

**Penfield Building Committee
Sullivan Independence Hall
725 Old Post Road
Fairfield, CT 06824**

Thursday, September 24, 2015

penfieldcommittee@town.fairfield.ct.us

Present: Mr. Bradley, Mr. Graceffa, Mr. Bass, Mr. Zieff, Mr. Speciale (via skype), Mr. Plotkin, Mr. Pitaniello, Mrs. Nelson

Absent: Mr. Bellitto

Others: Mr. Tetreau, Mr. Lombardo, Mr. Heer, Mr. Procino, Mr. McDonald, Mr. Vincent, Mr. Michelangelo, Mr. Chamberlain, Mr. Mayer, Mrs. Ewing, Ms. Holland

1. Call To Order

Mr. Bradley called the meeting to order at 6:02 p.m.

2. Confirmation of Quorum

Quorum confirmed.

3. Confirmation of Meeting Agenda and Order

Meeting agenda confirmed. Mr. Bradley stated that if all Committee members agreed, the Committee might take agenda items out of order. Discussion might require moving back and forth between agenda items. All agreed.

4. Review and approval of Meeting Minutes from: 7/9/15, 7/30/15, 8/20/15, 9/3/15

Mr. Bass moved and Mr. Graceffa seconded a motion to approve the Minutes of 7/9/15. Motion passed.

Mr. Bass moved and Mr. Graceffa seconded a motion to approve the Minutes of 7/30/15. Motion passed.

Mr. Bass moved and Mr. Graceffa seconded a motion to approve the Minutes of 8/20/15. Mr. Zieff said that he was present at the meeting and to add his name. Motion passed as amended.

Mr. Bass moved and Mr. Graceffa seconded a motion to approve the Minutes of 9/3/15. Motion passed.

5. Opening Remarks by the Chairman

Mr. Bradley summarized the key issues and next steps from the previous meeting: During the last meeting the Committee was presented with redesign options in an effort to develop a project that met funding and maximized reimbursement. The sense of the Committee was to focus on one project that excluded the locker wing and there was consensus to insure adequate contingency and accommodate current bidding climate. The Committee noted that the final estimated cost for the redesign option should include additional restrooms, showers, changing

room and day lockers. The Committee requested an opinion letter from bond counsel regarding eliminating all or a portion of the lockers and requested that a formal meeting take place with the Town FEMA consultant to establish criteria regarding project scope and reimbursement and requested that Parks and Recreation be brought up to date regarding the reduction or elimination of the lockers. The opinion letter has been received, the Chair did speak with the Director of Parks and Rec and the FEMA meeting did take place.

6. A report on the latest communications and current status regarding FEMA reimbursement criteria including repair and replacement project definitions and reimbursement scenarios.

Mr. Tetreau addressed the Committee. He thanked the Committee members for their time and effort and dedication to the tasks at hand. Mr. Tetreau noted that the Committee had considered nearly every option and remains best prepared regarding how to proceed.

Mr. Tetreau said that the original Committee charge and guidelines are to do what is best for the Town in the long run and not to take any shortcuts.

Mr. Tetreau asked the Committee to consider proceeding with Option 7A and that he was in favor of this repair option because it fits best for what the Town needs and provides citizens a full range of options.

Mr. Mayer addressed the Committee. He said that he received notice from FEMA and that we satisfied the 50% rule. He said that on Monday, he received the FEMA Project Worksheet. The worksheet said that FEMA estimated that it would cost \$6,590,000.00 to rebuild the facility with the same function, same capacity and same design. He said Option 7A has the same function, the same capacity with minor changes to the design and would qualify. Mr. Mayer said the next steps are to analyze the Project Worksheet and see exactly what they reimburse and pay for. We will need to work together to reconcile and line up the scope provided by FEMA and assumed by the Committee. As long as we stay within the Project Worksheet scope, all cost would be eligible for the 75% reimbursement. He said the advantage of a replacement project determination is that any cost over runs would be paid for by FEMA as long as we stay aligned with the defined scope, and show the cost benefit of the modified design.

Mr. Bradley asked how FEMA makes this official. Mr. Mayer said through the emails and the Project Worksheet.

Mr. Bass asked with Option 7A, what percentage of the cost would be considered eligible vs. mitigation. Mr. Mayer said that there is no issue with mitigation when the project meets the 50% rule and is a replacement project. Mr. Bass stated that FEMA pays up to 75% of approved costs and that often does not mean a full 75%. Mr. Mayer said that it is 75% of all costs. Mr. Bass said that the Committee has stated that they don't want to go on hearsay. He asked to see in writing what the Town has received from FEMA. Mr. Mayer said that when he is finished addressing the Committee, he will return to his office and look for the email and provide it to the Committee.

Mr. Bradley asked about the funding that is in place. Mr. Mayer said that the Town has passed two bond resolutions that relate to Penfield. One bond resolution included several projects and it said that funds could be transferred between projects. Penfield was in that bond resolution initially for 1.0 (one) million dollars. Most of the projects in that bond resolution have been completed and currently there is 2.0 (two) million dollars left in the bond resolution. The other bond resolution is specific for Penfield and is for 6.0 (six) million dollars. It did not reference the earlier bond resolution. Therefore, the Town has available approximately 8.0 (eight) million dollars for Penfield.

Mr. Mayer said that the Bond Councils decision is that if there is a material change in the Project, the Committee would have to go back for funding. Mr. Mayer feels that 7A would be recognized as no material change and the project can proceed.

There was further discussion about the FEMA reimbursement including alignment of the current project (7A) scope with the Project Worksheet scope of work, the likely confirmation of an actual "replacement cost" for the West Wing, what might be non reimbursable scope, etc.

7. Project update presentation by Shawmut Design and Construction regarding any changes or new information related to the original project subject to public bid process. Discussion regarding confirmation of final project scope, alternate adds, bid results, costs and resulting total project budget.

Mr. Bradley said that apparently 7A is a viable project as far as FEMA is concerned. He said they could ask for proof that the repair is less than a replacement. Mr. Bradley asked where we are with the 7A project.

Mr. McDonald said that the cost would be 6.7 million dollars with the inclusion of the second bidder of General Trades.

Mr. Bradley asked if this gives us a fully designed, functioning project in accordance with the final DeStefano and Chamberlain final drawings as approved by the Committee. Mr. McDonald said yes.

Mr. Bass commented that he felt the Committee had been influenced by what they heard tonight.

Mr. Mayer returned to the meeting. He provided the email from FEMA and gave it to Mr. Bradley. Mr. Mayer said that the letter states that the "effective cost share is 75%" and directed that the email be distributed to Committee members.

Mrs. Nelson said that the RTM believed that 7A was the right thing to do. She believes we should go back to the Town for additional funding and that 7A should go forward.

Mr. Speciale thinks that 7A is a viable project and that it is guaranteed by FEMA and Finance Department.

Mr. Plotkin said that he is comfortable with 7A and feels we should stick to our charge.

Mr. Graceffa said that he shares some skepticism but that as a Committee, we need to consider the net cost. He is comfortable with moving ahead with project 7A to finalize the cost.

Mr Pitaniello said that even if 7A is what the Town wanted, the Committee should still present the option we have been working on (no lockers) and look at the net cost of 7A vs. a total rebuild which is smaller in size. He said he was still concerned with the condition of the existing building and wants to protect the contingency.

Mr. Zieff said that the Committee must be sure that on the known information, we can do this. He felt that if the Committee presents other options, it will delay the project.

Mr. Bradley said that time is critical and that the Committee should go back to the Town bodies with one project.

Mr. Zieff said that they should go back with proof why it is more expensive.

Mr. McDonald said that the number for project Option 7A will be close to 7.0 (seven) million dollars. He said it is viable because it has been tested in the market.

Ms. Holland said that this project has already been bid and she does not think that rebidding it would get a better result.

8. Project update presentation by Shawmut Design and Construction regarding the revised and final redesign project cost estimate for repair of the West Wing, elimination of the East Wing and addition of restrooms, showers, changing area and day lockers. Discussion regarding proposed scope and cost.

Regarding Option 7, Mr. Heer distributed a cost summary sheet. The estimated cost of this option is \$5,990,472.00 including a 15% contingency.

Mr. Bradley commented that the difference between proposals is a million dollars plus a higher reimbursement from FEMA.

Mr. Procino said that 7A is doable. Mr. Bradley asked what the start date would be. Mr. Procino said March, 2016 or maybe earlier depending on what kind of winter we have. They could start doing demolition and move the building sooner if possible.

Mr. Chamberlain said that he is still behind 7A. He said it gives the Town back the function of the existing building. He thinks that the 10% contingency is enough.

Ms. Holland said that we can fast track confirming a final cost, a GMP because Shawmut is close to a final number and they can possibly get the contractors to give an extension.

Mr. Procino said that they can deliver the GMP in two weeks and they will ask the contractors for a 30 - 90 day extension depending on the proposed start date.

9. Presentation of the results of the request for clarification from Bond Council regarding existing Bond Resolution and impact of the partial or complete exclusion of storage lockers.

See previous discussion. Bond Counsel reported elimination of the lockers represents a material change and re-approval of a project without lockers would be required.

10. A report on the results of the discussion with the Director of Parks and Recreation regarding the elimination of all or a portion of storage lockers, the addition of restrooms, showers, changing area and accommodation of existing day lockers and replacement or repair of the West Wing.

Mr. Lombardo said that he is pleased that the Committee is going forward with 7A because of the program.

Mr. Bradley asked for a motion to move forward with the process.

Mr. Plotkin moved and Mr. Speciale seconded a motion to go forward with 7A and approach the Town bodies for additional funding if required after consultation with Mr. Mayer, and direct the Construction Manager to validate the existing bid numbers for a GMP. The vote was 6 in favor, 2 opposed (Bass, Pitaniello). Motion passed.

11. Committee discussion regarding determination and confirmation of a repair or replacement project design and scope, potential FEMA reimbursement, estimated "net cost to the Town", agreement on and approval of next steps and revised project start date and schedule.

Mr. Zieff asked Mr. Pitaniello and Mr. Bass why they we opposed to option 7A. Mr. Pitaniello said that he was not opposed to option 7A. He voted no because he thinks the Committee should present other options if they are rejected for additional funding. Mr. Bass said that option 7A was a politically motivated change from what the community originally wanted, which was option 7. He said that surveys said the public wanted a less expensive and smaller pavilion.

Mr. Pitaniello moved and Mr. Graceffa seconded a motion to continue and confirm pricing for Scheme 4 (Option 7) and provide the final cost for Option 7 to the Fiscal Officer for FEMA modeling to confirm net cost to the Town. Vote was 7 in favor, 1 opposed (Speciale). Motion passed.

12. Review and approval of DeStefano & Chamberlain Invoices #5116 & #5182.

Mr. Graceffa moved and Mr. Bass seconded a motion to approve payment to DeStefano & Chamberlain, Invoice #5116, for response to RFI, in the amount of \$1,900.00. Motion passed.

Mr. Graceffa moved and Mr. Bass seconded a motion to approve payment to DeStefano & Chamberlain pending review by the Subcommittee with action of subcommittee reviewed at the next meeting, Invoice #5182, for staff time - conceptual design for alternative schemes and rebidding, in the amount of \$14,625.00. Motion passed.

13. Public Comment

Mrs. Ewing (speaking for herself), said that the Committee has a charge to make a decision and to defend that position at RTM meetings. She said that they will be happy to hear that there is additional money available.

14. New Business

No new business.

15. Old Business

No old business.

16. Adjournment

Mrs. Nelson moved and Mr. Plotkin seconded a motion to adjourn the meeting. Mr. Bradley adjourned the meeting at 8:48 p.m.

Andrew Graceffa, Secretary
Ellen Marks, Recording Secretary