

DRAFT

Minutes of a special meeting of the Standing Building Committee held on August 17, 2021

Present: David DeMaio, James DeMaio, David Lamberton, Peter Rader, Will Thompson

Also present: Cliff Gurnham, Director of Operations; Eric Roise, Kaestle Boos Associates, LLC

David DeMaio called the meeting to order at 5:34 p.m.

1 Discuss for possible action Cox HVAC and the response and suggestions from Town legal counsel. Mr. Gurnham provided a follow-up on the conversation with Town Counsel regarding the Standing Building Committee's recommendation at their regular August meeting, that it would be in the Town's best interest to not grant an extension of time for the project as requested, and to recommend that all bids received for Bid #13-2021 be rejected with the intention to re-bid at a later date with specific terms and conditions including a timeline to begin the project at the end of the school 2022 school to be completed for the start of the fall, 2022 school year. Mr. Gurnham noted that Town Counsel advised of a possible legal issue with this recommended action since the Town had issued a Letter of Intent with Sav Mor. It was noted that it would be very complex to try to cancel the contract. In response Sav Mor was asked to provide more detail on the change order that would consider pricing based on time and materials. Mr. Gurnham advised that Sav Mor did not add additional time to the change order but there was an hourly rate increase based on the project increase in the prevailing wage. A recommended solution is to move forward with Sav Mor and allow them to order materials with the understanding that the Town will store the materials, and Sav Mor will focus the change order on any cost increase for subs related to the increase in the prevailing wage rate effective July, 2022. Mr. Gurnham noted that the overall cost of the change order would still be lower than the cost provided by the second lowest bidder.

Mr. Rader expressed concern for approving a change order without a fully executed contract. He is also concerned that the contractor had initially advised that they could meet the deadline date but later changed their commitment.

Mr. Gurnham noted that if the contract and change order are able to move forward, the contractor will be able to order the materials before any future price increases go into effect. He suggested that the Town could ask for a schedule prior to signing the contract.

After discussion, on motion made by David DeMaio, and seconded by Mr. Lamberton, the Standing Committee voted to recommend that, based on a discussion with Guilford legal counsel, and due to unknowns of material price escalations going forward in the market, Change Order #2 from Sav Mor for \$38,061.79 be accepted as a not-to-exceed figure. David DeMaio, James DeMaio, Mr. Lamberton and Mr. Thompson voted in favor of the contract with Mr. Rader opposed.

Mr. Gurnham noted that he will advise the First Selectman to move forward with signing the contract and will take Change Order #2 to the Board of Selectmen with the recommendation of the Standing Building Committee to move forward.

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2. Discuss for possible action GHS Turf Field and Track Project Change Orders. Mr. Gurnham and Mr. Roise noted receipt of a number of Change Order Requests from H.I. Stone for the GHS Turf Field and Track Project and Committee action is being requested. Mr. Roise noted that there is \$60,000 in Contingency that has not yet been used that could be made available for some of these requests.

On motion made by Mr. Lamberton, and seconded by Mr. Rader, the Committee voted unanimously to approve Change Order Proposal #001, from H.I Stone & Sons, Inc. for \$3,644.42 for revised logo and lettering, for the GHS Track and Field Renovations project.

On motion made by Mr. Lamberton, and seconded by Mr. Rader, the Committee voted unanimously to approve Change Order Proposal #002, from H.I Stone & Sons, Inc. for \$8,381.80 for additional jack hammer work for rock at the D-zone curbs and goal post footings to be able to make the footings an appropriate size, for the GHS Track and Field Renovations project.

On motion made by Mr. Rader, and seconded by Mr. Lamberton, the Committee voted unanimously to approve Change Order Proposal #004, from H.I Stone & Sons, Inc. for \$8,250.10 for the revised perimeter fence to the west of the press box and additional paving under the fence for the GHS Track and Field Renovations project. Mr. Roise noted that credit for the portion of the fence not to being installed has been built into the change order figure.

On motion made by Mr. Thompson, and seconded by James DeMaio, the Committee voted unanimously to approve Change Order Proposal #005, from H.I Stone & Sons, Inc. for \$15,895.30 for additional 4 x 6' black vinyl chain link fencing and new grading and a gravel pad for a new shed, for the GHS Track and Field Renovations project.

On motion made by Mr. Lamberton, and seconded by Mr. Rader, the Committee voted unanimously to approve Change Order Proposal #006, from H.I Stone & Sons, Inc. for \$21,888.87 for a change in the material from asphalt to concrete for a portion of the sidewalk by the shed and concession stand for the GHS Track and Field Renovations project.

It was noted that all change orders, with the exception of #002, were owner driven changes in scope of work.

3. Discuss for possible action GHS Turf and Tack project COVID-19 price escalation letter and situation as identified in letter from H.I. Stone & Son, Inc dated August 10, 2021. Mr. Roise noted that a letter had been received from Carl Rose, Project Manager with H.I. Stone requesting the Town's assistance with covering additional costs related to the escalation in prices for materials for the GHS Track project. H.I. Stone & Son executed a contract with ATT Sports, and they subsequently provided a purchase order to their supplier. Due to increases in raw material costs the supplier is not honoring the purchase order and has increased the cost by \$27,352.00. ATT Sports is stating that they cannot perform the work unless they are compensated. H.I. Stone bid the project with a slim margin and has

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already absorbed escalation costs for other aspects of the work. They are asking that the Town consider sharing in the cost increase.

The Committee members questioned when H.I. Stone issued the PO to the supplier and whether the supplier acted efficiently. Mr. Gurnham noted that the contract with H.I. Stone was executed on May 8th. He would need to confirm when the PO was processed. Mr. Roise noted that the submittals were provided on July 1st and were approved on July 18th. David DeMaio expressed concern that the contract was executed in May but the submittals were not provided until July.

David DeMaio questioned whether the product has been ordered? Mr. Roise noted that he assumes the product has been ordered since the contractor is looking for relief, not issuing a change order.

Mr. Gurnham noted that he could request that Mr. Rosa provide additional information on the timeline especially with regard to execution purchase order and when the price escalation went into effect. Mr. Rosa could also be asked to attend the September Standing Building Committee meeting to provide additional information and answer questions.

The Committee members commented that they are not in support of this request and will not support the Town sharing in the increased cost.

Mr. Gurnham suggested that he contact Mr. Rosa and advise him that the overall view of the Committee is that they are not in favor of the request for the Town to share in the escalation costs of \$27,351.00 for Track and Field replacement material as outlined in a letter dated August 10, 2021, and he will offer for Mr. Rosa to attend the September Standing Building Committee meeting if he has additional information or clarification of any aspects to provide regarding this request.

There being no further business, David DeMaio adjourned the meeting at 6:36 p.m.

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Terry Holland-Buckley  
Clerk