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TOWN OF NORTH BRANFORD

TOWN HALL, 909 FOXON ROAD, NORTH BRANFORD, CONNECTICUT 06471
TOWN MANAGER (203) 484-6000 TOWN HALL FAX (203) 484-6025

MINUTES

PERMANENT PROJECT BUILDING COMMITTEE

June 12, 2023

Town Council Chambers

7:00 PM

1. Call to Order

Chairman Whalen called the meeting to order at 7: p.m.

2. Salute to the Flag

3. Roll Call

Present: Chairman Whalen, Member Fonda, Member Canosa, and Member Rose

Present for NBPD Project: Member Palumbo and Member Pietrandrea

Also Present: Purchasing Agent Michael Fumiatti; Police Chief Halloran; Deputy Police Chief Lovelace; Mayor Macmillen; Deputy Mayor Zampano; Councilor Angeloni.

Absent: Vice Chairman Bailey

Motion: Member Palumbo motioned to amend the agenda to add the payment of invoices as item 4.5 and an issue Purchasing Agent Fumiatti has with an ATP with Gilbane as item 4.6 and remove item 7; seconded by Member Rose.

Discussion: Member Canosa asked "There is no retainage being held for Gilbane on some items, and is it contractually stipulated?". Purchasing Agent Fumiatti said it must be but he can check on it.

With all in favor, motion is passed.

4. Citizen Statements: None

4.5 Invoices

Motion: Member Palumbo; seconded by Member Rose to pay the following invoices for STWCC.

Discussion: Member Fonda asked for Silk town as this is their second invoice, what else needs to be done there? Purchasing Agent Fumiatti stated the fascia and the coping. They were emailed last week and should get back to us on when it will be completed before the end of June. Silk town was informed about a camp at STWCC that should be starting around June 26th so they need to be done by then. Member Fonda also asked if the town has a minimal hold on retention? Purchasing Agent Fumiatti said there is a 5% hold on them and an additional 2% as they don't have their CHRO approval, so they withheld. Is there a timeline that we hold it to? Once they get the CHRO approval we can release the 2% hold. Once all of the warranties are in, it could be 30-60 days out.

With all in favor, motion is passed.

STWCC

Silktown Roofing	APP#2	05/31/2023	\$105,273.99
Dependable Heating	120211	04/01/2023	\$967.50
Hibbard & Rosa	06052023	06/05/2023	\$2,950.00

Motion: Member Palumbo motioned to pay the following invoices for NBPD project; seconded by Member Rose.

Discussion: Purchasing Agent Fumiatti mentioned that he reached out to Silver Petrucelli about the Tri State testing and have yet to hear back about it. He will follow up again.

With all in favor, motion is passed.

NBPD

Ciulla & Donofrio	24432	6/1/2023	\$38.25
Newfield Construction	974-5	05/31/2023	\$442,125.81
Silver Petrucelli	23-525	06/01/2023	\$3,512.50
Silver Petrucelli EOC	23-526	06/01/2023	\$948.50
TriState Material Testing	TSMT11695	05/12/2023	\$526.00
TriState Material Testing	TSMT11697	05/20/2023	\$1,024.00
TriState Material Testing	TSMT11727	05/12/2023	\$1,542.00
TriState Material Testing	TSMT11736	05/20/2023	\$298.00
TriState Material Testing	TSMT11763	05/12/2023	\$2,127.00
TriState Material Testing	TSMT11792	05/12/2023	\$1,556.00
TriState Material Testing	TSMT11904	05/19/2023	\$1,878.00
TriState Material Testing	TSMT11922	05/19/2023	\$1,881.00

It was noted that for the NBHS Project each invoice will be voted on and discussed individually instead of as a batch.

Motion: Member Rose motioned to pay CES invoice #2021136.00-20 dated 5/31/2023 in the amount of \$1,007.88; seconded by Member Palumbo.

Discussion: None

With all in favor, motion passed.

Motion: Member Rose motioned to pay Checkr invoice # 848377 dated 5/31/2023 for the NBHS project in the amount of \$747.15; seconded by Member Palumbo.

Discussion: None

With all in favor, motion is passed.

Motion: Member Rose motioned to pay Ciulla & Donofrio invoice# 24431 dated 6/1/2023 for the NBHS project in the amount of \$659.25; seconded by Member Palumbo.

Discussion: None

With all in favor, motion is passed.

Motion: Member Rose motioned to pay CSG invoice # 21 dated 5/31/2023 for the NBHS project in the amount of \$26,180; seconded by Member Palumbo.

Discussion: Member Palumbo and Member Rose had spoken with Mr. Gombotz and he stated that he is concerned his budget is running low to be able to complete the project. Purchasing Agent Fumiatti will speak with Mr. Gombotz requested he bring the documentation needed to present what is needed for CSG to complete the project. Member Canosa mentioned that bill #21 is only showing for \$7,140 and not \$26,180.

Motion: Member Rose amended the motioned to pay CSG invoice #2021136 dated 5/31/2023 in the amount of \$7,140; Member Palumbo.

Discussion: None

With all in favor, motion is passed.

Motion: Member Rose motioned to pay Dependable Heating invoice # 120593 dated 5/1/2023 for the NBHS project in the amount of \$728.00; seconded by Member Palumbo.

Discussion: Member Rose and Member Fonda asked what this was for as it should have fallen under hazardous removal under Gilbane's contract. Purchasing Agent Fumiatti said this came from John Florio. It appears that Mr. Florio had asked Gilbane to remove these. Member Pietrandrea said they are being saved as a backup for STWCC. Member Rose asked if this should be billed under NBHS or should it be paid by BOE.

Motion: Member Rose motioned to table the Dependable Heating invoice until more information is provided; seconded by Member Palumbo.

Discussion: None

With all in favor, motion is passed. Invoice tabled.

Motion: Member Rose motioned to pay E Plus invoice # V27027744 dated 5/9/2023 for the NBHS project in the amount of \$95,681.50; seconded by Member Palumbo.

Discussion: Member Rose requested clarification for what this cost was for. Purchasing Agent Fumiatti shared that this is for the Meraki Wi-Fi access points for technology. There was a PO that was generated for this. Member Rose asked if that is included in our number for general technology. Purchasing Agent Fumiatti said there was \$165,000 in total for the technology.

With all in favor, motion is passed.

Motion: Member Rose motioned to pay EnviroMed invoice # 23280 dated 6/5/2023 for the NBHS project in the amount of \$24,972.50; seconded by Member Palumbo.

Discussion: Member Pietrandrea asked what this is for as there is a second one with the same date. Purchasing Agent Fumiatti said one is for the PCB review and the other is for the asbestos analysis. Member Rose asked if this amount is what the town has to pay. Purchasing Agent Fumiatti said that the \$24,972.5 was the asbestos inspection and the other invoice \$19,066 is for the asbestos inspection. Member Rose asked who contacts this company? Purchasing Agent Fumiatti said they are working with Gilbane. Member Pietrandrea said he would like to have this tabled for Gilbane to explain. EnviroMed is working for the town, but Gilbane called them to do the testing.

Motion: Member Pietrandrea motioned to table to both invoices from EnviroMed until the next meeting; second by Member Palumbo.

Discussion: Member Rose asked who is contacting the company. Gilbane is the one who would contact them for the testing. Member Pietrandrea questioned why Gilbane did not call EnviroMed for Phase 1. Member Palumbo said there is also asbestos and the whole foundation is hot with PCBs. Member Rose said there is asbestos in the tar and concrete. when there was a test fit done around the foundation it was found. Member Rose said Phase 1 was built in 71-72 and the second phase was 1961-62. The earlier construction is where they are currently working now, which could explain the issue.

With all in favor, motion is passed. 2 Invoices for EnviroMed are tabled.

Motion: Member Rose motioned to pay Gilbane invoice # 202306-J014 dated 6/6/2023 for the NBHS project for discussion purposes; seconded by Member Palumbo.

Discussion: Member Rose shared that Gilbane has overpaid Ferguson and we need to see a schedule of values. Purchasing Agent Fumiatti said the invoice should have everything included. Member Fonda stated they are 82% billed out right now. Member Pietrandrea said the problem is if they are already 82% billed out and we freeze them out and they walk it could be a problem. Member Canosa said Gilbane has a bond with Ferguson. Member Pietrandrea said that Gilbane owns the bond. Right now, the contract is between 6-7 million, 5 million has already been taken so there is another year to go for labor. Member Pietrandrea said it should be tabled until Gilbane comes back unless Ferguson can be taken out of it.

Member Fonda said to keep in mind they have in their breakdown the plans for their CHRO plan, they keep a hold on it and once plans are approved it will be about \$120,000, they will be under a million with another year left of the project. Member Fonda said the committee has not seen any other closeout documentation, even CES still hasn't seen it. There are still punch list items, the units on the roof haven't been painted. No one has verified the condition of the ones in storage., it is billing at 100% with 5 % retainage.

Motion: Member Palumbo motioned to table the Gilbane invoice; seconded by Member Pietrandrea.

With all in favor, motion is passed. Invoice is tabled until the next meeting.

Motion: Member Rose motioned to pay John's invoice # 845392 dated 5/15/2023 for the NBHS project in the amount of \$1,200.00; seconded by Member Pietrandrea.

Discussion: None

With all in favor, motion is passed.

Motion: Member Rose motioned to pay Meyer invoice # 120-044168 dated 5/31/2023 in the amount of \$1,140 for the NBHS project; seconded by Member Palumbo.

Discussion: Member Palumbo said when we were going to do the furniture ourselves and Gilbane made a choice at the last minute that it had to be out, Mr. Gombotz called Meyer last minute and canceled them and we got the cancellation fee. Member Pietrandrea said it should come out of the CM contingency from Gilbane. Purchasing Agent Fumiatti said Meyer had mobilized and then got canceled at the last minute.

With all in favor, motion is passed.

Motion: Member Rose motioned to pay QA+M invoice # 15269 dated 5/31/2023 for the NBHS project in the amount of \$21,852; seconded by Member Palumbo.

Discussion: Member Rose said on the bill it talks about additional services including property survey, geotechnical engineer, etc. There is not a new change order included.

With all in favor, motion is passed.

Motion: Member Rose motioned to pay Tectonic invoice # 11074.01-14 dated 4/28/2023 in the amount of 1,410.36 for the NBHS project; seconded by Member Palumbo.

Discussion: Member Palumbo asked what is still left for Tectonic. Member Rose said this is the DEEP testing for the stormwater going into the wetlands. Purchasing Agent Fumiatti will provide an update at the next meeting. Member Rose said the way it is written it is called a 10-acre site with construction disturbances exceeding the state threshold. they had to add things to meet the state threshold. the next building this type of thing won't be paid as he doesn't feel it meets the threshold. Member Pietrandrea said they (Gilbane/ QA+M) had spilled Glycol into the drainage but that wasn't tested.

With all in favor, motion is passed.

Motion: Member Rose motioned to pay Tilcon invoice # 1823004 dated 4/20/2023 for the NBHS project in the amount of \$186.95; seconded by Member Palumbo.

Discussion: Purchasing Agent Fumiatti said it came through from John Florio and he doesn't have more information. Member Rose said on the invoice it said Driveway mix 2 tons. Was it for a shim? But Maisano had done the driveway. Purchasing Agent Fumiatti said someone who had paid part of this. 2 tons went to the high school and another 1.8 went to another location. Member Rose said it must have been something done by public works to get the kids in the school.

With all in favor, motion is passed.

Motion: Member Rose motioned to pay QA+M invoice 315270 dated 5/31/2023 for the NBIS project in the amount of \$427.17; seconded by Member Palumbo.

Discussion: None

With all in favor, motion is passed.

Member Fonda said going back to the Gilbane issue when Ferguson was being discussed. Ferguson is at 80% billed out on the project and they have a line item for their CHRO approval \$129,440. With them being 80% billed out and once their plans are approved that comes right out. This will bring them closer to 85% complete

on the project. They have \$1.2 million left. Member Palumbo said at the next meeting we should remind Gilbane to stop billing out. Member Fonda said we are all still waiting on a schedule of values.

4.6 ATP issue with Gilbane

Member Palumbo asked Purchasing Agent Fumiatti if QA+M has vetted this ATP out. Chairman Whalen said this ATP is for the removal and disposal of the interior foundation wall insulation located in the existing sequence three of the high school. Member Palumbo said this was from when there was an \$8,000 bill. Purchasing Agent Fumiatti said it was originally an \$8,000 credit and now they determined that there is over \$5,000 that is needed for the project out of that credit. There was an allowance of \$8,000 that wasn't used.

Purchasing Agent Fumiatti said there was an email from Gilbane that was accompanying the ATP that stated this is based upon quantities and unit pricing provided by EnviroMed and is scheduled critical. This work was included as an allowance of the original contract; however, the allowance was returned as a credit as they did not find foundation insulation in the first demo phase. The allowance was for \$8300 based on a rate of \$1/sq foot for discovered insulation in the "V" portion as well as the anticipated portion. All quantities will be confirmed by EnviroMed. The total is \$4,452 and then with the Gilbane markup brings it to \$5,102.

Member Rose said that Fuss & O'Neil would tell the BOE what areas would need to be abated. Mr. Malik from QA+M went by what Fuss & O'Neil said and come to find out none of it was done. Member Pietrandrea said if Gilbane gets the green light and only 10% of the building is abated, a pattern is being set. Only 10% of the building is being demoed and abated and it's all hot. Member Fonda asked where the ATP was showing that we took the allowance back. Purchasing Agent Fumiatti said it was in the original contract. Member Fonda said we took back the allowance and now we end up paying \$1,200 more because of all of the fees and profit that wouldn't have originally applied.

Member Canosa asked what the initial purpose of the construction contingency was with Gilbane as there is only \$1.5 million left on their contract. Member Rose said this ATP is for the whole stem wall and the "Y", it's not into the gymnasium yet. That square footage should cover a good amount.

Motion: Member Rose motioned to approve ATP-0154 in the amount of \$5,102 and it should be assigned to Gilbane; seconded by Member Palumbo.

Discussion: None

With all in favor, motion is passed.

5. NBPD Budget Discussion

Committee members discussed the budget with the town council members Mayor Macmillen, Deputy Mayor Zampano and Councilor Angeloni.

Councilor Angeloni shared there was a town council finance subcommittee meeting prior to them attending the PPBC meeting and they are looking at with bond council to see how the bond resolution for communications can be worded. There is a \$750,000 grant that came from Blumenthal that was also very specific to communications and was already spent for the Motorola towers. That money could be deducted from the \$5.5 million from the Police Communications budget. By Tuesday night's (6/20) council meeting is

if they can have the wording changed in the bonding for the communications resolution to include items for communication and technology for the new Police Station. This way the bond resolution would not need to be raised.

Member Pietrandrea said there is \$535,000 in the contingency and then added \$611,000 to it which is from Blumenthal that would bring it to \$1.2- \$1.2 million. Purchasing Agent Fumiatti confirmed that its \$435,000 is unencumbered. Member Pietrandrea said all of the changes from moving locations, etc every time it was being redrawn it accumulated on our budget. they inherited another \$240,000 in costs.

Councilor Angeloni said the road was above the project costs. If the PD was on the POCO side the road wouldn't have needed to be moved. The DOT is who needed the road moved as the new PD will be across the street. The \$15.5 million was the project cost so \$12.1million for the base bid, 2 add alternates brought it up to \$13.733 million, the town council approved \$15.5 million and then on top was the road cost.

Member Canosa asked Councilor Angeloni about the \$15.5 million in project costs. That included the 3 items which were the hard vertical construction of the building, which was \$13.7 million, leaving \$1.7 million remaining to get to that \$15.5 million. It is to be assumed that some related to a contingency allowance and some related to soft costs. Councilor Angeloni stated that a breakdown of soft and hard costs was not provided to the town council.

Member Pietrandrea said the original scope of numbers that Bill Silver provided to Town Treasurer Esposito was \$16.133. \$13.733 for the base bid with the add alternate, \$1.2 million for contingency, and \$1.2 million for FF+E security camera, etc. \$16.133 was what was presented to the town council by Member Palumbo. Somehow it ended up with \$15.5 as someone backed off with the soft costs and then the road.

Member Canosa said the soft costs aren't even in there as they aren't soft costs and not FF+E. Do we (as a town) typically do a budget to include soft costs in the budget? Did the original Police station budget exceed the original budget? How is it being established? Member Pietrandrea said Bill Silver put in a TBD and it was not transferred over. For the NBHS project the PPBC had to ask for 1.5-2 million for the soft costs. Councilor Angeloni clarified that the PPBC had asked for over \$4 million for the high school, and the bonding was increased. Member Pietrandrea said that was because they were \$1.6 million short for soft costs.

Member Canosa asked about the original PD budget. Councilor Angeloni said that the original budget came from the PPBC to the Town council. Member Canosa said something must have happened as the original budget seemed to be substantially higher than what the council had approved. Member Fonda said the design team must have changed something. Member Rose said not until tonight was FF+E ever discussed.

Member Palumbo said that the Police Chief's needs is \$985,000 for FF+E for the NBPD. Member Pietrandrea said the FF+E was never discussed and Bill Silver marked it as TBD. If we get the \$600,000 that would bring us to \$1.1 million which would mean barely any contingency. Purchasing Agent Fumiatti said some of the \$483,000 includes some of the estimates for some of the items the Police Chief's need for the new PD building.

Member Pietrandrea wanted to inform the council members that even before the PPBC was even formed, FF+E was always going to be \$1.2 million. It was taken out by Bill Silver. Councilor Angeloni said the original bond package was \$7.5 million package and there is a breakdown and there is FF+E totaling about

\$315,000. The bid collapsed due to the cost. When it came back to the council based on the costs presented it was set for \$12.2 million then after coming back again it was bonded for \$16.2 million. Councilor Angeloni said the NBIS project was bonded at \$10 million without knowing what was to come or if it would be enough.

Member Pietrandrea said that the Police Station already started out in a bad way, if we don't get the \$611,000 and only have the \$435,000 left- the Chief's need \$985,000 to get all of the FF+E needed for the PD to run. Member Canosa said there would need to be an ask of how much the shortfall is and see if it can be approved.

Police Chief Halloran said we need to look at what is included in the original bid, what did Newfield put into it and compare it to this list. Member Pietrandrea said nothing on the list is in the contract.

Councilor Angeloni stated that Town Treasurer Esposito has already emailed the bond council to see what can be done as it needs to be voted on at the next town council meeting.

- a. **Newfield** to be presented at the next meeting.
 - i. **Construction Update**
 - ii. **Paving Contractors**
 - iii. **PCO's**

6. **Legal:** None

7. **Adjournment**

Motion: Member Pietrandrea motioned to adjourn; seconded by Member Rose.

Discussion: None

With all in favor, motion is passed.

Adjourned at 8:29p.m.