

East Bridgewater High School Building Committee



Meeting No. 37

Date & Time: 7:00 pm Monday 13 February 2012
Location: East Bridgewater High School - Library

Attended (✓) Name, Affiliation

East Bridgewater High School Building Committee

- | | |
|-----------------------------|-------------------|
| ✓ David Floeck, Chair | ✓ Elizabeth Hayes |
| ✓ Susan T. Cote, Vice-Chair | ✓ George McCabe |
| ✓ Patricia Coppola-Lugo | ✓ Theresa McNulty |
| Domenic DeAngelo | Cheryl Pooler |
| ✓ Greg Gurney | ✓ Paul Vieira |

RFWalsh Collaborative Partners:

- ✓ Joe Naughton
- ✓ Simon Tempest
- ✓ Allyson Toner
- Paul Kalous

Fontaine Bros., Inc.:

- ✓ David Fontaine, Sr.
- ✓ David Fontaine, Jr.

Project Council:

- ✓ Paul W. Losordo

-
1. The meeting was called to order by Co-Chair, Susan Cote at 7:06PM.

Meeting Minutes

2. The Committee voted to approve Meeting Minutes #35, dated December 12, 2011.
 - a. Motion – Beth Hayes
 - b. Second – Susan Cote
 - c. Abstentions – George McCabe, Theresa McNulty
 - d. Vote – Approved

Meeting Minutes #36, dated January 9, 2012 will be voted on at the next meeting.

Project Materials

3. Fontaine Bros and Project Council, Paul Losordo, attended the meeting in order to clarify the issues regarding Norgate Metal, the steel fabricator for the project. Subsequent the last committee meeting, the Project team learned that Norgate Steel had filed for Bankruptcy Protection in Canada, which is equivalent to a Chapter 11 Bankruptcy Reorganization filing in the United States. On February 13th, 2012 the Town was formally notified by Certified Mail that Norgate Metal has now filed for Chapter 15 bankruptcy in the United States, based on the earlier Canadian filing. The Chapter 15 filing is essentially a notification to United States creditors of the Canadian Filing. RFWCP requested Paul Losordo attended the meeting to advise the Committee on this important issue and how they should proceed going forward. Paul Losordo stated that he has reviewed Norgate's bankruptcy filing and had conferred with Stacey Metro from Casner & Edwards, the American lawyer representing Norgate's Canadian

Bankruptcy Trustee. Paul Losordo said that he had also conferred with Canadian Bankruptcy specialists Guerrette, in Montreal, as well his own bankruptcy attorneys in Boston. After review and analysis and discussions with other attorneys, and the Canadian bankruptcy Trustee Ernst and Young, Paul Losordo confirmed his advice that Town should continue to make all regular payments in the normal course of business. Paul Losordo made recommendations that RFWCP, the Town, and the Contractor proceed cautiously by verifying that sub-contractors and vendors to Norgate are being paid. Paul Losordo also suggested that Fontaine set up a joint check agreement with Norgate's suppliers to verify payment is being made and also obtain lien waivers and transfer of title documentation for the purchased material. Fontaine said that they were already paying Norgate's suppliers directly or with joint checks, and have already provided the Town the requested documentation. Fontaine indicated that going forward, they will not bill the Town for any steel material until it is delivered to the site or has been erected. Fontaine will continue to pay Norgate for the material upfront so as to not delay the project. Fontaine said they have been working with Norgate for over 20 years and Norgate has kept Fontaine aware of this issue from the beginning. Fontaine said they will continue to meet with the owners of Norgate to monitor steel deliveries and they will continue making payments upfront, without billing the Town, to ensure that the steel is fabricated and delivered to the site on time. RFWCP confirmed that steel was delivered to the site for Zone D of the building today and deliveries are scheduled continue over the next couple of months. On this basis, Fontaine has not billed for any steel material delivered during January 2012 on the current requisition, even though they have incurred costs. By the next meeting, all the steel for Zone C & D will be on site and the next requisition reflect those costs. Paul Losordo indicated that in his opinion, RFWCP, Fontaine, and the Town have all acted prudently to prevent potential problems and ensure timely delivery of the structural steel. He said that the Committee should feel confident that they have done everything in their power to protect the Town's interests.

Project Update

4. RFWCP brought copies of the updated construction schedule to the meeting and gave an overview of the project's progress. Overall the project is on schedule and on target to complete foundations by the end of February.
 - a. Steel was schedule to be delivered March 5th but steel for Zone D arrived on site today and steel erection has begun 3 weeks ahead of schedule. Steel delivery and erection will continue over the next 6 weeks with steel detailing to follow.
 - b. The pump station has fallen behind the baseline schedule but this has no effect on the overall schedule as it is not on the critical path. The site contractor has submitted a de-watering plan to control water on the site during the installation of the permanent wastewater treatment tanks. Temporary storage tanks continue to be pumped daily by the site contractor. Drilling for the de-watering wells is schedule to start next week. The HSBC requested that Fontaine look into whether or not the de-watering wells are a reliable water source that could potentially be reused for field irrigation. As of now, the pump station is scheduled to be complete by the end of the summer. The Town will have to decide if they will take over the pump station prior to completion of the new school building. RFWCP is assisting the Town and School Business Manager to prepare an RFP for an operator to run the facility. The grant application for a town-wide maintenance and technology department, which was discussed at previous meetings, will be submitted by the end of the month.
 - c. The site contractor submitted the information related to additional flow being pumped from the temporary storage tanks daily from the Central School. An additional 2,000 gal/day was reported to be from a chiller in the building. Trish Lugo indicated the equipment is scheduled to be replaced soon and they are in the process of obtaining quotes. The site contractor indicated that there is additional flow that is coming from an unknown source that continues to be pumped from the Central School, aside from the flow leaking from the chiller. The Town would like this to be investigated so that it can be fixed during construction. RFWCP will contact PARE Corporation to prepare a proposal to investigate the sewage lines at the Central School and report back to the Committee at the next meeting.

Local Approvals

5. John Haines and John Cowan met with Roy Gardner, the Chairman of the Planning Board, to discuss alternatives to solve the safety and traffic issue. The Planning Board has agreed to look at alternatives. PARE Corporation has prepared 3 options with sketches and estimated costs for each. A meeting is scheduled this week with John Haines, John Cowan, Susan Cote, and RFWCP to review the options and begin preparing for the presentation to the Planning Board.

Furniture, Fixtures, & Equipment (FF&E)

6. Programming for FF&E will begin mid-March. Meetings will be scheduled with Ai3's furniture consultant and school department heads to begin the process. The HSBC should develop a sub-committee to attend these meetings. The budget for FF&E is developed by the MSBA based on a standard calculation used on all school projects and it is limited. Programming will begin early to allow enough time to work out the budget.

Quality Control

7. RFWCP reported that the Geotechnical Engineer, PARE Corporation, continues to be on site daily monitoring earthwork and excavation related to foundations to ensure conformance with design. RFWCP noted that PARE's presence on site has been beneficial to the Project. RFWCP continues to monitor PARE's budget for construction testing and reported that PARE has billed \$39,360.75 to date of the \$109,560.00 encumbered for these services. PARE will continue to be on site as needed to test footings for building foundations. Reports are being received and reviewed by RFWCP, Ai3, Fontaine, and the Building Inspector. PARE's reports document the work in detail and include an ongoing list of any issues so they can be addressed, as well as photos of the work, and site layouts that indicate the location of the work performed each day. Briggs is on site daily testing concrete and rebar for foundation work. Test reports from Briggs are also being received and reviewed. Briggs will begin steel inspections when steel detailing takes place.

Project Budget

8. RFWCP discussed the Potential Change Order (PCO) log that RFWCP will be using to track all proposed and approved changes and the costs associated. The PCO log is used to track any potential changes in order to closely monitor the contingency budget throughout construction. PCO #1 in the amount of \$3,978, which was discussed at the last meeting, is for additional steel in the wastewater treatment building and has been reviewed and approved by Ai3. The site contractor has submitted Change Order Requests (COR) related to dewatering for the construction of the wastewater treatment facility and costs associated with additional pumping of the temporary storage tanks. Both of these items have been reviewed by Ai3 and PARE and were rejected. The PCO related to the replacement of a gas line requested by Columbia Gas, the gas company that provides service to the school, is being negotiated. Ai3 has submitted Proposal Requests for revisions to the kitchen equipment that were requested by the Owner. These changes will result in an overall savings to the Project; pricing is still in progress. RFWCP will bring copies of the PCO Log to the next meeting to review.
9. The January 2012 Monthly Invoice Package was reviewed at the finance meeting this morning with Phyllis Tirrell, Marilyn Thompson, Susan Cote, and Trish Lugo.
10. Committee voted to approve RFWCP Invoice #101017-17 in the amount of \$41,086.25 for Project Management services during the month of January 2012.
 - a. Motion – Beth Hayes
 - b. Second – George McCabe
 - c. Vote – Unanimous
11. The Committee voted to approve Ai3 Invoice #0016B-1003 in the amount of \$20,919.36 for Basic Services during the month of January 2012.
 - a. Motion – George McCabe

- b. Second – Beth Hayes
 - c. Vote - Unanimous
- 12. The Committee voted to approve Ai3 Invoice #0017E-1003 in the amount of \$22,864.83 for Authorized Supplemental Services during the month of January 2012.
 - a. Motion – George McCabe
 - b. Second – Greg Gurney
 - c. Vote – Unanimous
- 13. The Committee voted to approve Fontaine Bros’ Application for Payment #5 in the full amount of \$1,004,389.43 for Work completed during the month of January 2012.
 - a. Motion – Beth Hayes
 - b. Second – George McCabe
 - c. Vote – Unanimous
- 14. The Committee voted to approve the following Briggs Engineering invoices in the total amount of \$1,937 for construction testing services through January 14, 2012.
 - a. Briggs Engineering invoice #58577 in the amount of \$392.00, dated 12/24/11.
 - b. Briggs Engineering invoice #58658 in the amount of \$534.00, dated 12/31/11.
 - c. Briggs Engineering invoice #58804 in the amount of \$366.00, dated 1/7/12.
 - d. Briggs Engineering invoice #58876 in the amount of \$645.00, dated 1/14/12.
 - a. Motion – Beth Hayes
 - b. Second – Trish Lugo
 - c. Vote – Unanimous
- 15. The Committee voted to approve the Paul W. Losordo invoice dated 2/1/12 in the amount of \$880.00 for legal services through January, 2012.
 - a. Motion – Beth Hayes
 - b. Second – George McCabe
 - c. Vote – Unanimous
- 16. The Committee voted to approve Ai3 Contract Amendment #9 in the amount of \$5,610.00 for design and engineering services required to revise the kitchen equipment layouts requested by the school. Ai3 and RFWCP met with Chartwells, Susan Cote, Paul Vieira, and Trish Lugo to discuss proposed changes by Chartwells. These changes will result in an overall savings to the project.
 - a. Motion – Beth Hayes
 - b. Second – Trish Lugo
 - c. Vote – Unanimous
- 17. The meeting was adjourned at 8:30PM.
 - a. Motion – David Floeck
 - b. Second – Paul Vieira
 - c. Vote – Unanimous

Future Meetings/Events:

Date	Time	Group	Location
14 Feb 12	1:00 PM	Construction Progress Meeting	RFWCP Site Trailer
28 Feb 12	1:00 PM	Construction Progress Meeting	RFWCP Site Trailer
12 Mar 12	10:00 AM	Finance Meeting	Superintendent's Office
12 Mar 12	7:00 PM	Planning Board Meeting	Town Hall
12 Mar 12	8:00 PM	EBHS Building Committee	EBHS Library
13 Mar 12	1:00 PM	Construction Progress Meeting	RFWCP Site Trailer
27 Mar 12	1:00 PM	Construction Progress Meeting	RFWCP Site Trailer
9 Apr 12	10:00 AM	Finance Meeting	Superintendent's Office
9 Apr 12	7:00 PM	EBHS Building Committee	EBHS Library
10 Apr 12	1:00 PM	Construction Progress Meeting	RFWCP Site Trailer
24 Apr 12	1:00 PM	Construction Progress Meeting	RFWCP Site Trailer
8 May 12	1:00 PM	Construction Progress Meeting	RFWCP Site Trailer
14 May 12	10:00 AM	Finance Meeting	Superintendent's Office
14 May 12	7:00 PM	EBHS Building Committee	EBHS Library
22 May 12	1:00 PM	Construction Progress Meeting	RFWCP Site Trailer

These notes will become part of the project record as written, unless corrections or additions are received in writing within 6 days of distribution.