein said he understands that it is hard to give a fixed amount before the project starts. Brian Harris said his architectural firm had similar problems in the past. Patricia Kantorski asked Peter Bernstein if it was typical for the Town to have the architect request a fee adjustment. The NLBC discussed the reasons TSKP Studio was requesting a CO in the architect's fee. Jake Allen commented that it is easier to understand a fee adjustment if it is requested on an ongoing bases. Brian Harris said, as an architect, he understood why and how it happens. Patricia Kantorski and Will Schwartz, also architects, said they agreed with Mr. Harris. Clare Kilgallen thought BOS had impacted the schedule by six months regarding the MI.
- g. Steve Walko discussed the process and asked the committee members to speak with him then he would speak to TSKP Studio about the CO.

4. Update by Gilbane

- a. Karrie Kratz reviewed an updated timeline which she handed out in a working format dated 4/5/17.
- b. Jake Allen and Will Schwartz recommended filing the building permit application immediately and said it can be amended later if necessary. Drew Marzullo and Clare Kilgallen agreed.
- c. Karrie Kratz discussed Gilbane making a presentation regarding a contract amendment. Steve Walko said once Gilbane makes their comments it will need to be reviewed by the Town Legal.
- d. Steve Walko asked Karrie Kratz for a list of the FF & E. Ron Matten advised the town to take a current inventory of what is in the existing school. Ryszard Szczypek said the best time to start the inventory was during construction.

- e. Karrie Kratz said she will set the meeting dates for reviews on an add need bases.
- f. Regarding the bidding process, Karrie Kratz said once the bids are received, Gilbane will take two weeks to vet the bids and contractors.

5. **Update by Subcommittees (Timeline & Contracts)**

- a. The Timeline & Contracts have been noted in other sub-headings.

6. **Discussion and Vote on Vendor Invoices**

- a. Steve Walko told the committee that TSKP Studio's Change Order (CO) will be discussed and voted on at the next scheduled meeting.
- b. **A Motion was made** by Clare Kilgallen and seconded by Patricia Kantorski **to approve Gilbane's Invoice #10, dated March 31, 2017 for \$3,946.11.** The vote was 6-0-0. Brian Harris and Bill Drake were absent.
- c. **A Motion was made** by Peter Bernstein and seconded by Dean Goss **to authorize the NLBC Chairman Steve Walko to sign the building permit application, if needed.** The vote was 6-0-0. Brian Harris and Bill Drake were absent.

7. **Approval of Meeting Minutes**

- a. Approval of March 8 & 10, 2017 Meeting Minutes was postponed until the next scheduled meeting.

8. **Discussion of Next Steps**

- a. Steve Walko said the outstanding items for the project are 1.) the State funding, 2.) RTM transfer of the money from the modulars to the main project (the total budget is not changing), 3.) keeping up to date with the permitting and 4.) TSKP Studio's change order.
- b. Steve Walko asked the committee members to attend the RTM district meetings. Mr. Walko said there will be a fact sheet with the pertinent information for the members to refer to.

9. **Adjourn**

- a. The meeting was adjourned by Steve Walko at 9:30 am.

