

Concord Middle School Building Committee
Meeting Minutes
July 11, 2019

PRESENT: Susan Bates, Heather Bout, Justin Cameron, Frank Cannon, Dawn Guarriello, Kate Handley, Russ Hughes, Timothy Hult, Pat Nelson, Chris Popov, Jared Stanton

PARTICIPATING REMOTELY: Laurie Hunter & Court Booth

ABSENT: Charles Parker, Chris Popov and Matthew Root

OTHERS: Budget & Purchasing Director Jon Harris; Climate Action Advisory Board Chair Brian Foulds; Finance Committee Liaison John Hickling; School Committee Member Cynthia Rainey; LWV Observer Karlen Reed; Town Clerk Kaari Tari

Call to Order & Introductions

Ms. Bates called the meeting to order at 7:38 am in the Select Board Meeting Room at the Town House. She announced that the meeting was being recorded for broadcast on MMN. She noted that those participating remotely may vote and are considered present, but they are not included in the meeting's quorum. The minutes will be prepared from the recording. Committee members introduced themselves. Jon Harris noted that he will be serving on the Committee in lieu of Finance Director Kerry Lafleur, and is awaiting appointment from the Select Board.

Open Meeting Law Review

Ms. Bates reminded all that the committee is subject to the Open Meeting Law (OML). In addition, all meetings of any subcommittees are also subject to the OML. When the committee or any subcommittee meets, the meeting must be posted, including a detailed agenda of any items of which the Chair is aware that will be considered at the meeting. The posting must be made with the Town Clerk and with Andrew Mara (Select Board Office) at least 48 hours in advance of the meeting, not including holidays or weekends. If meetings are to be held in the morning, then the posting must be made 48 hours from the previous day, to allow ample time for posting on the web site and on the Town House bulletin board. All meetings must be held in an accessible public building.

Ms. Bates reminded all to let the Chair know if you will not be present at a meeting, since a quorum is necessary in order to open and hold the meeting. With 17 members, we have a quorum requirement of nine members physically present.

Election of Officers

Ms. Bout indicated that the committee is required to elect officers, including a Chair/Co-Chairs and a Clerk. She suggested that the Chairs not be the paid staff members who are serving on the Committee. Mr. Hult expressed an interest in serving as Co-Chair, noting that he had previously served on the CCHS Building Committee and the Carlisle School Building Committee. He suggested Co-Chairs, noting that two distinct skill sets are required: (1) leadership and creative design skills to move the group forward during the feasibility and design phases; and (2) an individual with operational and logistical skills, and preferably with construction experience. Ms. Guarriello expressed an interest in leading the creative/design components. Ms. Nelson offered to serve in an assisting role to the Co-Chairs, making phone calls, facilitating meetings, and performing related tasks.

On a **MOTION** made and duly seconded, it was unanimously **VOTED** to elect Tim Hult and Dawn Guarriello as Co-Chairs.

On a **MOTION** made and duly seconded, it was unanimously **VOTED** to elect Pat Nelson as Vice Chair.

It was agreed that Ms. Bout and Ms. Bates would continue to co-chair today’s meeting.

Preliminary Discussion of Subcommittees

Mr. Hult noted that he anticipates the need for at least five subcommittees: Design, Sustainability, Educational Requirements, Finance, and Communications/Public Relations. He urged all to consider their interest in serving on one or more of these subcommittees, and to be clear about time availability when expressing an interest in serving. He stressed the importance of acting as a cohesive group working towards a common goal.

Request for Owners’ Project Management Services (RFS)

Mr. Stanton had distributed the draft RFS for the OPM, and walked the group through the various sections of the draft. Some of the information was taken from the MSBA’s boiler plate RFS documents, and other information was taken from other communities. The OPM Selection Subcommittee has met, and this group worked on the draft, the evaluation criteria, and the point allocation, emphasizing the rating values important to Concord. Ms. Guarriello noted that the designer is generally responsible for thoroughly understanding the state building code.

The group discussed the evaluation criteria and the point allocation. It was noted that it is the responsibility of the municipality to verify the numbers during all phases of the project. It was noted that the evaluation criteria will protect the Town if we are challenged; the importance of reference checks was emphasized. OPM applicants will note the point allocations and focus their proposals accordingly. After discussion, the following *revised* criteria and allocation was agreed upon.

Criteria	Maximum Point Allocation
1. Past Performance	
a. Documented performance on previous projects	10
b. Satisfactory working relationship with designers, contractors, owner, local officials	20
2. Knowledge of the Mass. State Building Code, regulations, ADA, etc.	3
3. Knowledge of construction procurement laws, regulations, policies & procedures	5
4. Management approach	20
5. Key personnel assigned to project & commitment from the firm to keep them in place for the duration of the project	20
6. Capacity & skills of the firm; services to be provided by subcontractors	10
7. Respondent’s current & projected workload for projects in excess of \$1.5 million; ability to handle the workload	5
8. Demonstrated & documented experience working on zero net energy green buildings & initiatives	15
9. Knowledge & demonstrated experience of life cycle cost analysis, cost estimating & value engineering	10
10. Knowledge of the purpose & practices of the services of Building Commissioning Consultants	2
11. Financial stability of the firm	10
TOTAL MAXIMUM POINT ALLOCATION	130

Selection Schedule Process & Timetable

Ms. Stanton explained that he will conduct the initial review of the proposals, and will bring those to the subcommittee for consideration. The OPM RFS Timetable is as follows:

Date	Action
Wednesday, July 17	OPM RFS will be available
Wednesday, July 17	RFS Notice published in Central Register
Wednesday, July 17	RFS Notice sent to local newspaper for publication
Thursday, July 25	Middle School SBC Meeting
Monday, August 5	Sealed responses on RFS due at 9:00 am
Tuesday, August 6 to Thursday, August 8	Evaluations conducted by the MS OPM Subcommittee, references checked & a short list of preferred applicants prepared (minimum of 3)
Thursday, August 8	MS SBC Meeting to review proposed short list
Wednesday, August 14	MS OPM short list interviews conducted by Subcommittee
Thursday, August 15	MS SBC Meeting to review Subcommittee recommendation & make decision on recommendation to Town Manager
Thursday, August 15	MS SBC makes recommendation to Town Manager
Friday, August 16-Thursday, August 22	Town Manager negotiates with OPM finalist
Friday, August 23	MS OPM awarded
Thursday, September 5	MS SBC Meeting with new OPM

Consistent with the above schedule, the group decided to meet on August 8 and 15 at 7:30 am, and to cancel the meeting of August 22. It was suggested that the above schedule be shared with the OPM applicants, so that they can make their schedules available. It was agreed that the timetable be included as an attachment to the RFS. Ms. Guarriello noted that she is familiar with several of the OPM applicants, and she anticipates serving as a reference for some of the applicants and is willing to call other applicants with which she is not as familiar.

The question was raised as to whether the OPM evaluation meetings would be held in open session. Mr. Harris noted that whether the evaluation is held in an open session is partly determined by whether or not the process comes under MGL Ch. 30B, and that needs to be determined first.

Public Comments to the OPM Selection Process

In looking at Criteria #8 above, Mr. Foulds emphasized the importance of distinguishing between an applicant’s experience with following the spirit of a sustainable building program/using it as a reference vs. working on a project for which certification has been achieved. Ms. Handley suggested that Criteria #8 be amended to include the phrase “demonstrated and documented experience.” Ms. Guarriello asked whether the timeline can be considered an internal document, and Ms. Reed responded that since the document was included in the open meeting tonight and was videotaped, that it could not be considered an internal document. Ms. Reed strongly suggested that the OPM Subcommittee meetings be videotaped, which will help with the transparency of the process. She explained how that can be arranged with MMN.

Ms. Reed expressed some confusion about the scope of the project, which was listed in the RFS as costing a range of \$80 to \$100 million. She asked how that had happened, since earlier estimates were up to \$90 million. Mr. Stanton responded that MSBA suggests that a range of estimated costs be included, emphasizing that this estimate is mainly for the OPM’s benefit at this point. A more definitive estimate will be developed in the coming months. Ms. Reed was concerned that providing an estimate of up to \$100 million would give “license” to design a project up to that cost. Ms. Bout emphasized that this estimate was for the management role of the project, and not reflective of the

construction costs, which are unknown at this time. Ms. Reed suggested that the range be given as \$80 to \$90 million. Ms. Guarriello noted that the estimates included in the RFS are often inconsistent with the ultimate cost of a building project. Ms. Nelson was reluctant to lower the range, feeling that transparency about the potential cost of the project is critical. She suggested that the number provided establishes “space” for the conversation about cost, and makes no commitment to design a project to that number. Mr. Hult emphasized the importance of the committee doing due diligence and obtaining the appropriate value for the community. He suggested that it will not be unreasonable for residents to question how the cost of a new middle school could be approaching the cost of the recently built new high school, which has more than double the number of students. He suggested a range of \$85 to \$95 million. Ms. Bates emphasized the importance of projecting a message to the community that the committee is conscientious about cost. Dr. Hunter is more comfortable with a figure of \$100 million, which is in keeping with other middle school projects she has seen. Ms. Guarriello noted that recent Design-Bid-Build projects have come in under budget. Dr. Hunter noted that the \$90 million earlier estimate was a “place holder,” based on other recent projects. The consensus of the group was to keep the estimate in the RFS to \$80 to \$100 million.

OPM Selection Subcommittee

On a **MOTION** made by Ms. Bates and seconded by Mr. Hult, it was unanimously **VOTED** to create an OPM Selection Subcommittee. Several members expressed interest in serving on such a subcommittee.

On a **MOTION** made by Ms. Bates and seconded by Ms. Nelson, it was unanimously **VOTED** to appoint the following members to the OPM Selection Subcommittee: Jared Stanton, Frank Cannon, Kate Handley, Jon Harris (once appointed to the MS SBC by the Select Board), Laurie Hunter, and Dawn Guarriello.

Upcoming Meeting Dates

It was agreed that any site visits to area middle schools would be posted as open meetings, and Dr. Hunter agreed to schedule those. The new middle school at Hanscom was suggested for a visit. Ms. Nelson agreed to conduct a Doodle Poll of possible meeting dates to determine that a quorum will be present. Ms. Bates agreed to send to Pat contact information for committee members. It was agreed to chart out future meeting dates as early as possible. Suggested meeting dates are as follows:

- Regular Meetings: August 8, August 15, September 5 and September 19
- Middle School Visits – July 25

On a **MOTION** made by Mr. Hult and seconded by Ms. Guarriello, it was **VOTED** to adjourn at 9:31 am.

Respectfully submitted,

Anita Tekle
Interim Recording Secretary

Approved 9.19.19

Documents Used or Referenced during Meeting:

- Request for Owner’s Project Management Services (RFS)
- Timeline Attachment to OPM RFS