

## **Minutes of the Building Commission Meeting**

Wednesday, May 26, 2021

Remote Meeting via Zoom

6:00 p.m.

In Attendance: Janet Fierman, Ken Kaplan, Karen Breslawski, Nate Peck, Building Commission; Tony Guigli, Project Administrator; Dan Bennett, Building Commissioner; Jim Rogers, Jen Carlson, Lynn Stapleton, Matt Casey, Adam Keane, Leftfield Staff; Philip Gray, Carol Harris, Jonathan Levi, Jonathan Levi Architects (JLA) Staff; Lynda Callahan, Paul Ruggiero, Danielle Skilling, Gilbane Staff; Carla Benka, Advisory Committee; Susan Wolf-Ditkoff, School Committee; Matt Gillis, School Department.

### **Driscoll School Project**

Leftfield staff appeared before the Building Commission to provide an update on the Driscoll School project relating to the Approval of the Guaranteed Maximum Price (GMP) consisting of the GMP Value, Alternate # 1 Value; impact to the budget and Schedule.

T. Guigli explained the process for the Approval of the GMP. Leftfield will present the GMP to the Building Commission for approval tonight and then will be voted on at the School Committee tonight and then to the Select Board for Approval on June 1, 2021. If all approved, an issue of notice to proceed will follow on June 2, 2021. The Comptroller's Office confirmed that funds are available for the project if approved by all boards and committees.

J. Rogers presented the GMP for the Driscoll School Project in the amount of \$93,823,333. They have a price for Alternate # 1 for the terrazzo flooring in the amount of \$192,921. Based on the budget, he suggests no action on this alternate. If they find that there is adequate contingency, they will revisit bidding for that project and go before the Commission with a recommendation. The GMP price fits within the budget with an adequate contingency of 6%; allows achieving a September 1st, 2023 opening; achieves the education goals of the school; and allows for a fossil fuel free school.

J. Rogers explained the process of how they got the GMP. The team of Leftfield and Gilbane reviewed the GMP Summary Breakdown, qualifications and clarifications - the list was paired down; staffing plan; Owner Allowance; Trade Allowance; general requirements; Insurance and Bond; Project Schedule and Narrative; Document List; Construction Management and Logistics Plan; Contractor Controlled Insurance Plan (CCIP) and Subcontractor Default Insurance (SDI).

J. Rogers reviewed the Schedule of Values – the GMP Summary Breakdown. They achieved cost-certainty going through the value engineering process. They were able to come up with 2.75% of contingency, in the amount of \$2,196,497 within the contract to deal with issues of the contract.

The Original Budget versus the Proposed Budget of Soft and Hard Costs Changes, as shown below, was explained and how they came up with the reductions needed to meet the budget.

	Original Budget	Proposed Budget	Delta
Total Project Soft Costs	\$ 22,390,437	\$ 21,476,667	\$ (913,770)
Total Project Hard Costs	\$ 92,909,563	\$ 93,823,333	\$ 913,770
<b>Total Project Budget</b>	<b>\$ 115,300,000</b>	<b>\$ 115,300,000</b>	<b>\$ -</b>
<b>Total Project Budget (incl. Feasibility)</b>	<b>\$ 116,513,275</b>	<b>\$ 116,513,275</b>	<b>\$ -</b>

	Original Budget	Proposed Budget	Delta	
CMR Pre-Con Services*	\$ 319,688	\$ 474,697	\$ 155,009	*approved changes
Legal Fees	\$ 106,563	\$ 56,563	\$ (50,000)	
TOB Project Management Services	\$ 576,500	\$ 150,000	\$ (426,500)	
PSB Project Management Services	\$ 225,000	\$ 150,000	\$ (75,000)	
Utilities & Utility Company Fees	\$ 106,563	\$ 21,563	\$ (85,000)	
Security	\$ 106,653	\$ -	\$ (106,653)	
Technology Equipment	\$ 1,120,000	\$ 1,361,392	\$ 241,392	
Owner's Contingency**	\$ 2,199,793	\$ 1,316,965	\$ (882,828)	**includes approved changes
Construction Contingency	\$ 4,645,478	\$ 4,645,478	\$ -	
<b>Construction Budget</b>	<b>\$ 92,909,563</b>	<b>\$ 93,823,333</b>	<b>\$ 913,770</b>	

Discussion took place on the reductions. The Project Management services showed an extensive reduction. It was explained that the original budget was created before Leftfield was involved in the project and it had to do with staffing changes on the project such as the Project Administrator and Clerk of the Works involvement in the project.

J. Rogers reviewed the schedule of the GMP. He reviewed the bidding dates and the meeting that occurred in order to come up with the GMP. He shared the anticipated dates of what will happen after the GMP is approved. They are looking to start the project once school gets out. They are looking for a Building Substantial Completion date of August 16, 2023 and a Site Substantial Completion date of May 23, 2024.

T. Guigli asked JLA if there was anything in the GMP with the qualifications or anything else they feel is inconsistent with the design intent. J. Levi confirmed that there was not anything inconsistent with the design intent.

T. Guigli asked Leftfield about the three final comments from Town Counsel and their thoughts on them. L. Callahan explained the first comment one was about qualification # 13 relating hazardous materials. It was requested to say, if negligence is due to Gilbane or trade contractors, that they are responsible. It was implemented as requested in the exact language that Town Counsel provided. The second comment was related to item # 30 relating to Builder's Risk. They were asked for clarification on "acts". They added the statement, if the

responsibility is unassigned, a deductible would be reimbursed through the construction manager's contingency, however, if losses were due to Acts of God (floods, earthquakes, storms, tornado, etc.) then the deductible would be reimbursed through a change order. The third comment was struck from the GMP. It was related to unanticipated things underneath the building. It was decided that they were going to rely on the design of the building.

T. Guigli asked for further clarification on the Builder's Risk. He asked who pays the deductible in the event when no one knows what or who caused of the issue. He explained that this would come out of an allowance, a contract fund, so that the GMP would not be increased. The only circumstance, in which the GMP would be increased by change order, is if it is an Act of God. The team of Gilbane, JLA and Leftfield all agreed to this statement. The set number for deductible is defined as \$50,000 per occurrence for flood, earthquake and storm.

*Motion made by J. Fierman to approve on the understating and subject of confirmation that the last three items raised in Town Counsel's email are addressed as discussed.*

Aye: Kaplan, Breslawski, Peck, Fierman

**By Roll Call Vote Approved.**

*Motion made by K. Kaplan to approve the reallocations among the budget as discussed.*

Aye: Kaplan, Breslawski, Peck, Fierman

**By Roll Call Vote Approved.**

J. Rogers thanked everyone on the team and those involved in the project in getting them to the point in maintain a move-in date of September 1<sup>st</sup>, 2023.

### **Old and New Business**

None.

Meeting adjourned at 6:50 p.m.

Minutes respectfully submitted by Beth McDonald.