

Committee Members
Timothy Harris, Chair
John Foresto, Vice-Chair
Michael Callahan, Member
Michael J Schrader, Member
Ted Kenney, Member



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TOWN OF MEDWAY COMMONWEALTH OF MASSACHUSETTS

WATER FACILITY BUILDING COMMITTEE

APPROVED 7/22/21

March 4, 2021

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, no in-person attendance of members of the public will be permitted at this meeting. Committee members will be participating remotely. For public hearings, access via Zoom is provided for the required opportunity for public participation. Information for participating via Zoom is posted at the end of this Agenda.

In attendance via Zoom:

Tim Harris, Medway Resident & Chair
John Foresto, Selectmen & Vice-Chair
Ted Kenney, Medway Resident & Member
Michael Schrader, Medway Resident & Member
Michael Callahan, Medway Resident & Member
Peter Pelletier, DPW Deputy Director
Barry Smith, Water & Sewer Superintendent
Paul Millett, Environmental Partners
Helen Gordon, Environmental Partners
Michael Boynton, Medway Town Manager
Jill Karakeian, DPW Program Administrator and Recording Secretary

Vice-Chairman Foresto called the meeting to order @ 7:03pm roll call and asked all attending members to state their name and position.

Approval of past Meeting Minutes

Member Kenney makes a motion to approve meeting minutes from 1/21/21 meeting, with a minor change of a paragraph referencing a specific bidder and cost to be removed as a fees blind record, Vice-Chair Foresto seconds the motion to approve the minutes with changes. The motion carries unanimously. A roll call vote was taken due to the nature of the remote Zoom meeting.

Member Kenney makes a motion to approve the minutes from the 1/28/21 meeting, Vice-Chair Foesto seconds the motion. The motion carries unanimously. A roll call vote was taken due to the nature of the remote Zoom meeting.

Chair Harris makes a motion to approve the minutes from the 2/9/21 meeting, Member Kenney seconds the motion. The motion carries unanimously. A roll call vote was taken due to the nature of the remote Zoom meeting.

Chair Harris makes a motion to approve the minutes from the 2/18/21 meeting, Member Kenney seconds the motion. The motion carries unanimously. A roll call vote was taken due to the nature of the remote Zoom meeting.

Contract Negotiation Update

Chair Harris asked Town Manager Boynton to bring the Board up to speed as to the negotiations and where we are at to date.

Town Manager Boynton talks about the scope of services that have been provided, it's very good and includes everything up through design, through permitting and through bidding, then ultimately to solicit bids and award a construction contract. The expectation is that will happen between now and this time next year. The goal is to hit the streets with bids February/March of next year. Their price is \$913,700.00, which seems to be consistent with a service level of this nature. They don't have construction administration services. The ultimate Clerk of the Works role is going to be Environmental Partners, as part of their agreement with the Town. The construction administration piece for Wright-Pierce is RFI's and design submittals. Because they don't know sure of what the design looks like and the technical component involved. Wright-Pierce came back with a number of 17%, from now through the end of the project. The Town would be in a good position to do a contract with Wright-Pierce for the design services up through construction bidding. When we get to the point we know the project is going forward, then execute an amendment to the contract, which will allow us to do the construction administration piece. This allows us to move forward right now with executing a contract in the amount of \$913,700.00 and getting Wright-Pierce moving forward with the design and scope of services.

Chair Harris agrees and feels Town Manager Boynton is going down the right road, but wanted to open up the discussion and talk about Construction Administrative (CA). CA can be a bucket of services. Helen Gordon and her team is going to be doing a lot of the CA. When I think of CA, I think of requisition approvals, change order approvals, attendance at the weekly OAC meetings, various site inspections. I think we should carve out and list those services and come up with our own budget and exposure for what the CA would be simultaneously with Wright-Pierce.

Helen Gordon explains that the important thing is that Wright-Pierce remains involved and is in charge of shop drawing review. The contractor submits the shop drawings and it's not unusual for the contractor to try and submit less than what you specified. They review it as the designer, they make comments and they either accept that equipment to specifications or it doesn't. The reviews can go back and forth a couple of times so there might be another review. Based on the type of design we have, they can come up with an approximate number of shop drawings they will be getting. They can come up with a cost estimate that is based on the basic design, number of shop drawings we are assuming that will be coming in and we are budgeting for those and a turn-around twice of each as a budget, and if there are more submissions, that would be out of scope. RFI's are on the same idea. This area the OPM comes into place, contractors tend to do an RFI for everything and it may be just a quick conversation to avoid that. Designers should be at every monthly meeting, and they need to provide some onsite review, their architect needs to go to the site at critical points of the design, their structural engineer needs to go to site at critical points of the construction. They won't be doing the Clerk of the Works, which is every day, on site, which is what Environmental Partners will be providing. You can have them put together a budget based on the assumption of how many shop drawings, how many RFI's, the extent of the construction period and a number of visits to the site as well.

We don't know what that percentage number is, the treatment building is about \$9M, the admin space plus vehicle space adds on, let's say \$13M for now. We can list the tasks that they need to do, shop drawing review, submittal review, monthly meetings, affidavits at the end of the job by their team so we can get a Certificate of Occupancy, periodic site visits, which are standard items. We can identify their scope and come up with the tasks. We as the OPM will have the onsite field presence and will be the first screening house on a lot of field issues. They are going to be required clarify their drawings and specs and if there are request for change orders, our job is to be objective and say if it is legitimate or not and interpret the specifications and they need to do the same.

Chair Harris feels we need to clearly identify what the tasks included in the CA really are and what the estimated budgets are based on the project we are building. Questions the accountability.

Paul Millett explains that if a part submitted as specified, it should be a fairly quick review and approval. The accountability is if the cutter will submit parts and products based on specifications, if things don't fit and work and we are going back and forth, Environmental Partners knows enough to call time out at that stage. We will be looking at the shop drawings as well to make sure they make the intent of the specifications, but the architect has final say in approving the final submission.

Chair Harris agrees with Town Manager Boynton but we need to make sure we are covered from a liability risk standpoint. The cost is the secondary piece.

Town Manager Boynton we are going to have that as part of a contract. We can make it part of the amendment piece when we go back to get that second round of funding.

Member Schrader asked before we can get into what the designer is doing, I would like to see the OPM's scope and their agreement. Would like to see the 2 together, so we can compare and see who is doing what.

Chair Harris agrees and feels it makes sense, from a timing standpoint, to get the Design started. We should definitely deal with that tonight so we continue to move forward. Simultaneously, we have time to work with Environmental Partners and the team to come up with a budget and strategy to deal with the CA over the next month or so.

Town Manager Boynton feels comparing the scope of services and responsibilities of Environmental Partners and Wright-Pierce would be beneficial so we have proper coordination, we don't want to double pay and we don't want to miss anything either. At this point, if there is no objection, we at least lock up this piece, get the Select Board to approve it, and then get going on to getting this designed.

Member Kenney talks about the CA experience. He did see a copy of the draft of the scope on the design side, and along with my own review, I anonymously and confidentially had some peer review done and collective notes say it's solid, it's comprehensive, and the dollars are right. Providing support, if we can move the ball forward with this piece, then address concerns that everyone has on the CA side, putting up a matrix to look at and compare, it gets us moving on the solid first phase.

Helen Gordon explains that Wright-Pierce will be providing an updated scope including what I had indicated to them would be their role and responsibility. They will have a draft of that construction

admin piece and then I will provide Environmental Partner's scope, so you have that to compare. I've gone over with them what our role and responsibility is and what their role is so we aren't doing what they are doing.

Chair Harris feels that if we cap this and limit the timeline to the next 4-6 weeks max, I personally would feel better at that point. We are going to have a complete budget at that time and a scope of services that we need to buy and what we feel the number should be.

Chair Harris asked if there was any further discussion with respect to releasing the Design Team for the design, engineering services and bidding.

Vice-Chair Foresto explains that we are going to need a total budget number when the contract goes in front of the Select Board.

Member Schrader asked if we were going SRF for this project.

Helen Gordon explains that the town has been approved for SRF but whether they go SRF has yet to be determined. The wording for SRF funding is included in the contract just in case that is the avenue that is taken.

Chair Harris asked Helen Gordon when we will receive Wright-Pierce's CA proposal.

Helen Gordon explains Wright-Pierce will have the CA Proposal included in this go around for the end of tomorrow. What their responsibility will be in there. They are giving us the \$913,700.00 with the full scope of work that has been changed a little bit based on input from the Town and Environmental Partner's on the design piece and the bidding piece. They are also adding the scope of work for construction admin so we can review that.

Chair Harris asked about a motion to move forward with the design, engineering, permitting and bidding. To meet our schedule, it's important to move forward at this point.

Vice-Chair Foresto doesn't believe we need a motion.

Town Manager Boynton explains that he will move forward, the CA piece will be an add on. Take the scope of services that they have together with the \$913,700.00, build that into a formal contract document and get that to KP Law for review so we can get it in front of the Select Board for March 15, 2021.

Vice-Chair Foresto would like to see the documents prior to going before the Select Board. He feels we should meet to go over the documents and make a motion at that time to present it to the Select Board.

Helen Gordon states that part of what Wright-Pierce owes them is a detailed schedule with their deliverables, once we finalize the contract. Environmental Partner's will also expand their schedule to include their deliverables, including the major check points for the project.

Vice-Chair Foresto suggests meeting on March 11, 2021 at 7:00 pm and asked Jill to set up the meeting.

Vice-Chair Foresto makes a motion to adjourn at 8:09pm Member Callahan seconds. The motion carries unanimously. A roll call vote was taken due to the nature of the remote Zoom meeting.