

TO: MEMBERS OF THE JOINT BUILDING COMMITTEE

Co-Chairs: Dexter Legg- School Board
Chris Dwyer- City Council
City Council Members: Jerry Hejtmanek, Eric Spear
School Board Members: Sheri Ham-Garrity, Lisa Sweet
Citizen Members: Ernie Carrier, MaryAnn List, and Peter Middleton
Ex Officio: Stephen Bartlett, Business Administrator, Clerk for the Committee
Also: John Bohenko, City Manager, and Ed McDonough, Superintendent,
and John Stokel, Middle School Principal

FROM: Stephen Bartlett, Clerk for the Committee

RE: Joint Building Committee Meeting Minutes

DATE: November 10, 2009

The Joint Building Committee (JBC) held a meeting at the Portsmouth Middle School Library on Saturday, November 7, 2009. Attending were School Board Members: Dexter Legg, Sheri Ham-Garrity, Lisa Sweet, City Council Members: Chris Dwyer, Eric Spear, Jerry Hejtmanek, Citizen Members: Ernie Carrier, MaryAnn List, and Peter Middleton

Also attending was: Ex Officio Stephen Bartlett, Business Administrator, Clerk for the Committee, City Manager John Bohenko, Superintendent Edward McDonough, and Middle School Principal John Stokel.

1. Meeting Call to Order

Co-Chairperson Legg called the second regular meeting of the JBC to order at 10:17 a.m.

2. Roll Call

Mr. Bartlett took roll call at 10:17 am

Acceptance of October 20, 2009 minutes

Mr. Carrier made a motion to accept the minutes of October 20, 2009 meeting. It was brought to the committee's attention that Mr. Bohenko's name appeared on the attendee list. However, he was not at this meeting so an amendment was requested.

Motion: Mr. Carrier made a motion to accept minutes as amended.

Ms. Sweet seconded the motion

The motioned passed unanimously.

Consideration and Approval of Architects Contract

Ms. Sweet spoke on behalf of the committee to state that the committee has agreed to accept JCJ Architecture as the architects for the Portsmouth Middle School Project.

Motion Ms. Sweet made a motion to accept JCJ Architecture as the architects for Phase II of the Portsmouth Middle School Renovation and Expansion Project and authorize the City Manager and the Superintendent of Schools to negotiate and execute the contract with appropriate amendments.

Ms. Ham-Garrity seconded the motion.

The motioned passed unanimously.

Discussion:

Mr. Bohenko stated that further work needs to be done on the contract by the legal department. Further discussion will take place at a non-meeting with counsel scheduled for Monday, November 9, 2009.

Congrats went out to JCJ Architecture.

Presentation by JCJ/DeStefano Architects

Mr. LaPosta, Principal-in-Charge, Mr. Roberts, Project Manager, and Ms. DeStefano, Associate Architect began their presentation.

Mr. LaPosta began the presentation of the Portsmouth Middle School Renovations and Addition packet, covering the following topics:

- Project Organization and Process to date
- Public Workshop Summary
- Approved Building Program
- Preferred Site and Building Design

Mr. Roberts then took over to discuss:

- Project Schedule and Estimates of Probable Cost
- State Building and Building Cost Analysis
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Mr. Roberts made note that:

- 1) All costs were updated as of August 2009. He also noted the Construction Management and the Commissioning are built in to the budget.
- 2) The Geotechnical Investigation is a concern that needs to be addressed up front based on the way the building has settled.
- 3) The Owner's Contingency shown is based on NH DOE recommendations.

The committee asked several questions:

- 1) Commissioning; Mr. Roberts indicated that commissioning was a necessary component of the project.
- 2) How does the total of \$37.5 million stand as of today?
JCJ said it seems solid as of today based on the current size.
- 3) Are they (JCJ) comfortable with the current schedule?
JCJ said the schedule would still work with minor adjustments.
- 4) Did they (JCJ) think that construction management was better than hard bid?
JCJ stated that, based on their experiences, construction management is really the best for this project.

Mr. Bohenko and Mr. Bartlett discussed briefly that permanent financing could be in two parts. Mr. Bartlett stated that when you have more than one (1) bond, NH DOE treats each bond individually and that reimbursement would pro-rated accordingly. Mr. Bohenko told Mr. Bartlett that the first bond would most likely go out in January 2010.

JCJ continued the presentation with a discussion about the Project Schedule and highlighted the critical path importance for the committee to proceed with the softball field project. Mr. Carrier asked about the project scope if the Wentworth site was picked. JCJ stated that on-site infrastructure of the Wentworth site would help with the aggressive schedule of having the field available in the summer of 2011.

JCJ indicated that additional first steps would include specifying the scope of the:

- 1) Geotechnical and Traffic studies,
as well as the
- 2) Site Surveys of:
 - a. PMS and Alumni Field
 - b. PHS Football Field
 - c. Off Site Softball Field

Mr. Bohenko stated that given the time frame we should go with JCJ's recommendations to put together scope of service specifications because the City staff doesn't have the resources to perform all the specification work due to the volume of other municipal projects going on in Portsmouth.

At 12:25 pm Co chair Legg called for a five (5) minute break.

Co-chair Dwyer asked JCJ to explain change orders.

JCJ confirmed that there would be change orders. It is almost impossible not to have them but that they will try to minimize them. He said that there are three (3) types of change orders:

- 1) Owner initiated
- 2) Unforeseen conditions
- 3) Team Errors

A discussion of change order approval protocol followed. The recommendation was made that thresholds be incorporated in the change order process because some decisions will be required between meetings. Mr. Bohenko will check on the historical threshold levels.

Mr. Spear asked JCJ for their experience/expectations on "value" engineering.

Ms. Sweet asked if change orders are in the contingency cost?
JCJ confirmed this.

Mr. Hejtmanek asked how the construction manager fit into the process. JCJ stated that the construction manager is part of the "team" and that he will attend all meetings, receive copies of all correspondence, etc. He then reports back to the JBC.

Ms. Sweet asked about the process for hiring the construction manager. Mr. Bartlett stated that an RFQ/RFP process would most likely be followed. He also stated that having the process complete by February would fit the project schedule.

The JBC agreed to have a public comment session at each meeting.

Ms. Ham-Garrity stated that the contract indicates that Mr. Bohenko was designated the owner's representative for Phase I and that the JBC should pick an owner's representative for Phase II at their next meeting.

Co-chair Dwyer asked if there was any input or comments from the public.
No one from the public chose to speak.

Mr. Bartlett reviewed his notes regarding topics for future meetings:

1) A non-meeting with Counsel will be held on Monday, November 09, 2009 at 6:00 pm in Conference Room A

2) The next regular meeting is Wednesday, December 2nd at 6:30 in the Little Harbor SchoolBoard Room regarding:

- a. Discussion of construction delivery methods
- b. Eminent Domain Update
- c. Field discussion with City Staff.

Mr. Stephen Parkinson, Director of Public Works, and Mr. Rus Wilson, Athletic Director, will be asked to attend to update the committee on the field options.

Co-chair Legg added that a discussion on phasing (student on-site vs. student off-site) should take place and that JCJ should be at this meeting to discuss their experiences.

Co-chair Dwyer asked if Mr. Ed Murdough could be present at this meeting to discuss on-site vs. off-site as well.

Co-chair Legg stated that JBC must meet the needs of the Middle School Program as originally outlined and voted by the School Board.

Mr. Hejtmanek commented that many members of the public are addressing him and expressing the opinion that the students need to be offsite. The JBC needs to have concrete statements ready to present to the public on this.

JCJ asked if Mr. Bartlett would be the main contact person for this project? The JBC member consensus was yes.

Mr. Bohenko re-iterated that emails are not recommended due to the "Right to Know" laws.

JCJ stated that all correspondence should go to Mr. LaPosta, with a copy to Mr. Roberts.

Mr. LaPosta stated that JCJ would start the specification process in anticipation of the contract signing.

Motion:

Co-chair Legg made the motion to authorize JCJ to start work on the scope of the: Geotechnical Study, Traffic Study, and the Middle School /Alumni Field site surveys.

Mr. Hejtmanek seconded the motion.

The motioned passed unanimously.

Motion:

Co-chair Dwyer made a motion to adjourn the meeting.

Ms. Sweet seconded the motion.

The meeting was adjourned at 1:08 pm

Respectfully submitted,
Stephen T. Bartlett, Clerk for the Committee

SB/nc