

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

**DATE:** May 17, 2017  
**LOCATION:** BOE, Havemeyer Board Room  
**TIME:** 8:00 - 9:35 am

**Committee Members Present:**

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

**Absent:** Brian Harris

**Ex-Officio Members Present:**

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

**Others Present:**

Ryszard Szczypek (TSKP Studio) via phone  
Karrie Kratz (Gilbane)  
Jae Chu (Gilbane)  
Barbara O'Neill (BOE)  
Mike Bocchino (CT State Rep. for Greenwich)

**1. Call the meeting to order**

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

April 4, 2017

Stephen Walko, Chairman  
New Lebanon School Building Committee  
Town of Greenwich  
290 Greenwich Avenue  
Greenwich, CT 06830

Re: Third Proposal  
TSKP Fee Adjustment  
New Lebanon School

Dear Stephen:

Thank you and Brain Harris for spending time with me in a conference call on March 23<sup>rd</sup> in an effort to come up with a fee adjustment that is mutually acceptable.

Recall that my first proposal was in the amount of \$417,900 which was a proportional adjustment based on the increase in construction cost. My second proposal was \$333,591.13 which was calculated using break-even hourly rates applied to the difference between the actual TSKP hours vs. the budgeted hours that one could have anticipated based on the given construction budget and schedule.

During our recent conversation, however, I understood that the Committee might need a further explanation of what additional tasks were required, not just the hours. As I mentioned previously, it is not possible for me to give you a complete task-by-task breakdown of the extra hours that were spent on this project because our timesheets don't go into that much detail. However, I think the Committee should be familiar with some of the additional tasks that were required, namely:

- **Numerous Conceptual Site Plans.** Although the BC and the BOE accepted the initial TSKP concepts, the BOS did not, requiring the building to stay within an area defined by the feasibility study. This created several weeks of work and delay.
- **Addressing Popp Questions.** TSKP was required to address questions pertaining to earthwork quantities, highway air pollution, bus traffic, and other subjects raised by the naysayers.
- **Portable Classroom Analysis.** While Milone & MacBroom was reimbursed for site planning for portable classrooms adjacent to the existing school, TSKP was not. Further, TSKP was required to examine placing portable classrooms at the Middle School,

including evaluating the possibility of temporary foundations that did not require excavation.

- **Programming for the Learning Commons.** TSKP was required to hold meetings with school staff, explore the needs of a Learning Commons, and create a plan that would support the Library Learning Commons pedagogy. This revised program was submitted to the BC which authorized the changes to the Media Center.
- **Revisions per Architectural Review Board.** The Board generally supported the TSKP design, except for maybe the North Wall. The BC asked for further studies of the gym to better meet the educational requirements. TSKP met with the District Safety Officer and with school staff, and then revised the plan. The BC approved the revision, but at that stage the building was fully detailed, so the revisions impacted the mechanical, motorized shade, and window details.
- **Delays in Site Plan Approval.** Although we submitted material in a timely manner, copies of our site plans were not distributed to all professional staff in Town. Comments from staff arrived late, sometimes just before the meetings, which made it difficult to provide a complete answer. This caused postponement, which then caused additional comments and revisions to occur. The entire process was inefficient. In addition TSKP was required to provide written responses to Popp questions in writing.
- **Numerous Bid Alternates.** While we ended up with 6 Alternates, which is a reasonable number, we actually examined many additional alternates before the BC decided on the final list. The extra alternates ended up being incorporated into the base bid documents.

As I mentioned earlier, I am not able to give you an hourly breakdown for each task. Nevertheless, I hope that the Committee will understand our viewpoint. After all, from a budget standpoint, the construction cost went from \$24 Million to \$29 Million. Our Schematic Design and Design Development time combined went from 5 months to 10-1/2 months. And Construction Administration went from 14 months to 18 months. There is no question that there's been a material change in the Project. And our contract allows for a fee adjustment for Additional Services when they are necessitated by a material change in the Project. I guess the only question that remains is, by what method do we calculate that fee adjustment?

I do understand why my previous two additional fee proposals were difficult to accept. At this point, I'd like to offer a compromise:

Land Use Approvals, Demolition & Abatement and Schematic Design	\$ 84,000.
Design Development	125,000.
Construction Documents	0.
Construction Administration	43,200.
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Total Additional Fee	\$252,200.

I think there are sufficient funds in the total Project Budget to accommodate this request, as follows:

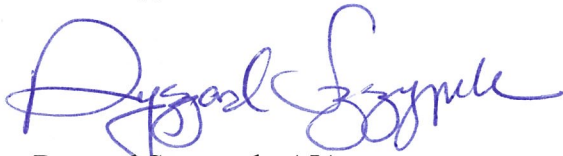
\$ 79,000 Transfer from remaining balance in "A/E Added Services..."  
10,000 Transfer from remaining balance in "Property Survey (additional)"  
120,000 Transfer from remaining balance in "Design Contingency"  
43,200 Transfer from Construction Contingency

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\$252,200. Total adjustment.

For your reference I've attached a copy of the cover page from Gilbane's Total Project Cost Summary dated , the second page of the Gilbane Cost Summary, and the first page of TSKP Studio's invoice dated February 1, 2017. These should help explain how the above numbers were determined.

I trust you will find this revised proposal acceptable. I would be happy to discuss this further with the full Committee.

Sincerely,



Ryszard Szczypek, AIA  
Partner

cc: encl.

RS/GS

## **2. Update from Chairman**

- a. Steve Walko informed the committee the modular appropriation transfer was passed without RTM comment and the funds would be rolled into the Project Budget.
- b. Steve Walko said that the Department of Administrative Services (DAS) sent a letter notifying the Town that they had received and reviewed all necessary materials and approved the final plans submitted for the project. This approval means effective as of 5/10/17 the project may be let out for Bid, but does not mean the project has been authorized for a State Grant commitment by the General Assembly. The letter was addressed to Dr. Salvatore Corda, dated 5/10/17, revised 5/11/17 and signed by Mr. Kosta Diamantis, Director of the Office of School Construction Grants and Review.
- c. Steve Walko outlined the next steps in the State approval process, a.) approval by the General Assembly, b.) signature of the Governor and c.) the release of the BET conditions.
- d. Steve introduced Mr. Mike Bocchino, CT State Rep. for Greenwich and thanked him for his unwavering support for this project. Mr. Bocchino discussed the State Budget Process. He said DAS is scheduled to approve the project by June 7th then the the governor has 30 days to sign it and reminded the committee that the governor does not have line item veto power. He also said the Bond and Budget Bill were separate bills.

## **3. Update by TSKP Studio**

- a. Ryszard Szczypek said TSKP Studio will present the color palette for the interior of the school at the next meeting. The selection is done at this time in order for the bids to reflect the material types and colors selected in order that they will be included in the pricing. Mr. Szczypek noted the colors may be revised depending on manufacturer used based on the 'Or Equal' specification requirement. He added that the NLBC will have a chance to review the final choice.

## **4. Update by Gilbane**

- a. Karrie Kratz introduced Jae Chu, a senior project engineer at Gilbane and said he will be her assistant.
- b. Karrie Kratz confirmed that the project was filed with DEEP on May 16, 2017 and therefore satisfies the 60 day filing prior to construction requirement.
- c. Karrie Kratz passed out the revised Timeline by Gilbane and reviewed the schedule in detail. The schedule included Option #1 - Accelerated Schedule and

Option #2 - Break 2018 Schedule. Ms. Kratz discussed the Bidding Process and said, in her opinion, it was a good bidding market. She added that if the State gives their approval for the project one month later then anticipated it will affect the school opening date. Peter Bernstein inquired if there would be cost implications to each option. Ms. Kratz answered that there would be and recommended that the bids include both schedules. She then reviewed the outline of the work as it related to the schedule. Peter Berstein suggested the exterior site work could be done in the winter. Karrie Kratz said the demolition of the existing school should not be impacted by the weather and will run concurrent with some of the site work. Clare Kilgallen inquired to the date the students can move into the new school building. Ms. Kratz said if Option #1 is used then the target date is the first week of October. Ms. Kilgallen then asked how the start date would be effected if Option #2 were used and discussed school programming during construction. Ms. Kratz said Gilbane had taken it into consideration. Peter Bernstein further discussed the construction schedule options. Patricia Kantorski expressed that it was prudent to bid the project using two scheduling options.

- d. **A Motion was made** by Bill Drake and seconded by Jake Allen **for the bids to include two construction schedule options.** The committee discussed the pros and cons of including the bids with two scheduling options. **A vote was taken and the Motion was approved with a vote of 7-0-0. Brian Harris was absent.**
- e. Steve outlined the project status. He said the project can go out to bid, but the bidder's contracts can not be signed. Adam Leader noted the bids will be valid for 90 days.
- f. Karrie Kratz said the sewer design was completed and needed to be signed by the chairman authorizing it. Ms. Kratz also said Gilbane would revise the construction schedule.
- g. Karrie Kratz reviewed the bid process and said the bids will include contractor's contracts, which can be amended if required. Ms. Kratz said Gilbane will need to meet with the Town Attorneys Wayne Fox and Christine Shipman to review the contractors' contracts. Ms. Kratz and Jae Chu will meet with Eugene Watts, BOE-Sr. Buyer, to review the Bid Packages and approve the advertisement to bid. She said there will be 30 different bid packages which will be listed on PAS Website and in print. The bids will be delivered to Eugene Watts and opened publicly. She said they typically receive over 100 bids per bid package and can stagger the bid opening if the room available is too small. Gilbane will advertise the bids plus do an outreach to contractors. Gilbane will also do the scope reviews.
- h. Karrie Kratz discussed the potential of a conflict of interest and said NLBC members can recuse themselves if a conflict occurs. The bid documents will be on the FTP website. She said the NLBC needs to review how it will vet GNP.
- i. Karrie Kratz said the PV Panels will be an alternate based on a request by DAS during their review process. DAS said the language regarding the PV Panels was too vague. Ryszard Szczypek said TSKP Studio will draft a revised specification.

## 5. Approval/Discussion of Invoices and/or Change Orders

- a. Steve Walko reviewed TSKP Studio's Change Order Invoice # ? and the committee discussed the additional design work which generated the change order (see attached below). **A Motion was made** by Patricia Kantorski and seconded by Dean Goss **to approve TSKP Studio's CO for the amount of \$195,000 dated June 7, 2017 pending the Town Law Department approval.** A vote was taken and the Motion was approved with a vote of 6-0-1. Peter Bernstein abstained from voting, but acknowledged that he was happy with TSKP Studio's work. Brian Harris was absent.
- b. **A Motion was made** by Dean Goss and seconded by Patricia Kantorski **to approve TSKP Studio's Invoice #13 for the amount of \$27,167.57 dated May 1, 2017.** A vote was taken and the Motion was approved with a vote of 7-0-0. Brian Harris was absent.

## 6. Update by Subcommittees (Timeline & Contracts)

- a. Steve Walko said the Contracts Sub-committee will discuss the Clerk-of-the-Works contract at the next meeting.

## 7. Approval of Meeting Minutes

- a. **A Motion was made** by Dean Goss and seconded by Peter Bernstein **to approve the Minutes of Meeting as amended for May 3, 2017.** The motion was approved with a vote of 7-0-0. Brian Harris was absent.

## 8. Discussion of Next Steps

- a. **A Motion was made** by Bill Drake and seconded by Peter Bernstein **to authorize Gilbane to bid the project.** The motion was approved with a vote of 7-0-0. Brian Harris was absent.
- b. Nick Macri said he will work with the P & Z Department to understand the ratio of existing trees to be removed to the replacement number (1 to 1.5 or 1 to 1.25) and follow up on the Town's bonding and 2 year guarantee request. Karrie Kratz said Gilbane will breakout the trees as a line item.

## 9. Adjourn

- a. The meeting was adjourned by Steve Walko at 9:35 am.

