

**Permanent Building Committee  
Minutes of July 31, 2013**

**Present for the Building Committee was:** Chairman Ellis Neofotistos, Harvey Gagnon, Phil Thibault, and Doug Dooley. Paul Jussaume arrived at 5:00 p.m. Also present was Dennis E. Piendak, Town Manager and Samantha Carver recording secretary. The meeting was held at the Historic Society Building at 1660 Lakeview Avenue, Dracut, MA.

The Chairman called the meeting to order at 3:35 p.m.

**Town Hall Project**

Present for Town Hall Project were: Jim Boudreau and Jon Lemieux  
From the Town: Kathy Graham, Ann Vandal, Mark Hamel

Mr. Boudreau gave the update on the progress on site. He stated the surveyors have been out but will be continuing. The site has been stripped of the loam and stock piled. Mr. Boudreau reported that in the specifications the loam belongs to the Town. Mr. Boudreau had been given four names of companies that may want to bid on the loam. R.D. Vinal had the highest bid of \$1.85 per yard with a 10-wheel dump truck being considered 14 yards and a tri-axle being 20-yards.

Mr. Dooley made a motion to accept R.D. Vinal's bid of \$1.85 per yard accepting a 10-wheeler as 14 yard load and a tri-axle as a 20 yard load subject to providing the bid in writing. Mr. Gagnon seconded the motion. The motion carried unanimously.

Mr. Boudreau reported they are constructing the temporary parking spaces. Submittals for asbestos abatement have been issued and they should begin demolition shortly. They will do 57 Lafayette first and then 50 Arlington Street. Some fly-ash has been discovered on-site and OTO has taken some samples and they are awaiting the results. They have received structural steel requests and a handful of RFI's have been issued. CTA has requested a density test for the soil to be possibly used under the paved areas and sidewalks. Mr. Gagnon expressed concern about heaving if the soil is not suitable. UTS will be conducting the testing.

Hazardous Material Monitoring

Mr. Lemieux reported that they have two proposals one from OTO and one from Vertex Air Quality Svc LLC for the hazardous material monitoring. One proposal came from Johnson Robert's consultant and Mr. Lemieux stated he felt it was high so he had their consultant provide a proposal. The Committee reviewed both proposals. Mr. Lemieux stated this is a sister company of Vertex however he has nothing to do with this company.

Mr. Thibault made a motion to accept the proposal from Vertex Air Quality Svc LLC for environmental testing in the amount \$5,430. Mr. Gagnon seconded the motion. The motion carried unanimously.

Mr. Lemieux discussed with the Committee allowing the Town Manager to have the authority to authorize smaller items that may come up on the project where an answer is needed prior to a meeting like they are currently doing on the High School project.

Mr. Thibault made a motion to allow the Town Manager to authorize interim PCO's and CCD's in an amount not to exceed \$10,000 on the Town Hall project. Mr. Gagnon seconded the motion. The motion carried unanimously.

#### Code Issue Update

Mr. Lemieux reported that he received an email from Mr. O'Brien at 3:11 p.m. before this meeting. He read the email into the record. In the email the Building Inspector has a concern with the remoteness of the two exits on the second floor. Mr. O'Brien in his email also mentioned that he had consulted with Keystone Code Consulting and he is waiting for an opinion in writing from them.

Mr. Lemieux discussed the next meeting for the Town Hall project and requested to come in next week August 7, 2013 at 4:30 p.m.

#### **High School Project – 4:30 p.m.**

Present from MVG: Matt Schweitzer, Bill Peters

Present from Collaborative Partners: Joe Naughton, Mike Carroll, Kris Stephenson

Present from School Staff: Andy Graham, Superintendent Steve Stone

Michael McNamara, School Committee representative for the PBC was also present.

Mr. Carroll reported that CTA has been invited into the meeting to discuss the amendment to the change orders they have been making by adding their reservation of rights after everyone signs the change orders. Mr. Carroll also reported since there is this issue with all of the executed changes, that he has not been able to submit the Budget Revision Request to the MSBA.

Mr. Carroll referred to a letter date June 18, 2013 in the packet to Jorge Figueiredo from CTA construction with regard to the underground tank delay. Mr. Carroll stated the letter does not address everything that went on. He mentioned he had pictures of the events and stated the tank was removed on October 18, 2013 however the foundation was not completed until November 18, 2013.

Mr. Stephenson gave the update on the project to date. He stated the full demolition of A-wing, the auditorium is ongoing, and that the contractor is continuing to work in the new C wing as well as the existing B wing. There was a discussion on the next site visit being August 14, 2013

at 6:00 p.m. with the Board of Selectmen being invited. Mr. Carroll will be going to the Board of Selectmen meeting on the 13<sup>th</sup> of August to give them an update on the project.

Members of CTA present were: Lyle Coghlin, Paul DuRoss and Erik Swenson

Discussion began about the change orders being signed by the Architect the Owner and then by CTA who added reservation of rights language after all signatures without the other parties knowing it was added.

Mr. Coghlin contends that it is the same language that was on the PCO's that was struck without a meeting between the parties. Mr. Carroll contends he spoke with staff of CTA regarding striking this language, as well as put it in writing before any of the change orders were issued. Mr. Swenson recalled the conversation however did not agree to it.

Mr. Coghlin stated that he and Mr. Carroll have disagreed on the schedule for a year now and that his concern currently is the finish line because we are entering August and we only have a few weeks to get this ready for the school year.

Mr. Neofotistos stated that a memorandum should have gone to the other signatories once the language was being added to the change orders. Another point Mr. Neofotistos made was that usually if a change order required extra time that time is noted on the change order.

Mr. Coghlin contends that he is trying to keep the project moving. If they stop and analyze each change order this will take time and will take away from the project getting completed.

Mr. Piendak had an issue with the last line of the reservation of rights where it states that "The Awarding Authority in executing this change order, agrees that CTA has properly reserved its rights for additional time and compensation." Mr. Piendak is signing as the awarding authority and takes umbrage to this statement.

Mr. Coghlin did not mean to offend anyone but stated that this language was the same language on the PCO's that was struck without having a meeting of the minds.

Mr. Carroll stated in reference to the tank delay that this has been on the PCO list as #47 and he has been trying to get a resolution for this so that they could put it in a C.O. and move on. Mr. Coghlin stated they look at this as one issue.

There was a discussion as to changing the method of how the change orders are signed whereas the final signature on the change order should be the Town's.

Mr. Coghlin stated that by analyzing each change order this will take time and basically put everyone on notice. He also stated that they will need to accelerate the schedule to meet the end date. He mentioned that after taking a walk through the site today and he is very concerned.

Mr. Coghlin stated that they don't always know that a change order has encompassed everything and that is why they reserve their rights. If he has to analyze every change it will take significant time. Mr. Peters agreed somewhat with what Mr. Coghlin was saying as far as the change orders.

Mr. Piendak mentioned that on every other project they have done added days are part of the negotiated process of the project and that it is usually addressed at the time of the change order.

Mr. Dooley made a motion to change the procedure going forward on the change orders so that the General Contractor, the Architect and then the Town will sign them last. Mr. Jussaume seconded the motion. The motion carried with all six members voting in favor.

#### Tank Delay

Mr. Carroll stated that he feels that CTA did not provide the backup to justify the delay. CTA stated they did supply backup. Mr. Coghlin stated that they have filed a claim to Mount Vernon Group on three occasions (by letters dated 11/9/2012; 12/14/2012 and 6/18/2013) because that is whom they have a contract with and have not received an answer back. Mr. Carroll noted that they did receive responses from the owner and OPM on each issue, to which Mr Coghlin conceded. Mr. Coghlin stated this is one of the issues where they can agree to disagree and have been at an impasse for 9 months.

There was a discussion on disagreement with the time line and the events whereas it was stated that other things were being accomplished and not holding up the foundation however CTA disagreed. They stated they had to also deal with the material inside the tank and then wait to have it tested and then removed.

Mr. Coghlin stressed that they are on a critical path right now to get this phase completed and ready for the school year in September. There was a discussion on working weekends on premium time and getting more people on the site.

There was a discussion on the CCD's reflecting time if additional time is being requested. Mr. Coghlin stated that he knows they will not get additional time on the CCDs. Mr Carroll noted if any request for time should be reviewed on a case by case basis and that it would need the proper backup.

Mr. McNamara asked if we approve the amount being requested to resolve the underground tank issue does it close out all delay issues and guarantee the project being done on time. Mr. Coghlin stated that the letter was sent by CTA back in June and it is now almost August and that he would have to revisit it before he could commit. Mr Coghlin, noted that he would do his homework on these items and report back.

There was a discussion with Mr. Graham regarding when the FF&E is set to start arriving on site. The dates for the FF&E to start being delivered is August 15, 2013 and the areas where this

furniture is going needs to be ready. The actual finish date the Contractor has is August 26<sup>th</sup> however Mr. Graham is hoping for areas earlier.

Discussion ensued about the site logistics for this school year and where the busses would travel and where the students would be dropped off. There was also a discussion on the teacher's parking. Concerns that came up were construction vehicles in these same areas and the workmen in these areas along with the students. Mr. Piendak asked about snow removal and plowing and whether Mr. Buxton had been consulted on this plan.

Mr. Gagnon mentioned having the students crossing in front of the busses and that it would be safer to reverse the route so that the students don't cross in front of the bus to get to the school.

There was a discussion on CTA creating a temporary walkway for the students to traverse. There was a discussion on who would keep this clear of snow. Town and School will maintain walk and parking areas. Mr. Carroll discussed having a CCD issued for signage, fencing, walkway and the removal thereof when no longer needed.

Mr. Thibault made a motion to issue CCD19 to install a temporary walkway, add signage, fencing on west side of building (by the existing ball field) for student access, furnish, install and remove at end. Mr. Gagnon seconded the motion. The motion carried unanimously.

#### PCO/CCD/PR Review

Mr. Carroll presented the Committee with a PCO for the robotics lab to have the flooring changed to VCT. This classroom is next to another that will have VCT and for consistency they want to put VCT down in this room. The cost for this change is \$9,663.89.

Mr. Gagnon made a motion to approve PCO53 Change Robotics Lab to VCT in the amount of \$9,663.89 which will include premium time of 20 ½ hours. Mr. Thibault seconded the motion. The motion carried unanimously.

Mr. Carroll went over the rest of the PCO/CO log for the Committee. The next item discussed was PCO65 which will be CCD 18 this item is to modify the kitchen area bathroom to add an office space.

Mr. McNamara made a motion to issue CCD 18 (PCO65) to modify kitchen area bathroom to add office space. Mr. Jussaume seconded the motion. The motion carried unanimously.

Mr. Carroll discussed PCO75 Water Main and Sewer Conflicts at the Fire Lane per CCD16. Mr. Carroll stated that the existing waterline coming out of the gym area will only be two feet deep once the roadway is adjusted to the final grades. In addition there are some issues with coordination of the water, sewer and drain lines in this area. This work will need to be done on

time and material and the water line needs to be deeper than four feet in the finished condition. There will also be some work on the sewer line that will have to be adjusted.

Mr. Thibault made a motion to rearrange the water and sewer line at the fire lane as stated in CCD 16. Mr. McNamara seconded the motion. The motion carried unanimously.

Mr. Carroll discussed PCO76 Water Main conflicts at the NE corner of the building per CCD17. This water line will be in the existing bus route and needs to be rerouted.

Mr. Thibault made a motion to move the water line at the NE corner as recommended and indicated per CCD17. Mr. McNamara seconded the motion. The motion carried unanimously.

CCD22 dumpster pad by cafeteria leave pad in place and add pad and fence for an additional dumpster. Mr. Jussaume made a motion to approve the dumpster pads as recommended. Mr. McNamara seconded the motion. The motion carried unanimously.

Canopy in courtyard – there was a discussion on adding the footings now and when the Town got the money to do the canopy at a later date they would already have them in as part of the project. The Architect will go back and look at the original design to see how many footings were planned for the canopy. This requested change could be issued as a PR.

CCD21 – Acid Waste Cabinet for Lower Science Wing – the cost to furnish this item is \$2,500 plus or minus. The old cabinet was rusted out. Mr. Thibault made a motion to have a new acid waste cabinet for the lower science wing installed for a cost of \$2,500+ plus installation. Mr. Gagnon seconded the motion. The motion carried unanimously.

Mr. Carroll updated the Committee on utilities that go to the Snack Shack that weren't accounted for on the drawings. Mr Carroll noted that the current drawings do account for new electrical feeds only., there is electricity, data, phone, security and fire alarm. CCD23 would be to replace the utilities in kind due to the elevation changes across the fire lane, these utilities will all have to be dropped about two feet.. Mr. Thibault made a motion to accept CCD23 to replace utilities for the snack shack in kind. Mr. Gagnon seconded the motion. The motion carried unanimously.

Mr. Carroll stated a CCD needs to be issued for the temporary work at the locker room/weight room for electricity, heat, exit lighting and fire alarm. The area being looked at for this temporary space is the transitional skills area. Mr. McNamara made a motion to issue a CCD24 for the temporary work for the locker room/weight area. Mr. Jussaume seconded the motion. The motion carried unanimously.

Mr. Carroll discussed the depressions that were made after removing walls in Building "B" that will need to be repaired and a CCD needs to be issued. Mr. Swenson noted to the Committee that they will most likely encounter this in other locations where walls are removed. Mr. Gagnon made a motion to issue CCD20 to infill slab depressions in Building "B" from removal of

existing walls as discussed. Mr. McNamara seconded the motion. The motion carried unanimously.

Mr. Carroll discussed the concrete areas below the existing locker room where there are empty crevices/plenums in the concrete. On the contract documents this was noted to be a Slab on Grade. These areas need to be filled in to allow for safe working and install new plumbing in this area and would need to issue a CCD25 for this work.

Mr. Gagnon made a motion to issue CCD25 to infill plenum areas below existing locker room in Building “D” for new plumbing as discussed. Mr. Jussaume seconded the motion. The motion carried unanimously.

CCD26 Carpet Moisture Mitigation – Mr. Carroll reported that moisture mitigation is being suggested for the carpeted areas because they are getting readings of 92% when it needs to be not more than 85% moisture. There is a concern that the manufacturer of the carpet will not warranty the carpet without the mitigation. There was a discussion that it is due to the glue being used which is less toxic similar to the other flooring issue.

Mr. Jussaume made a motion to approve CCD 26 to add the moisture mitigation for the entire carpeted area in Phase I. Mr. McNamara seconded the motion. The motion carried unanimously.

Mr. Carroll read the questions that he’s been asked from the website. The Committee suggested he refer them to the Superintendent’s office to answer. The second question from Jim Lyons NILP will be referred to the ADA Expert through Mount Vernon Group that was used on this project.

The window review is ongoing. The survey is ongoing. Phase 2 Egress review ongoing.

The next meeting for the High School project will be August 14, 2013 at 5:30 p.m.

Mr. Thibault made a motion to adjourn the meeting at 9:00 p.m. Mr. Gagnon seconded the motion. The motion carried unanimously.

**PERMANENT BUILDING COMMITTEE**

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