

TO: MEMBERS OF THE JOINT BUILDING COMMITTEE:
Co-Chairs: School Board Chairman Kent LaPage
City Councilor Joanne Grasso
City Council Members: Laura Pantelakos and Thomas Ferrini
School Board Members: John Lyons and Ann Walker
Citizen Member: Robert Iafolla
Ex Officio: W. Peter Torrey, Business Administrator
Also: John Bohenko, City Manager
David Holden, City Planning Department

FROM: W. Peter Torrey, Clerk for the Committee

DATE: June 23, 2004

RE: Joint Building Committee Meeting Minutes

The Joint Building Committee held a meeting at the PHS Conference Room on June 23, 2004 at 7:45 a.m. Attending were: City Council members Co-Chair Grasso, City Councilor Thomas Ferrini; School Board members Ann Walker and John Lyons; Robert Iafolla and School Business Administrator W. Peter Torrey. Absent: City Councilor Laura Pantelakos.

Also attending were Bill DiBartolomeo, Clerk of the Works; Wes Bonney, Team Design; Wayne Blais, Hutter Construction and City Attorney, Robert Sullivan.

1. Meeting Call to Order and Roll Call

Co-Chair LaPage called the meeting to order at 7:45 a.m.

2. Approval of Minutes

Motion: Co-Chair LaPage called for a motion to approve the minutes from the meeting of May 19, 2004. Co-Chair Grasso moved. Mrs. Walker seconded.

3. PHS – Project Status Report

Mr. DiBartolomeo reported on the status of the PHS construction and renovations:

New Building

1. Working on punch list items.
2. Adjustments on the HVAC controls are minimal. Isolated areas of air-conditioning irregularities. Art Department main concern for A/C. Found that the roof top unit was not distributing air to that area. Corrections made and problem resolved.

Existing Building

1. Demolition is ongoing at the classroom and gym areas.
2. Masonry work for the exterior dining area walls has begun. Interior studs for partition is completed in the dining and kitchen areas.
3. Demolition work has started in the gym area. The exterior walls for the new weight room (studding) have been completed.
4. Mechanicals and electrical work continues with workers throughout the building.

5. Commissioning continues on the building providing very positive results. Mr. DiBartolomeo further explained that the missing siding, which currently appears as yellow exterior walls, is to have stucco applied to it. Also, there is repair work needed on the walkway connecting both buildings. Mr. Blais reported that the weight room would be turned over within the next three to four weeks. The windows and flooring need to be installed. The wheelchair lift is also in need of completing.

Co-Chair LaPage suggested taking the agenda out-of-order and proceed with *New Business/Other* as Attorney Sullivan is expected to arrive with information to be discussed under *Old Business*. All members were in agreement to this suggestion.

4. *New Business/Other*

Retainage Calculation – Mr. Torrey explained that 10% of requested payments for Hutter Construction are set aside as retainage and that items that are more than 50% completed were reduced to a 5% retainage. Mr. Torrey explained that the last two Hutter Construction requisitions for payment were calculated with a 5% retainage. Mr. Torrey stated that he has discussed this situation with Hutter Construction and the City Attorney, Robert Sullivan and also needed to make the JBC aware of this situation. Mr. Blais explained that they had a billing software situation, which has since been corrected. The May bill is accurately reflected at a 10% retainage. Mr. Torrey indicated that there is currently \$1,300,000 in retainage.

New Franklin School – Mr. Torrey stated that there is a small amount of work remaining at the New Franklin School. The original scope of service in the Rist-Frost proposal included focus on the exhaust fans serving the 1967 classrooms and possible retrofitting to the 1984 exhaust fans to improve airflow and year-round operation. The upgrading of the exhaust fans in the middle section of New Franklin School would cost approximately \$17,600. Mr. Torrey explained that six classrooms would have air exchange and would be tied into the system. (*The motion of July 16, 2003 approved an expenditure of up to the remaining balance of \$20,011 to be used for the necessary exhaust work at New Franklin School.*) Mr. Torrey noted that, if the cost goes over the approved amount, the school budget would absorb the difference.

5. *Financials*

Mr. Torrey reported that the June financial report is on target and within the scope of the budget.

Motion: Co-Chair LaPage called for a motion to authorize the payment of Manifest #72 in the total amount of \$1,072,592.73 for the Portsmouth High School project. Co-Chair Grasso moved after properly vouched. Mrs. Walker seconded. A roll call vote was taken. The motion was unanimously voted.

Mr. Torrey explained the new financial report design separates the main high school construction and renovation project (\$36 million dollars) from the Career Tech Center construction and renovation project (\$4.5 million dollars). Mr. Torrey stated that, as we do not have the full cost figures for the Career Tech Center in place, we know that the total numbers will not change. Budget costs involved with the renovation of the existing Career Tech Center totaling \$4,261,445 has been removed from the main project and moved to the Career Tech Center budget. This amount reduces the main

project total to \$31,738,555, increases the Career Tech Center overall total cost to \$8,761,445, and produces a grand total for both projects of \$40,500,000. Included in the \$4,261,445 were costs associated with hazardous materials removal, design services, engineering services, furnishings and equipment, administrative, contingencies and construction services. Mr. Torrey is requesting the authorization to make a contingency adjustment as well as alter the amount in the hazardous material line item.

Motion: Co-Chair LaPage called for a motion to authorize the restatement of the contingency account of \$190,000 and the allocation of \$60,000 for the hazardous materials removal line item. Co-Chair Grasso moved. Mr. Ferrini seconded. A roll call vote was taken. The motion was unanimously voted.

Mr. Torrey further explained that costs already paid total \$2,591,731 for the Career Tech Center and need to be taken out of the paid column of the main high school project and transferred to the Career Tech Center project accounting.

6. Old Business

Co-Chair LaPage requested an updated time line indicating what has been completed and what is left to be done. Mr. Blais stated that, as of the end of May, there is one year and two months left to go for the entire project to be completed (anticipated completion date of October 2005). The high school portion will finish up in January 2005 (anticipated girls locker room will be finished sometime after that date) and the culinary arts will be completed during the summer 2005.

City Attorney Robert Sullivan arrived at 8:30 a.m.

Mr. Torrey stated that the Career Tech Center project has gone to the School Board for design and educational approval. The City Council accepted the Career Tech Center grant from the State of NH in the amount of \$4.5 million dollars, thus, amending the grand total for the entire high school project to \$40.5 million dollars. Mr. Torrey further stated that City Attorney Robert Sullivan was asked to attend this meeting to assist the JBC in developing a formal statement allowing Hutter Construction to begin work on the Career Tech Center as well as enter into a contractual relationship with Hutter Construction and Team Design. Mr. Sullivan stated the JBC could not pay Hutter Construction and Team Design without a contract in place for the Career Tech Center. Mr. Sullivan further noted that Mr. Torrey met with Hutter and Team Design to discuss how to get from the agreements that are currently in place to the work to be done on the Career Tech Center. Mr. Sullivan stated that this could be accomplished by amending the contracts. Mr. Sullivan further stated that someone would need to go through the entire contract line by line to see if the Career Tech Center implicates any section of the contract. Mr. Sullivan did agree that it makes good financial sense to move ahead with the project. Mr. Sullivan noted that, in a previous, yet similar situation, the JBC had authorized an agreement with Hutter allowing work to begin until such time as an agreement was acceptable to all parties with the stipulation that if this did not happen, payment would be made on a time and material basis.

A discussion regarding the competitive bidding process took place. Mr. Torrey stated that it wasn't an issue with the State and that Hutter would approach his subcontractors for job pricing. Mr. Sullivan suggested a letter from the State supporting this would be desirable.

Mr. Torrey explained that he is in the process of preparing vouchers to be sent to the State of NH for reimbursement (@ 75%) for work in place on the Career Tech Center. Mr. Blais stated that technically \$2.7 million worth of work could be submitted now for reimbursement.

Mr. Iafolla questioned Mr. Blais as to when the JBC would have a *Guaranteed Maximum Price* (GMP) for the Career Tech Center. Mr. Blais indicated that he just received the final drawings today from Team Design and would have the GMP ready in three weeks and would present it at the next JBC meeting. Mr. Blais believes that the GMP would remain under \$3.8 million as proposed in the preliminary budget.

Motion: Co-Chair LaPage called for a motion to authorize that the interim agreement be prepared and executed for new work on the Career Center in an amount *not-to-exceed* \$500,000 pending resolution of contractual issues. Mr. Iafolla moved. Mr. Ferrini seconded. A roll call vote was taken. The motion was unanimously voted.

Motion: Co-Chair LaPage called for a motion to authorize draft agreements with Team Design and Hutter Construction, with respect to the Career Center, to be brought back to the JBC for review and approval by the July meeting. Co-Chair Grasso moved. Mrs. Walker seconded. A roll call vote was taken. The motion was unanimously voted.

7. Next Meeting

The next meeting of the JBC has been scheduled for Wednesday, July 28, 2004 in the conference room at PHS at 7:45 a.m.

8. Adjournment

Motion: Co-Chair Grasso called for a motion that the meeting be adjourned. Mr. Iafolla moved. Mrs. Walker seconded. The motion was unanimously voted. The meeting was adjourned at 8:50 a.m.

Respectfully submitted,

W. Peter Torrey, Clerk for the Committee

WPT/vk