

TO: MEMBERS OF THE JOINT BUILDING COMMITTEE

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

FROM: Stephen Bartlett, Clerk for the Committee

DATE: December 17, 2009

RE: Joint Building Committee Meeting Minutes

The Joint Building Committee held a meeting at the LHS Conference Room on Wednesday, December 16, 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 were: Stephen Bartlett, Business Administrator, Clerk for the Committee, City Manager John Bohenko, Superintendent Edward McDonough, and Middle School Principal John Stokel.

Guest attendees were: Assistant City Attorney Suzanne Woodland and City Attorney Robert Sullivan.

### **Meeting Call to Order**

Co-Chairperson Legg called the regular meeting #4 of the JBC to order at 5:03pm

### **Roll Call**

Mr. Bartlett took roll call at 5:03 pm

### **Acceptance of December 2, 2009 minutes**

Co-Chairperson Dwyer made a motion to accept the minutes of December 2, 2009 meeting.

**MOTION:** Mr. Carrier made a motion to accept minutes as presented.

Ms. Ham-Garrity seconded the motion

The motion passed unanimously.

## **Discussion:**

### *Old Business:*

Update of RFQ/RFP for construction manager: Ms. Woodland mentioned that she had worked on this with City Staff and Mr. Bartlett. She sent a draft to the JBC committee members and as soon as she gets comments back she will compose the final document and have this on the web in a few days. She reviewed that this will be a multi-step project:

The sub-committee comprised of Ms. Sweet, Mr. Spear, and Mr. Middleton, along with staff members Bartlett, Parkinson and Hartney will narrow the field down to between 3 and 5 candidates. RFP's will be sent out to these finalists. The sub-committee will then review the RFP submittals and bring forth to the JBC members, by mid-February, two final candidates. The JBC will interview the finalists, and a final choice will be voted on.

## **Discussion:**

### *New Business:*

Mr. Bartlett handed out draft copies of the Portsmouth Middle School Joint Building Committee Roles and Responsibilities and Protocol Document along with an Organization chart and a Portsmouth Middle School Project Work Plan from JCJ Architecture.

Mr. Bohenko suggested attaching the corresponding RSA to the document. All agreed to this suggestion

Discussion took place on the first and last section under JBC Guiding Principles portion. The phrase "and provide flexibility of use" was added to the first section. Therefore, it would read, "Deliver a renovated and expanded middle school and surrounding grounds at Parrot Avenue and associated athletic fields that support Portsmouth Middle School's educational program now and in the future and provide flexibility of use".

The phrase to add to the last bullet was, "and scope". It now reads, "Balance schedule, costs, quality and scope to optimize long term value".

Discussion began on the JBC Operating Protocols:

Agenda Setting- all agenda items should go to Mr. Bartlett by the Wednesday before meeting dates. Mr. Bartlett will mail agendas and other info on the Friday's before the meeting. Mr. Bohenko asked if City Staff could be told prior to upcoming meetings if they are needed. Agendas will be posted on Friday (prior to meeting dates) at the Superintendent's office and the City Clerk's office and on the City Website. An action sheet should be sent for posting to the City Website within 177 hours of meeting.

Communication on behalf of JBC: Mr. Legg stated that specific structure is needed, for example: The construction manager will give monthly reports to Mr. Bartlett and these would go to Ms. Dwyer and Mr. Legg. Mr. Bartlett will summarize all reports. The summaries will go to the School Board and the City. All detailed reports will go to the JBC.

A decision was made to add a box just below the Joint Building Committee for the Owner's Representative on the organization chart. Boxes will also be added for City and Technical Staff.

Communication to City Council, City Officials and School Board: Mr. Legg suggested that the Co-Chairs have authority to communicate information from the JBC out to the City Council and School Board at the first monthly meeting of those bodies.

Communication among committee members, including email- City Attorney Robert Sullivan spoke of the "Right to Know Law" and made several points: Emailing is discouraged for, at the very least, the email may be considered a public record. Interaction and discussion conducted via email may also constitute a public meeting. Preservation of public documents could then include personal home computers. All JBC members should send emails only to Mr. Bartlett and Mr. Bartlett would distribute (if ever any questions on this Mr. Bartlett will contact Legal Department first).

Mr. Legg asked that a sub-committee be formed to outline a plan for the content, approval and dispersal of information to the general public. Ms. Sweet, Ms. List, and Mr. Spear volunteered for this sub-committee. Superintendent McDonough will be the staff representative. Mr. Legg asked the sub-committee to present a preliminary plan at the JBC's next meeting and elect a chairperson. It was noted that this sub-committee's meetings/agendas must be posted also.

Decision-making, including when consensus is appropriate, when formal votes are required-All financial matters, change orders: should be a formal vote (roll call not needed). Common procedures can be by consensus.

Standing meetings/ad hoc meetings: Schedule: 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month at 6:30 pm at the Little Harbor School Board Room. Once construction starts, meetings may be during the day. Further discussion will be needed to decide who will need to attend these meetings. Mr. Bartlett will formulate a calendar to coincide with the school's calendar.

Mr. Legg asked for all suggestions and changes to the Roles and Responsibilities Draft be sent to Mr. Bartlett. At the next meeting a final document should be presented.

Due to time constraints of this meeting, the discussion of the Clerk of the Works and Owner Project Manager had to be tabled.

**Public Comment:**

Mr. Almeida, President of a local business, would like the committee to consider using an Owner's Project Manager.

Mr. Tom Mercy, President of Local 961 Labor Union requesting using his union members for this project.

**Next meeting date and time**

Next meeting is scheduled for Wednesday, January 13, 2010 at 6:30.

Happy Holiday and Happy New Year were wished to all.

**Adjournment**

**MOTION:** Mr. Dexter called for a motion that the meeting be adjourned.  
The meeting adjourned at 6:33pm

Respectfully submitted,

Stephen Bartlett, Clerk for the Committee