

FAIRFIELD WOODS BUILDING COMMITTEE MEETING

Thursday, October 3, 2013

7:00 pm

Fairfield Woods Middle School Media Center

1115 Fairfield Woods Road

Fairfield, CT 06825

DRAFT MINUTES

Members Present: Bill Sapone, Doreen Battimelli, Kim Marshall, Vic DeMaria

Members Absent: Chad Stewart, Neal Fink, Dan McKnight, Jennifer Tierney, Rich Kornutik

Others Present: Judy Ewing, Sal Morabito, Perry Liu, Tim Yahn, Ralph Martin, Principal Gary Rosato

I. Call to Order

Chairman Bill Sapone called the meeting to order at 7:07 pm.

II. Review/Approve Minutes

Doreen Battimelli made a motion to approve the April 4, 2013 minutes. Kim Marshall seconded the motion which carried 3-0-1 (Vic DeMaria abstained). Mr. Sapone made a motion to approve the July 30, 2013 minutes. Ms. Battimelli seconded the motion which carried 3-0-1 (Mr. DeMaria abstained).

III. Review/Approve Final Change Order Items, if any

Mr. Sapone explained that an issue arose regarding change orders submitted by a subcontractor, which Malkin Construction had contested, and had gone to arbitration to resolve. The amount sought was above what was budgeted. After some negotiation, a settlement agreement was reached which placed the project over budget. To address the overage, a change over was presented to withdraw the committee's prior approval of shared savings awarded to Malkin construction, which amount was returned to the construction contingency to apply towards the overage. Mr. Sapone reported that applying all remaining funds in the project would leave the project over budget by about \$40,000.

Mr. Sapone reported that discussions with the architect and engineer resulted in an agreement to reimburse the Town by \$36,000, to help close the budget gap. Discussions with Tim Yahn resulted in Malkin Construction agreeing to grant the Town a courtesy credit to cover the remainder of the overage, so that the project can close without being over budget. The committee thanked Mr. Yahn and Malkin Construction for the efforts made to resolve the many issues that arose during the close of the project and for providing the Town with the additional credit.

Mr. Sapone stated that while there were still technical issues that may require attention, these were better handled outside of the project, particularly from a cost perspective.

The committee then reviewed the Change Orders presented for approval. The first was for withdrawing Malkin's shared savings, providing a credit in the amount of (\$77,517.59). The next one was to cover the final costs associated with the mechanical contractor in the amount of \$55,610.00. The next was a change order for the auditorium light fixtures for \$36,171.76.

The next one was for the electrical contractor in the amount of \$46,707.15, the next one for the final costs associated with bonding, for \$31,878.00, and the last one was the gratis credit given to the Town by Malkin Construction for (\$4,130.81), so as to eliminate any overage.

Mr. DeMaria made a motion to approve change order nos. 102-107 as listed above. Mr. Sapone seconded the motion which carried 4-0.

IV. Review/Approve Final Application for Payment

The final cost report was reviewed and discussed, relative to the final application for payment. It was represented that any and all project costs were included in the cost report and the amounts reconciled with the Town's accounting. Mr. Sapone then made a motion to approve the final application for payment in the amount of \$180,721.12 to Malkin. Ms. Marshall seconded the motion which carried 3-0-1 (Ms. Battimelli abstained).

V. Review/Approve Final Soft Costs for Payment, if any

There were no final soft costs to approve or review.

VI. Review/Approve Disbanding the FWBC

Mr. Sapone said there should be no more meetings, and that the Committee would only meet if some unknown need arose, but he thought this unlikely. It was agreed that going forward, the executive committee would approve any final details required to formally close the project.

VII. Public Comment

Perry Liu, BOE liaison, asked about the aisle lighting in the auditorium. Mr. Sapone said the committee has no funds or ability to address this issue, and that it would be better dealt with outside of the project, and a report will be sent to the BOE on any remaining issues. Principal Rosato said the new spaces are beautiful and the renovated spaces are working well, and that everyone expressed satisfaction with the project, and also he using every square inch of the new space as the enrollment is at 932 students.

VIII. Adjourn

Mr. Sapone made a motion to adjourn the meeting at 7:49 pm. Ms. Battimelli seconded the motion which carried 4-0.

Respectfully submitted,

Jennifer S. Carpenter
Recording Secretary