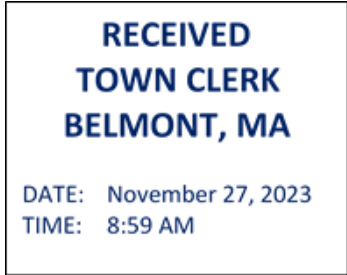


BELMONT MIDDLE and HIGH SCHOOL BUILDING COMMITTEE
Final Meeting Minutes
Tuesday, October 31, 2023
Virtual Zoom Meeting
8:00 AM



Meeting #167

Committee Members Virtually Attending:

Chair Lovallo; Members Emma Thurston, Patrice Garvin, Pat Bruschi, Dave Blazon, Tom Caputo, Bob McLaughlin, Chris Messer, Mike McAllister, Joe DeStefano, Amy Zuccarello

Absent Members: Diane Miller, Joel Mooney, Jamie Shea

Members who left the meeting early: Patrice Garvin, Joe DeStefano

From CHA: Tom Gatzunis, Don White, Justin Ferdenzi, Tony DelGreco

From Perkins+Will: Brooke Trivas, Vital Albuquerque, Brian Spangler

From Skanska: Mike Morrison, Adrian Majewski, James Chung

I. Call to Order

The meeting was called to order at 8:04 a.m. by Chair Lovallo. He thanked Julie and the Belmont Media Center for their technical support. He explained the remote meeting protocol, e.g., votes will be taken via roll call, state your name before speaking, mute computers, etc. Meeting materials were sent out this week and those materials will be posted on the BMHSBC website, shortly after the meeting. He also advised residents that they can click into the meeting during public comment time by pressing #9 or by “raising” the hand icon.

Chair Lovallo took attendance via roll call and reviewed the agenda. He turned to the first item on the agenda.

II. Next Building Committee Meetings

Thursday	Nov., 16, 2023	at 8:00 AM	Virtual	[168]
Thursday	Dec., 21, 2023	at 8:00 AM	Virtual	[169]
Thursday	Jan., 18, 2024	at 8:00 AM	Virtual	[170]

Chair Lovallo noted that it has been six months since change orders have been discussed by the Committee.

III. Minutes of Previous Meetings: Review and Approve

Mr. McLaughlin moved: To approve the Minutes of 10/19/2023.

The motion passed via a roll call vote of 8-0-2. (Yes: Bruschi, Blazon, Caputo, McLaughlin,

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Messer, McAllister, Zuccarello, Lovallo; Abstain: Thurston, DeStefano)

IV. Treasurer's Report/Update

Chair Lovallo informed the Committee that the following Invoice is ready for their approval; Mr. McAllister read the invoice aloud.

Contractor Invoice

- **Skanska (Pay Application #63) \$468,845.00 (PV)**

Mr. McLaughlin moved: To approve Skanska's Pay Applications #63, as noted above. The motion passed unanimously via a roll call vote of 10-0-0 (Yes: Thurston, Bruschi, Blazon, Caputo, McLaughlin, Messer, DeStefano, McAllister, Zuccarello, Lovallo)

V. Review Summary Document of GMP Project Change Orders

Mr. Ferdenzi reviewed the Change Order document, PCO requests, design issues, scope adjustments, differing conditions, etc. He noted that GMP impacts are documented, as well. He next reviewed the amounts (e.g., PCO totals, Net Added, Net Deducted, etc.). Chair Lovallo discussed the construction contingency. Mr. Ferdenzi then reviewed the Approximate Cost by Trade log: structural, site, utilities, plumbing, electrical, HVAC, Misc. He noted that this information is submitted to the MSBA on a quarterly basis. Chair Lovallo added that "structural" represents about one third of the total change orders. He offered some explanation as to why this is. Mr. Ferdenzi explained the site, utility, and electrical columns. Chair Lovallo added that the Misc. column is mostly architecture. Chair Lovallo turned to the Reasons for Change section of the document (e.g., Design Issue, New Scope Directed by Owner, Differing Conditions, New Scope Directed by Third Party). He noted that many changes fell under the Differing Conditions.

VI. Discussion on Cumulative Effect of Construction Changes

Committee members offered comments and asked questions. Ms. Thurston noted that none of this information is new and that this document is very helpful. Mr. Messer asked if the MSBA offers comments on this information, upon receiving it. Mr. Gatzunis said no, they do track it, but generally do not offer commentary. Mr. Caputo asked about the various bucket items. He also asked which items were or were not anticipated. Mr. Gatzunis and Mr. Albuquerque provided feedback. Mr. Caputo next asked about the appropriate level of mistakes and ensuing costs as a result of those mistakes. Chair Lovallo discussed the changes that occurred outside of the GMP and the GMP allowances. He noted that this project trimmed its allowances in order to have control over the allowances - which allowed for maximum visibility. Mr. Gatzunis offered information on the adjustments, the eligible costs per square foot, escalating costs, Covid, and supply chain issues. Ms. Trivas noted that there are a lot of mitigating factors that need to be analyzed and compared to other projects of this size and complexity. In spite of the complexities, both phases opened on schedule, she added.

VII. Comments from Belmont Residents

Mr. Ira M. asked about the Lacrosse and Rugby field issues (he has heard that the fields are not the proper size) -- will claims be made based on that? Chair Lovallo said that this is new news for the FINAL

Committee and that the fields were approved by both the School Dept and the Athletic Dept. He said if they learn something about this, it will be discussed at the next Committee meeting.

Mr. Brian Iler, School Street, asked how these numbers relate to money set aside for contingencies. Chair Lovallo replied that these changes are within the approved Project budget and ARPA funds. This document is not a summary of contingency numbers, rather it is a summary of “construction cost changes”. But, he added, contingency was used in some cases, and in other cases, the changes fell under allowances. Mr. Iler also asked about Value Engineering (VE) efforts and where those changes are documented. Chair Lovallo addressed this question and explained VE’s impact on the GMP.

Ms. Stephanie asked about the MSBA’s withholding of \$5M. Chair Lovallo said that the MSBA will withhold 5 percent (until close-out) which is about \$4M. He explained the close-out process and noted that a final payment (from MSBA) would likely be received in 2025.

Ms. Pargoli asked about the reason for entering into Executive Session. Chair Lovallo replied that the Committee would to so: *to discuss strategy with respect to possible litigation, which, if discussed in open meeting, would have a detrimental effect on the possible litigation position and that litigation is likely.*

She then expressed concern about building adjacent to Clay Pit Pond. Why was there not more site testing? Chair Lovallo replied that extensive testing did occur. She added that she reached out to the Grant family and they do agree with her regarding Committee engagement, but are too reserved to say so publicly.

Mr. Ira M. asked about the dollar amount of potential litigation claims outstanding. Chair Lovallo noted that there is no outstanding litigation, but there are punch list items that exist.

VIII. Entertain a Motion to Proceed to Executive Session

Chair Lovallo requested a motion to enter into Executive Session for the explicit reason to discuss strategy with respect to possible litigation, which, if discussed in open meeting, would have a detrimental effect on the possible litigation position and that litigation is likely.

IX. Roll Call Vote for Executive Session

Ms. Thurston moved: To enter into Executive Session at 9:25 AM to discuss strategy with respect to possible litigation, which, if discussed in open meeting, would have a detrimental effect on the possible litigation position and that litigation is likely. Chair Lovallo added that the Committee will not return to Open Session.

The motion was repeated by Chair Lovallo as requested by Mr. McLaughlin.

The motion passed unanimously via a roll call vote of 8-0-0. (Yes: Thurston, Bruschi, Blazon, Caputo, McLaughlin, Messer, Zuccarello, Lovallo)

[See Separate Document for Executive Session Minutes.]

X. Related Meeting Documents

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1. CHA Change Order Summary

XI. End

The Chair ended the Executive Session meeting (and thus the Open Session) at 10:18 a.m., following a motion made by Mr. McLaughlin. (See Executive Session minutes for the motion and roll call vote.)

Respectfully submitted by:

Lisa Gibalerio

Approved: 
Chris Messer, Secretary

11/26/2023
Date