

**REGULAR MEETING
February 18, 2014**

The Wethersfield Town Council held a meeting on Tuesday, February 18, 2014 at 7:00 p.m. in the Council Chambers, 505 Silas Deane Highway, Wethersfield.

Present: Councilors Hurley, Kotkin, Manousos, Martino, Rell, Roberts, Deputy Mayor Barry, and Chairperson Montinieri. Absent: Councilor Hemmann.

Also present: Nancy Stilwell, Social Services, Mike Turner, Town Engineer, Rusty Malik – Quisenberry Associates, Lorel Purcell, O&G, Jeff Bridges, Town Manager and Dolores G. Sassano, Town Clerk.

Councilor Rell led the pledge of allegiance to the flag.

Mayor Montinieri introduced the public hearing item: **“A resolution authorizing the Town Manager to sign the agreement entitled “Master Municipal Agreement for Construction Projects” with the Connecticut Department of Transportation.”**

With no one from the public wishing to speak on the item, Mayor Montinieri declared the hearing closed.

GENERAL COMMENTS

Gus Colantonio, 16 Morrison Avenue commented t the public does not attend the Council meetings because the council does not address the public concerns. For three years he has commented on the lack of a sidewalk on Morrison Avenue. Also, the snow plow continues to put snow up on the sidewalk after he has cleared it.

COUNCIL REPORTS

Councilor Hurley reported he attended the last Board of Education budget meeting and their administration is going to present their budget to the Board of Education officially on Tuesday, February 25th and it looks like it will probably be around 4.22% which they can change but is where they settled at.

Mayor Montinieri thanked Councilor Hurley for attending all their budget meetings. He appreciates the time it has taken to be there.

Councilor Barry reported the Building Committee worked hard on value engineering and saved over \$2 million dollars so doing. They have a significant number of contracts is on the agenda tonight to be awarded. It is critically important to keep the project moving to ensure that we lock into these contract prices.

COUNCIL COMMENTS

Councilor Roberts complimented the town crew and stated that they have been out there day and night for about a week or two with the snow removal. She stated it is getting to be impossible to find a place to put the snow. The streets look good overall and she thanked them for their dedication and hard work.

TOWN MANAGER'S REPORT

Mr. Bridges stated there are a couple of documents on the podium. One is a synopsis of what you are being asked to vote on from the Building Committee for action tonight. We also have the actual bid results as well.

TOWN CLERK COMMUNICATIONS

Ms. Sassano reported that the Charter Commission is going to be meeting on February 27th at 7:00 in the Council Chambers. They will need to have the charge from the Council if they want specific items reviewed. The public is also invited to comment.

Ms. Sassano stated we realize the State flag outside is tattered and torn and we have a replacement for it. It could not be replaced immediately because the rope is frozen in ice. As soon as it thaws, perhaps by the weekend, Physical Services will get it changed.

COUNCIL ACTION

None.

UNFINISHED BUSINESS

None.

OTHER BUSINESS

Councilor Martino moved **“TO ADOPT THE RESOLUTION AUTHORIZING THE TOWN MANAGER TO SIGN THE MASTER MUNICIPAL AGREEMENT WITH THE CONNECTICUT DEPARTMENT OF TRANSPORTATION”**, seconded by Deputy Mayor Barry.

Mr. Bridges explained the Connecticut Department of Transportation has refined their Master Agreement with local units in government for projects coming out of CDOT funds. He stated this was run through the town attorneys and it is pretty standard. Mr. Bridges asked if Mike had any other comments.

Mike Turner commented typically on any project that we would be involved with we would have

to strike up an individual agreement between the town and the DOT for their design and construction services which could take upwards to 60-90 days sometimes and stretch out a project. He explained this is an effort on behalf of the DOT working with CROG to simplify the process and come up with a master agreement. If we are granted a specific project what we would do is a 1-page addendum to that agreement; it should be a week to ten days turnaround and that's a good thing.

Councilor Kotkin asked if most members of CROG are going to be signing pretty much the same thing. Mr. Turner responded there are 114 towns throughout Connecticut that have already signed this master municipal agreement. Councilor Kotkin asked if it is the same wording for all of them. Mr. Turner responded that it is the exact agreement for all municipalities.

All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Councilor Martino moved **"TO AUTHORIZE THE TOWN MANAGER TO SIGN THE MANAGEMENT AND CONSULTING AGREEMENT BETWEEN THE TOWN OF WETHERSFIELD AND RAEANN PALMER"**, seconded by Councilor Manousos.

Mr. Bridges explained that RaeAnn has retired but wished to finish up the installation of the radio system. This consulting agreement provides for that opportunity.

All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Councilor Martino moved **"TO SET A PUBLIC HEARING FOR THE SMALL CITIES GRANT APPLICATION FOR MARCH 17, 2014"**, seconded by Deputy Mayor Barry.

Mr. Bridges explained the Wethersfield Housing Authority has had tremendous success over the past several years renovating dated facilities they own with these grants. They have requested the town make it available to them again for additional work at 60 Lancaster, an elderly handicapped housing facility. Mr. Bridges reminded them the town is an eligible recipient which the Housing Authority is not; we act as the conduit for which they can get these funds. We have to hold the public hearing and basically overall manage the grant with the administrator and to get this done. They have done a lot of good work over there and there is still a need so I would support this whole-heartedly.

All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Councilor Barry moved **"TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT A STATE MATCHING GRANT PROGRAM FOR ELDERLY AND DISABLED DEMAND RESPONSIVE TRANSPORTATION (DIAL-A-RIDE EXPANSION GRANT) IN THE AMOUNT OF \$31,773 FOR WETHERSFIELD AND \$89,436 TOTAL, AND TO NEGOTIATE AND SIGN A MEMORANDUM OF UNDERSTANDING WITH THE TOWNS OF NEWINGTON AND ROCKY HILL TO PROVIDE A TRI-TOWN MEDICAL TRANSPORTATION SERVICE"**, seconded by

Councilor Roberts.

Mr. Bridges explained that Dr. Stilwell is here this evening to answer any questions. He stated this grant helps us expand the basic Dial-A-Ride service; it's an annual grant which really helps provide a much better service for residents of Wethersfield, Rocky Hill and Newington.

Dr. Stilwell explained this grant is a huge asset for us. The condition of the grant is that it must augment rather than supplant any current services. We had cut back years ago because of physical need to four days a week. This allows us to do seamless medical transport five days a week, to a broader geographical area that we were previously providing. We serve as the fiduciary for the three towns. We take 10% off the top which helps us offset our administrative cost; each of the towns gets a \$1,000.00 out of that for their administrative costs. We can do all the negotiation and service with the provider.

Councilor Kotkin asked if we are voting on the motion to authorize the town manager to apply for and accept the matching grant program. Dr. Stilwell responded right. Councilor Kotkin asked if we also approve the vendor here. Dr. Stilwell responded that is next. This is the grant from the Department of Transportation which is strictly grant money. They augment what we as a town contribute for the regular dial-a-ride. Councilor Kotkin was satisfied with that answer.

All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Deputy Mayor Barry moved **“TO APPROVE A CONTRACT FOR DIAL-A-RIDE SERVICE WITH TRANSPORTATION SERVICES”**, seconded by Councilor Roberts.

Mr. Bridges explained that our Transportation Services has expired and we solicited bids for Dial-A-Ride services. We have received two bids, the results of which are in your packet. He stated that Staff is recommending staying with Curtin. Although they are higher cost they have a better track record with the town in providing this service. We left the other vendor several years ago due to poor service. Mr. Bridges stated that Dr. Stilwell has done the research on the background. Curtin has other Dial-A-Ride services and they have provided us dial-a-ride services. The other vendor does not have any current dial-a-ride services so we do recommend staying with Curtin.

Mayor Montinieri asked if there were any questions for Nancy or Jeff on this topic.

Councilor Kotkin asked if we went to the low bidder instead would it basically be a new start-up service. Dr. Stilwell responded that it absolutely would. When we were with them before, they were a subcontractor of Logistic Care with whom we contracted directly. She explained Logistic Care handled all the reservations. This means the other contractor would have to hire reservations agents and start a whole process to do our reservation and dispatch service. Previously they did dispatch but they did not do reservations.

Councilor Kotkin asked what we are approving is just for Wethersfield, the grant was for part of

a three-town grant. Dr. Stilwell responded whoever we choose as our provider will also provide this service for the grant. Councilor Kotkin asked if they also automatically provide service for Rocky Hill and Newington. Dr. Stilwell responded yes. Councilor Kotkin commented so you would need this same firm. Dr. Stilwell responded yes, absolutely. Councilor Kotkin asked where Rocky Hill and Newington stand. Dr. Stilwell responded they have deferred the decision to us. Councilor Kotkin asked if everyone will be getting the same rate. Dr. Stilwell responded we pay the bill for all three towns together and it's the same rate for all three towns. Councilor Kotkin asked if it is reimbursed. Dr. Stilwell responded that they assign their funds to us totally; we pay all the bills from here. It is audited, they can request anything, anytime but they go through us. If they have problems with the service, they will call me and if they have a question about any of the billing, we also handle it. They simply assign their grant funds to us. Councilor Kotkin commented he assumes they would concur with the awarding of this bid. Dr. Stilwell responded they have been extremely pleased with the service we have had in the last three years compared to the prior three years. Also, we have had so few complaints and so few policy issues in terms of managing the service.

Councilor Manousos asked if Curtin was providing the current transportation. Dr. Stilwell responded that is correct. Councilor Manousos asked how long ago was it Ambassador. Dr. Stilwell responded that we ended our contract with them when we were with Logistic Care. It expired in the end of June 2011 so we'll be completing three years with Curtin the end of this June. Councilor Manousos asked the reason for going with a higher bidder was because their service was more reliable. Dr. Stilwell commented we have had much more consistent service from Curtin and we have had a better on-time record. Their ability to address issues and resolve complaints has been far superior, as are the quality of their vehicles and drivers. Councilor Manousos asked what the bid process was like. Dr. Stilwell responded that an RFP went out through Finance as it normally would and two bids were received. Councilor Manousos commented that he is surprised that only two bids came in. Dr. Stilwell responded that she was surprised as well. Councilor Manousos commented that he is a little concerned that we don't have enough other bidders and we are taking someone that may be able to do the bid. Dr. Stilwell responded we are taking the current provider who has a track record. Councilor Manousos responded over someone who may be able to take it and he asked what the difference was in the price. Dr. Stilwell responded \$23,000. Councilor Manousos commented so those allocated funds come from those other towns, how is that structured. Dr. Stilwell responded that it is really a dual structure. Our town's dial-a-ride pays a fixed amount per month for up to 1250 rides that is our basic dial-a-ride service. The expansion grant, which you just approved, pays an additional amount that allows us to add to that service by providing Friday service and a greater geographical area.

Councilor Roberts commented that it's more than the price that is involved here. The current provider, Curtin, is very, very reliable and under Ambassador I can recall many times seeing people at the senior center get stranded. Ambassador didn't show up and instead of picking people up at 1:30, they would show up at 3:00 or 4:00 and so from a service point-of-view for our citizens Curtin is clearly, clearly superior.

Councilor Manousos asked so we are going with the higher priced because they are the current provider even though they are more expensive because they have better service not because the firms are equal and one had better pricing for the town.

Councilor Roberts commented that she thinks we are trying to satisfy the needs of a large dial-a-ride population who depend on dial-a-ride for critical services and need to get to places at certain times. She commented that she has personal knowledge of when it was Ambassador which was a nightmare for the seniors, so if it's not broke, don't fix it.

Mayor Montinieri wanted to mention before the vote there was also some information that was provided to Nancy-- a series of concerns and questions that were asked to be answered by one of the bidders. He also had a chance to review. Mayor Montinieri thanked the staff for doing that; people went a little extra distance to be sure we had the chance to respond in light of the bid. Mayor Montinieri stated in reading it through, his perception of some of the answers specifically with respect to equipment concerns about air conditioning and some other complaints they experienced, left room for him to suggest they are working on it but don't have all of it addressed. Lastly, they confirmed they are not currently providing those services to a municipality like Curtin does currently. Mayor Montinieri thinks it is an important piece of work that we did behind the scenes so thank you to the staff.

All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

BIDS

Deputy Mayor Barry moved **“TO APPROVEE THE FOLLOWING CONTRACTS FOR THE WETHERSFIELD HIGH SCHOOL RENOVATION:**

CONCRETE TO MARGUERITE CONCRETE, INC.	\$ 691,600
MASONRY – CONNECTICUT MASON CONTRACTORS	\$ 3,630,000
STRUCTURAL STEEL – L&P GATE COMPANY, INC.	\$ 1,330,770
GENERAL TRADES – G. DONOVAN ASSOCIATES	\$ 6,042,000
ROOFING - SILKTOWN ROOFING, INC.	\$ 1,714,660
ALUMINUM WINDOWS ENTRANCES & STORE FRONTS	
CHERRY HILL GLASS COMPANY, CO., INC.	\$ 3,418,145
DRYWALL & PLASTER – GDS CONTRACTING GROUP	\$ 3,290,836
ACOUSTICAL – NT OLIVA, INC.	\$ 1,349,700
PLUMBING – G & R VALLEY, INC.	\$ 4,695,000
FIRE PROTECTION – DAVIS-ULMER SPRINKLER CO. INC.	\$ 1,207,400
HVAC – MJ DALY & SONS, LLC	\$15,355,000
ELECTRICAL – FERGUSON ELECTRICAL COMPANY	\$ 7,308,133” ,

seconded by Councilor Roberts.

Mayor Montinieri invited Lorel Purcell of O&G Industry's to the podium.

Ms. Purcell explained the whole approach was to do what we call way back, Option I, which was to proceed forward. Ms. Purcell explained they are delaying the award of a couple of contracts to later on to July of this year. Everybody had received a project cost summary that was sent out and this presentation is just kind of walking through the numbers that are on this project cost summary. Ms. Purcell went over the first slide of her presentation and noted the value engineering price of \$1,998,624. If you look on our project cost summary that dollar lines up with that dollar. These are actually the credits we will be getting from the trade contractors. The Building Committee actually did approve additional costs beyond that. Ms. Purcell explained there were an additional savings of \$175,000 and \$292,000 FF&E [furniture, fittings & equipment] savings which is reflected in these dollars [it's just further on page 2]. Ms. Purcell noted that it wasn't just \$1,998,000 in VE that the Building Committee has approved; it is really \$2.5 million at this point in time. Ms. Purcell continued reading through slide 1 and noted that total Variance from Referendum matches the sheet of \$8,978,092 and includes the alternates that have been approved by the Building Committee which are all of the alternates that were in the bid documents with the exception of 8, 9, 10a and 10b. She stated that 8, 10a and 10b were all to do with flooring to go with a stop up polished concrete in certain areas and number 9 was photo voltaic panels. There are still photo voltaic panels in the base bid but these are additional panels that were going to be mounted up on the gym wall. All the rest of the alternates that we had bid 1-14 were approved. One other item #13 was an alternate. She explained that at bid time we received credits but we have since taken this over into value engineering and improved on that credit so we are not incorporating the bid price on alternate #13 that got absorbed into the value engineering. Ms. Purcell stated that all the numbers that you see tonight are including alternates 1-7, 11, 12, and 14. She then asked for questions on the alternates.

Councilor Rell asked would #13, reducing the roof pitch to ¼", is this part of the alternate. Ms. Purcell responded it is part of the value engineering so it is already being incorporated into the value engineering dollars so she can't double dip. She can't take a credit here and under value engineering so I had to eliminate it here. She explained what happened is at bid time they really didn't have a good drawing to base it on when they were giving prices and since after the bids were opened and we have been dealing with the low bidder we were able to come up with a final design and get a better price on it.

Councilor Rell asked if we are going with the reduced pitch and this might be a question for Mike or Rusty, having survived three weeks of snow storms, would a reduction in roof pitch affect any kind of drainage off that roof and if so would we be fixing leaks and problems in the near future. Ms. Purcell responded that the purpose of the roof pitch is to get the water off faster so it doesn't mean that there won't be snow piled up there because there still would be even with a ½" inch pitch you would still have snow piled up there, it just means that it will get it to the drain faster that's all it does between ½" and a ¼". Ms. Purcell stated that as far as the insulation value, we have not sacrificed that at all.

Rusty Malik added that when the State changed the requirements from a ¼" per foot to a ½" per foot, there was a lot of controversy about it because, on existing buildings, in particular it creates a problem because the structure is really not designed for ½" pitch and if you start to add a lot of

insulation onto the roof which reduces the melting of the snow as it piles up, so that creates problems, it also creates problems with how you flash the roof into the existing structure because it is not designed to be flashed into at a 1/2" and it adds a lot of costs to the project. Mr. Malik stated that during the course of our project, the State has changed that requirement to 1/4" and has allowed everybody to change the pitch to 1/4". He stated that in our case it is going to help us, we are still meeting the R value. The pitch is pretty strong 1/4" per foot and it will get the water off the roof with the appropriate number of roof panes and actually in many ways, to me, it's an improvement because we are not building up 14, 18 and 20 inches of insulation in areas where it is not necessary and also it will help alleviate the problem of snow buildup which could affect the structure.

Councilor Manousos asked what the dollar value is to that roof pitch. Ms. Purcell responded \$332,100. Ms. Purcell commented these were not in your packet but we can certainly make them available. She commented that we have another portion of the list to be voted on Monday night and then it will final at that point and commented that they will all be credit change orders.

Mayor Montinieri commented that with respect to that question because it is imperative as we look at the approvals for this evening are obviously dependent on that value engineering and total number, can you give us just a flavor of the larger ones that led to the \$2 million in value engineering. Ms. Purcell responded that there were 14 rooftop units up on the roof and there were some aluminum screen walls pretty much around a lot of them so we reduced the amount of that. That was a total credit of \$85,000. Ms. Purcell continued to read off some of the larger credits which included tile changes, kitchen equipment reductions, storm piping changes, duct work cleaning expense and exterior metal panel changes as well as other items. She stated there was a total of 123 changes.

Ms. Purcell then explained slide 3 of her presentation. She explained that this stepped process is that you already approved bids to date that we were here last year. These contracts were being set up for approval tonight. Ms. Purcell wanted to clarify the roofing and stated that this is just like a Part 1 of the roofing. You will see part in the deferred area that we are going to come back to you with the roofing again at a later time. So this is just to award all the roofing work that will get us through now until this first summer which is August 31st 2014. So it's roofing Part 1. She explained that when we had the roofing bids come in we specifically told them to separate out the dollars because we were anticipating this at the time and so we've got the two different prices and it is a bid price. So what you are doing for the roofing is that you are approving the roofing for the first part. So that's the second group, so we have approved bids to date, bids recommended for approval. She stated that there will be two bids that we are looking to have you reject and then just to explain the cost to be deferred, there is certain contracts that we don't need right away, the flooring, the ceramic tile, the roofing Phase 2 which is what I'm referring to anything past August 31st, painting and food service. All of those particular trades we do not need until July. She stated that we are also going to defer some of the contingency FF&E technology line items and those will be costs that will not be committed until July. Ms. Purcell turned to the next power-point slide and explained the Financial Summary. She explained that the financial summary is if we have the bids approved to date, the bids recommended for

approval tonight, the costs that are being deferred; there are other project costs, owner soft costs, things that are not in the above category. Ms. Purcell stated that the project costs without the VE [value engineering] would be \$85,793,333 minus out those deferred costs, the total encumbrance as of today in February would be \$74,816,617. She stated that we wanted to show you that even without the VE incorporated that we would not be over committing. Ms. Purcell explained that just doing the extra math incorporating the VE and commits the deferred costs in July we will then be at our total project costs which is \$83,794,709. So what we are trying to show you is total encumbrance as of February is \$74,816,617, in July though the entire project amount would be encumbered which is \$83,794,709. Ms. Purcell asked for any questions.

Councilor Manousos asked if I-Pads were included in the technology line item. Ms. Purcell responded yes because if you look on that project summary sheet that I had sent out, you will see that we are allowing them to spend between now and July, they can spend \$200,000 on FF&E and \$300,000 on technology. The rest of the funding is delayed until July. So I'm not sure if some of the I-Pads are in that or if all of the I-Pads are in the deferred amount.

Councilor Manousos commented that he was under the assumption that we weren't going to bond a 20-year bond for stuff that only lasted three years, so he is wondering why that is still in there. Ms. Purcell responded that we are carrying it as a project cost; it's a cost to the project. Mr. Bridges responded that it could be part of the project costs but not part of any bond issue. Ms. Purcell stated that this is not telling where the funding is coming from; this is just telling you what the project is costing you.

Councilor Manousos commented that you said that one of the temporary classrooms in the current gymnasium \$50,000 in savings were coming from instead of lowering the walls. So instead of going from floor to ceiling, they would come down to some point and asked if she can explain how that is going to be finished off. Ms. Purcell explained it will be finished off the same. There is still going to be an acoustical ceiling but it's just the way that it is tied together will be different with how it is braced and engineered. Councilor Manousos asked how high that ceiling would be. Ms. Purcell commented in the end it will be 9 feet finish to finish, but the walls will be 10 feet high. Councilor Manousos restated it will be completely enclosed, it is not going to be open. Ms. Purcell responded correct it will be just like a regular room and explained the details. Councilor Manousos asked by comparison how the projected ceiling height compares to the current classrooms. A discussion ensued regarding the temporary classrooms. Ms. Purcell commented that they are designed to be permanent with sprinklers, lights, HVAC.

Ms. Purcell turned to the next slide of her presentation – Actions for Approval.

Councilor Manousos asked with the current agreements that are in place now when does that work actually end, is this all the timing is these expire soon and this next round that you are bidding going to start up immediately following. Ms. Purcell responded that the only next round that she is bidding would be the two that are listed on the bottom. Ms. Purcell explained that the site work package that you have approved will carry you through to the end of the job. The structural steel and the concrete for the additions are the only other two that were from Phase 1

and they will be done this spring when the elevator addition is constructed. That's the only addition left that hasn't been started yet. That is on the opposite side of the building and that's not supposed to start until the spring. She stated that the demo and the abatement contract which was the other one that you approved, that carries you through the rest of the job as well so that will carry you through until January or February of 2016. Ms. Purcell explained that some of them are all encompassing and then there is only two that was just for the additions and those were right in the beginning.

Mayor Montinieri asked of the 12 that we are talking about approving tonight, how many of those would begin immediately and how many would be phased in over the next six months of those twelve. Ms. Purcell responded that the concrete and steel won't start until the summer and everybody else, the windows will get started right away with the shop joints, it a long-lead item but you see them for a couple of months as far as physically out there and the acoustical. Those are the only ones that won't be starting right away. Everybody else will be starting right away. Mayor Montinieri asked that the HVAC, electric, plumbing all the behind the wall stuff would commence immediately assuming these were approved. Ms. Purcell responded correct. Immediately meaning you guys sign the contract and you can mobilize, it is a three-week process, but yes, the mason will be first front and center that you will see out there. Mayor Montinieri commented as the building committee looked at this group that they had to approve, I assume, that was a factor; these are time-sensitive issues not only for the bid awards in terms of the amount but also the continuation of the project on the schedule. Ms. Purcell responded correct. Mayor Montinieri commented that the deferrals obviously the opposite is true, you have a little wiggle. Ms. Purcell commented that we can wait until July for them. Mayor Montinieri commented not a ton, but a little. Ms. Purcell commented that July, that's the day.

Councilor Kotkin asked we are approving a lot of different contractors and asked could we put on the record their experience either with these contractors or the work that we have done to validate that these contractors produce good work. Ms. Purcell responded that pretty much all the contractors that are on here with the exception of Davis-Ulmer we had extensive experience with all of these contractors so we've scoped them all, we've met with all of them. We met with Davis-Ulmer we just don't have first-hand knowledge of them but we checked their references, it's not like there is anything wrong with them. We know all of these contractors.

Councilor Kotkin commented about Ferguson and stated that one of the awards is for Ferguson Electrical Company and it appears based on the information we got tonight that they were by \$100,000 or \$200,000 the low bidder on the electrical work and they were also the low bidder on a couple of elements initially and then they withdrew their bids. He commented that he assumed that Ferguson Electrical and Ferguson Mechanical are sister companies. Ms. Purcell commented that they are legally two different companies. Councilor Kotkin commented but they are related ownership. Ms. Purcell responded yes. Councilor Kotkin wanted to put on the record that we have talked publicly about the fact that one of the reasons that the total number is likely to be well over \$80,000,000 is that we had a couple of bids that were withdrawn and maybe you can put on the record why those two low bids were withdrawn. Ms. Purcell responded that they actually had a meeting and they met with the attorney, they brought in paperwork showing that

they had made a mistake, whether it was when they were bringing costs forward or their excel didn't capture it, they said that they had made a mistake. They gave us three bids, plumbing, HVAC and a combo so they withdrew all of them. I guess they made the same mistake on all of them. Councilor Kotkin commented I guess it is a different related company that didn't make a mistake on the electrical. Ms. Purcell responded the electrical bid was on a different day as well and the bid was already in so the plumbing was at another time. Mr. Bridges commented that they produced their office work that showed the error and Christine and I were I the meeting with the attorney and met with Mr. Ferguson and his son and they went over it line-by-line and there was an error which under that statute allows them to withdraw without penalty.

Councilor Hurley commented that he knows there are a lot of contracts here but normally what we would ask or I would ask is to get something from you just stating what other larger contracts each of these have done. I know there are twelve, but I would like to just hear like for each one like what kind of experience they actually have. Ms. Purcell asked if he would like that tonight. Councilor Hurley commented that we are voting on these tonight and since we are the ones responsible for voting on it, he would like to hear their experience. Ms. Purcell commented that what is important to her is that they worked on an occupied school before so each of these contractors understand what's involved in working around the bus schedules, working around sensitive areas as far as with the students. Marguerite Concrete we just worked with them in Old Lyme High School and also I believe they were up at one of our projects in Bristol, it might have been the Forestville project as well. She stated that when we sit down, these contractors make sure that they understand what the rules are with working around the school. CT Mason Contractors have been around on our projects. Ms. Purcell asked if he wanted a list of names. She stated that our company has worked with them on numerous projects and they understand the scope of the work. L&P Gates the same thing. Councilor Hurley asked if she can give them a list. Ms. Purcell responded that she could afterwards; it would be a lot easier than her rattling them off. Councilor Hurley asked if it would matter if we put this off for two weeks to vote until we can take a better look at these. Ms. Purcell stated that we told the contractors to hold the bids for another 30 days so most of the bids came in December 11th, you would have until March or April but the bids expiring is not what is critical, the schedule is what's critical.

Ms. Fortunato stated that it's important to know that the bidders have been holding their pricing. Ms. Fortunato asked Councilor Hurley if there are questions or concerns that you have with the bidders who have been brought before you this evening that would be helpful for us to have that if perhaps there is a certain trade that you want some more information on, there was a bidding process followed here, a scope with you, with the bidders that not only involved O&G and the Architect but the town, Board of Ed staff, the building committee members so these have thoroughly vetted and references checked and all considered responsible bidders in responding to the RFP so if there is something specific that would be helpful. Councilor Hurley responded that the specific is that he would just like to see what these contractors have done on other major contracts. If it's been a major renovation or just they are going into a school. I would just like to see those. Ms. Purcell commented that they actually listed the projects that they worked on in their bid proposals but it's probably too much of a task to get it copied to everybody because they put right on there, their qualifications. It's part of the formal proposal, it's a big document and

we have them for each of these. A discussion ensued regarding the contractors qualifications.

Councilor Roberts asked Mr. Bridges if we could take a recess and get the list and read them off rather than postpone the vote. Mr. Bridges responded to take a recess. After recess, Mr. Bridges read off some of the contractors qualifications.

Councilor Hurley commented the general trades are for a lot of money and asked what does that entail. Ms. Purcell responded that entails doors, frames, hardware, division 10 specialties architectural mill work that is probably the biggest part of their package. They are responsible for all of that. There are a lot of different packages, the interior mill work, the doors and the division 10 stuff, lockers.

Councilor Hurley asked if any of these contractors currently in any major lawsuits with any of the contracts that they have and asked if they did any due diligence to make sure there are not any major lawsuits going on at the time. Ms. Purcell responded no, there is not.

Councilor Martino commented that he would like to see these contracts move forward tonight because a couple of weeks ago in the Hartford Business Journal there was an article on builder's dilemmas and the way things are going with the trades, the estimators, once a project is finally awarded, they have to go out and purchase the materials right away because the cost are escalating as such a rate they run into a problem, so I would hate to see these bids run out and us having to start from scratch because it would increase our material cost probably dramatically.

Councilor Kotkin asked if there have been any bids for large municipal projects that have been open since then that would indicate either that the increase in the cost to construction is continuing or abating. Ms. Purcell responded that they, O&G, have not had anything open since this job and stated that she has not heard any other news from any other places so she is not aware right now.

Mr. Bridges commented that **Al DiVincentis** who works for Halloran & Sage who also sits on a Trade Association for the State of Connecticut in the construction trades. He started off in the trades first and sits on an Advisory Council for the State of Connecticut. Mr. Bridges stated that they are seeing 30% increases in bids basically from last year when someone determined the recession was over, the State of Connecticut issued a billion dollars worth of work and from then on they were seeing 30% increases per year. So what we are seeing in terms of escalation is consistent to what the State is seeing in terms of their escalation in costs.

Mayor Montinieri next asked for an update on the submission of the waiver.

Mr. Malik explained that we did submit all the documentation for the space standard waiver. He stated that the Superintendent did submit the documents to the DAS office. He stated that since then he has spoken with Paige Farnum who is in the Grounds Division just to see how the conversation had gone regarding the legislative meeting and she was very positive about it and indicated that yes from her understanding that the waiver would be granted and what we are

looking for is a waiver to the amount of the reimbursement that the town gets which is 50.7%. So all that information has been submitted and our next step is to file EE049R to increase the cost because those documents go hand-in-hand and now we will be waiting for a response from the Commission's office.

Councilor Kotkin asked do we have any idea how long those two processes would take from when we'll submit to when we'll hear back.

Mr. Malik responded that the second part is easier because that's more of an electronic filing and just a matter of completing the paperwork which we will do tomorrow because we were waiting for decisions from today's meeting. Mr. Malik explained that the first part which is the waiver information, that's all been submitted and I think it is a matter of following up with them. We submitted it a couple of weeks ago and so we will probably follow up with them and say where do they stand with it. They need some time to look at the documentation and maybe they'll give us a call if there are any questions on it so the process can take time and the best way to do it is to give them a little bit of time to absorb the information and then give them a call to just prompt them along.

Councilor Kotkin asked is it likely weeks, months. Mr. Malik responded he really can't say, it could be weeks but it could also be a few months. It all depends on where we end up and I think in this particular case, there was a meeting with them with the legislative team so I think that has put it on the higher priority so I'm just guessing that it will take a lesser amount of time. He stated that he typically has seen it go as much as two to three months.

Deputy Mayor Barry asked is the timing of that dependent on us giving them a hard number now as well. Mr. Malik responded no, the waiver is simply a matter of going through the process and saying that is what needs to happen. He stated that we have been advised to file the EEO49R as soon as possible and that's what the numbers will reflect on the revised document.

Councilor Roberts asked based on his experience do these waivers have a high success rate and do they usually go through. Mr. Malik responded that the waivers go through at various rates and he has had some go through at about 15 or 20% of what you are asking for gets approved. Others are 60 or 70% of what you are asking for. We were able to justify in our proposal more than 100% of what we need now to say that these are the reasons why all the square footage needs to be reimbursed and ultimately we were just looking for 100% but it always behooves us to justify more because if they disagree with us in some areas then they reduce it but the idea being they reduce it and it still came down to 100% that would be fine. Mr. Malik stated that is one aspect of it but in our case with the legislative team meeting with the Commissioner, I think that has made a big difference that there have been discussions there. He stated that he was not at the meeting but the impression that he got from Paige was that the meeting went well and that she was expecting it to be granted.

Councilor Hurley asked if the waiver is not approved or partially approved and we don't get any other funding we would probably have to go to referendum to get more money or we have an

unfinished building if the referendum doesn't pass and there really isn't a contingency for that possibility. Mr. Malik responded that if it is not approved then yes, then we have to look at where we are coming up with the additional funds. The partial approval would mean that whatever is not approved the committee would have to decide where to cut back scope and how we deal with it at that point. Councilor Hurley commented that if we approve these contracts now, there is no way to cut back on that scope because we already approved the contracts. Mr. Malik responded that we would still be within our referendum amount, but we would need to move forward. We would be able because some of the work would be done much later on, so with the approved contracts if you delete the work, let's say you weren't going to do a certain aspect of the project, then you would be seeking further changes from those contracts. Councilor Hurley commented that if it doesn't get approved it looks like painting and flooring were some of the major items that could potentially not get done. Mr. Malik responded those are the contracts that are being deferred. Councilor Hurley commented that we are kind of in a hard place, we have to approve these contracts and hope that we get money basically. Mr. Malik responded that's where we are.

Deputy Mayor Barry asked if we don't approve these contracts is it your strong belief that the overall cost will be higher based on the trends that we have seen in the last nine months. Mr. Malik responded that his experience in the past that's been the case when contracts have been deferred and you've gone back out to bid a second time. He stated that what has happened a couple of times when we have done value engineering thinking o:k now we are going to go back out and get an even more competitive number and found that the bids came in higher still and we had lost all the value engineering and all the reductions that had been put in so we have had that experience too.

Councilor Manousos asked if the contracts are approved tonight, the State doesn't come through with the space waiver, we have an unfinished project from the original scope, how does that affect the reimbursement. Mr. Malik responded that what we would have to do is actually if the State says we are not going to give you any waiver for the space standards then we would have to sit back and reevaluate and look at how we would make up the difference because you want to maintain your renovation status which requires you to do a certain amount of work as basic which ties into your reimbursement rate and your ability to get reimbursed for items that would otherwise be ineligible. So that implication is fairly significant, so we would have to make sure that whatever we do, we still meet the criteria for renovation which may mean that you would have to go for more money and that's just if you didn't get the waiver, that would have to happen to maintain your renovation status.

Councilor Manousos commented we've crafted this plan to keep within the \$75,000,000 referendum. So if we don't get that waiver and we've spent the \$75,000,000 expecting a reimbursement of \$31,000,000, that \$31,000,000 is in jeopardy. Mr. Malik responded that if you change the scope of the project that you are not complying with renovation status, yes. He stated that there are certain items that are still eligible for reimbursement but there are other items that are ineligible unless you have renovation status which the project has received so we are under the renovation status which allows us to make things that are ordinarily maintenance or repair

items or replacements items which would typically be ineligible are not eligible and if we don't maintain our renovation status then those become ineligible. Councilor Manousos commented that if we don't get a space waiver then we are going to have to go back to the public for additional money no matter what, whether we approve these tonight or not is what you are telling me. Mr. Malik responded that is accurate, yes. Councilor Manousos responded that puts us in a very difficult position and he didn't understand that until now and it is food for thought for this body.

Councilor Rell asked the variance from what is currently expected for costs verses what the referendum was is roughly around \$9,000,000 and then the space waiver if that was approved by DAS or the legislature, the waiver would be for how much. Mr. Malik responded around \$11,000,000 plus. Councilor Rell asked where would that \$11,000,000 come from. Mr. Malik responded that it would increase the grant from the State from \$30,000,000 to \$41,000,000 plus. It would come from the State. Councilor Rell commented that what he is reading about the State is that we are currently in a ~~project~~ *projected* surplus for this ~~physical~~ *fiscal* year ending June 30th but projected deficits of a billion dollars plus over the next two ~~physical~~ *fiscal* years in the out years. So we are asking the State to give us \$11,000,000 to grant this waiver and no matter what if it's not going to come from Wethersfield taxpayers, it's going to come from taxpayers of the State if I'm not mistaken. So we are asking the pie in the sky is the \$11,000,000 waiver and taxpayers will be on the hook for that \$11,000,000. Councilor Rell commented that I guess it's not a question but more of a statement.

Councilor Manousos commented that all of the existing bids, everybody has held their price firm for 30 days and asked when does that expire. Ms. Purcell responded that their prices are actually held for 90 days and we got them to extend it another 30 so if it was a December 11th bid opening it would expire in April. Ms. Purcell stated that we are at the point right now where it's not about the bids expiring because we need to maintain the overall schedule.

Councilor Manousos asked if a two-week delay would impact the timeline because he is wondering if that is going to provide any more clarity from our legislative delegation because we are pinning all our hopes on them right now.

Mayor Montinieri wanted to recap some of the points and explained that some 60, 70 days ago we became aware of some of the overages that were surfacing in the bid results. We put into place several initiatives to respond to that. One is that we begin to have discussions about the foot waiver for the State with DAS and we also began discussion with our delegation about legislative action to respond to overages that are typically not uncommon in projects like this and Senator Fonfara and Representative Morin, we've met several times with them and began to have discussions with them about alternatives in addition to the space waiver in light of what was at that time \$12,000,000 in overage. Mayor Montinieri explained that we did that and we asked the Building Committee to go back and take a look at value engineering to begin to close the gap a little bit which they were pretty confident they could get at some of that and they have done some significant work in that regard over \$2,000,000 in value engineering which appears to be from what I think all of us have heard and Steve have sat on the Building Committee and we have also

had discussion with the full Building Committee about this, our supporting that do not impact programs or the quality of what we are trying to do on the school which we heard some of that tonight. Mayor Montinieri stated that with respect to how we decide this decision tonight to go forward, what is pressing us as a Council and what has occurred to me is I've looked it over the last three weeks and have had dialogue with Council members and this is a time for leadership in my mind for our town. He stated that all of us at the council table know that none of this at this table have contributed to the story as far as the overage, that's a reality of a lot of variables that we have heard about, but we do have an obligation at the council table to be decisive about how we are going to solve it. Mayor Montinieri commented that we have had this discussion over the last few weeks and I have talked to almost every Councilor about it at some point and my feeling on it is that we have identified an amount of money today to approve that keeps our contracts going forward, keeps our project on time, allows us stay within the scope of the bonding that exists today but it also is not being done in a vacuum. Mayor Montinieri stated that we understand that we are requesting a space waiver from the State that should and could be of some help. We are requesting help from the legislature which we have gotten assurances and discussion behind the scenes should and could be additional help and ultimately at the end of the day those two things may contribute and we are hopeful that they will contribute to closing the final gap that will allow us to continue forward on the project. He explained that the distinction that we have done tonight through the work with the Building Committee along with O&G is allowing us to make a decisive decision to hold these prices today that will assuredly go up if we do not do that and will only worsen our problem which we have in my mind an obligation to our community to retain and control these costs before they get worse but also unquestionably laid before us the decision that needs to be made in light of the fact that there are some unknowns. So if those unknowns work in our favor with respect to not only a space waiver but also the legislature which I've gotten some very strong assurances about in discussion we then have our third alternative which is going back to our voters for referendum support. Mayor Montinieri commented that he said publicly two months ago that that in his mind is our last option, and would prefer not to do just because the groups that have gotten together to support this project, put this project forward including the previous leadership which put the work on the table as an achievement which I am happy they did, we can't be sure that those folks can generate that energy and commitment once again and so we are exhausting all of the steps to avoid the need to ask our taxpayers to dig into their pockets again. Mayor Montinieri stated that what is before us tonight reflects those initiatives and am certainly speaking on behalf of the leadership that sits at the council tonight and will tell you that our discussions have led us to feel that we are prepared to make that commitment and take responsibility for that decision tonight along with all of the ramifications that come from the next six months so that if, in fact, the space waiver does not materialize, if in fact, the legislature does not step up and close the gap and if in fact we are forced to go to referendum at some point to keep us on project after we make this commitment tonight, it's on us and I am prepared to take that leadership. Mayor Montinieri also commented that after long discussions about this Phase, there is no question in my mind a failure to vote on this is an approval is a vote to stop this project and that is something that I am very concerned about and obviously want to avoid. He stated that he certainly understands the questions and appreciate the caution but this is a time for decisive leadership and in light of that I think we should move the question.

Councilor Manousos asked if the bid prices were held so if they are not approved tonight and there is more time have discussions with the legislative delegation, what may or may not happen in the next two weeks will that materially delay the project timeline. Ms. Purcell responded that it will materially delay project by two weeks because right now we are showing a November 19th completion date. We are at the critical path so every day of delay is a day of delay.

Mayor Montinieri commented that we were talking about trying to get these approved as early as December so now we approaching March so I want to be cognizant of that with due respect. Mayor Montinieri then moved the question.

All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Mayor Montinieri commented that he appreciates everybody getting behind this and he knows that it's a delicate situation with some very important decisions and he appreciates the unanimous support for it going forward.

Deputy Mayor Barry moved **“TO REJECT AND REBID THE FOLLOWING TWO CONTRACTS: PAINTING TO MACKENZIE SERVICE CORP. AND ELEVATOR TO OTIS ELEVATOR CO.”**, seconded by Councilor Kotkin.

All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

MINUTES

Councilor Kotkin moved **“TO APPROVE THE SPECIAL MEETING MINUTES OF JANUARY 22, 2014”**, seconded by Councilor Roberts.

All Councilors present, including the Chairperson voted AYE. The motion passed 7-0-1. Councilor Manousos abstained.

Councilor Roberts moved **“TO APPROVE THE MEETING MINUTES OF FEBUARY 1, 2014”**, seconded by Councilor Martino.

All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Councilor Kotkin moved **“TO APPROVE THE REGULAR MEETING MINUTES OF FEBRUARY 3, 2014”**, seconded by Councilor Roberts.

Councilor Rell commented to change Mr. Fortunato to Ms. Fortunato on page 12 in the third paragraph.

All Councilors present, including the Chairperson voted AYE. The motion passed 7-0-1. Councilor Manousos abstained.

PUBLIC COMMENT

February 18, 2014 Meeting Notes

Gus Colantonio, 16 Morrison Ave. commented on the ¼" per foot for the high school roof and questioned if there will be problems in the future with leaks on the roof. He commented that with value engineering the owner gets less for what's been traded. With all the trades that are involved, if one doesn't finish a job on time others may claim a delay and then the project is going to cost us more. He hopes someone is looking at all of these things.

Robert Young, 20 Coppermill Rd., commented that the Police Station, Silas Deane Middle School, the Town Hall and Webb School were all over budget; claims it was mismanagement; and thought everyone would have learned their lesson. He spoke about the downgrades that are being made and stated they are going to pay dearly for that in the long run. He doesn't understand why we are putting on flat roofs on the high school. The quality is now being reduced in order to get these things done. He commented about the space waiver; reductions in students in coming years. The charter school and academies will be taking students away from our schools. He thinks bids should have been locked in before we even opened a wall. Our experts should have been aware of the PCBs in the building.

ADJOURNMENT

At 9:05 p.m., Councilor Kotkin moved "**TO ADJOURN THE MEETING**" seconded by Deputy Mayor Barry. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Dolores G. Sassano
Town Clerk

Approved by Vote of Council
March 3, 2014

Page 15, Line 7: change "project" to "projected" and change "physical" to "fiscal".
Page 15, Line 8: change "physical" to "fiscal".