

UNDERWOOD POOL PROJECT  
Belmont, Massachusetts

2014 NOV -4 AM 9:30

BELMONT UNDERWOOD POOL BUILDING COMMITTEE  
**MINUTES OF MEETING**

August 21, 2014

Belmont Town Hall – Conference Room 2

Attending:

**Underwood Pool Building Committee (UPBC)** – Adam Dash (Vice Chair and Warrant Committee member), Bob Phillips, David Kane (Recreation Commission Chair) Ellen Schreiber (Secretary); Steven Sala (Treasurer and Permanent Building Committee member)

**Also in attendance** – Peter Castanino (Director DPW and UPBC liaison), Tom Scarlata (BH+A), Tom O'Neil (PCI), Deborah Marai (PCI)

**Call to Order:** Adam Dash called the meeting to order at 7:36 p.m.

***Action items are highlighted.***

**1. Invoices**

- Steve Sala reported the following:
  - Pinck & Co.  
Total July 2014 invoice \$7,759.18  
Total to Date \$79,259, 44% of contract to date  
Recommended for approval
  - BH+A  
Total June 2014 invoice for Construction Documents: \$65,120, 65% complete  
Recommended for approval
- There were no additional comments.
- Ellen Schreiber made a motion to approve Pinck & Co.'s July 2014 invoice and BH+A's June 2014 invoice, Bob Phillips seconded the motion; the motion carried unanimously.

**2. Results of Public Bid Process, Status of Alternates & Next Steps**

- Bid Results
  - The low bid of Seaver Construction was where the team expected a successful bid to be based on the estimates. The high bid was extremely high, an outlier. The two other bids were close, but significantly higher than the estimates.
  - Other than the filed sub bids, what is included in the bidder's numbers is unknown.
  - The estimates carried appropriate contingency based on the development of the construction documents at the time of the estimates and appropriate escalation based on the time from the estimates to the start of construction. There were 2 independent estimates and they were reconciled.
- Low Bidder
  - Seaver Construction retracted their bid stating a significant clerical error.
  - PCI requested back-up on the clerical error, which was submitted late this afternoon. Seaver provided a worksheet showing that a total of \$175,000 for winter conditions was carried over to their bid as \$17,500.
  - Adam Dash looked at the case law on this matter, which Seaver quoted in the memorandum they forwarded with their back up; the error has to be substantial.
  - If Seaver's bid retraction is not deemed legitimate, they would forfeit their bid deposit (5%, just under \$200K). This would be a legal process. PCI will ask the Attorney

General's Bid Unit to provide an option on Seaver's bid retraction and back-up, and Peter Castanino will ask the same of the Town Counsel.

- Deborah Marai stated that it is up to the bidders if they chose to assume working through the winter and the value of the winter conditions in their bid; the General Contractor owns means and methods.
- UPBC members agree that moving forward with the project is not dependent on whether or not Seaver's bid retraction is deemed legitimate.
- With Seaver's bid retraction, the low bidder is NEB. The difference between the base scope of NEB's bid and the budget is \$388K; the 4 alternates add \$81K.
- Next Steps
  - 3 options
    - 1) Find the money to cover difference between budget and 2<sup>nd</sup> lowest bid in a manner that does not require Town meeting vote; accept 2<sup>nd</sup> lowest bidder and move forward with project.
      - ❖ Have 30 days to award contract
      - ❖ Schedule will be off, may affect start of 2015 pool season
      - ❖ This might be done with fundraising, unlikely this could come from the Town.
    - 2) Reject all bids; redesign and rebid.
      - ❖ How much to redesign is a question, minor or major. Minor changes and find more funding; major changes to get project in budget relative bids that came in. Strategize with alternates.
      - ❖ If make major changes in attempt to align project with budget in light of recent bids, no guarantee/do not know how bids will come in.
      - ❖ New pool will not be ready for 2015 pool season; Peter Castanino indicated that the State Board of Health said they would not approve a variance for the existing pool to open another season; whether this could change is an open question. The State requirements in order for the pool to get a permit this season were increased from last year.
    - 3) Reject all bids; suspend the project.
      - ❖ The UPBC rejects this option.
  - Board of Selectmen
    - ❖ Deborah Marai spoke with Anne Paulsen prior to the meeting, and she recommends AP recommended setting up a meeting with the Board of Selectmen as soon as possible.
    - ❖ Peter Castanino will discuss this possibility with David Kale.
  - Redesign Options: Tom Scarlata presented sketch options and thought for redesign.
    - ❖ One pool instead of two: Save on equipment, some gutter.
    - ❖ Smaller pool: Pool and bath houses are linked; to reduce the program requirements and size of bath houses, reduce the size of the pool. Reducing shallow portion of pool has the greatest impact on reducing plumbing fixture requirements.
    - ❖ Reducing family changing rooms and adding the fixtures to the group bathrooms.
    - ❖ Reduce/eliminate scope outside of pool: pull fence back so culvert is outside of fence, reduce or eliminate improvements to parking, drop off, etc. while maintaining required access to pool entry.
  - Rebidding Options:
    - ❖ Deborah Marai noted the project schedule required bidding in July/August. If redesigning and rebidding, January/February is generally and typically a good time to bid.
    - ❖ If rebid in January, start construction early spring; a pool season will definitely be lost, but would avoid any issue with winter conditions. Construction time frame would be 7-8 months. Tom Scarlata indicated the warranty would still be for one

season; the Contractor would own the first season shut down and start up for the next season.

- ❖ Rebidding in January would allow for the option to go back to Town Meeting vote in November.
- ❖ The longer the project waits to rebid, the greater the possible escalation.

➤ Discussion

- ❖ Changes will trigger permitting – go back to Conservation Commission to review storm water and Planning Board for site plan review.
- ❖ Ellen Schreiber promotes pursuing a core path – redesign to save the pool; she does not think the pool can get even smaller. Adam added that with the impact to the shallow areas, run risk of losing family support.
- ❖ Steve Sala noted that the pool as designed is meeting needs of community.
- ❖ Anne Paulsen mentioned to Deborah Marai that the vote to fund the project was based on the pool as it currently is.
- ❖ UPBC members agree that any changes should save the pool as much as possible – reduce everything outside original fence area but still address hill run-off issue and insure accessibility from parking lot and street; do not move overhead lines underground, no drop off and sidewalk from Concord, reduce deck to insure impervious surface requirement met due to changes, no landscape.
- ❖ The question of creating just once building as a cost savings was discussed. For all the reasons the buildings are designed and located the way they are (filter building on Cottage Street, no large building on Cottage Street, Conservation Commission requirements related to wetlands and riparian buffers on the west side), this may not be the best approach; would also require major redesign.
- ❖ Facts:
  - Received bids
  - Received bid below estimates, as we expected
  - As preparing to award contract, low bidder backed out
  - Next lowest bidder is above budget
  - Talking to town administrator and board of selectman to weigh options going forward

➤ Action:

- ❖ ***BH+A to vet options and provide order of magnitude estimates for savings.***
- ❖ ***BH+A to indicate additional BH+A fees for redesign efforts.***
- ❖ ***Peter Castanino to coordinate with David Kale to see if a meeting with the Board of Selectmen next week is possible.***
- ❖ ***Based on the establishment of a meeting with the Board of Selectmen, UPBC will meet next week. Hold 9/2/14 at 7:30 p.m. for this meeting.***
- ❖ ***PCI to lay out options moving forward with pros and cons.***
- ❖ ***PCI to indicate additional fees for extension of project.***
- ❖ ***In order to educate the public regarding the results of the recent BUP bids, Adam Dash will prepare press release for review and release the middle of next week. Peter Castanino will coordinate this with David Kale.***

### 3. Community & Stakeholder

- Depending on how the project moves forward, there may be requirements for additional Planning Board and Conservation Commission review and approval.
- Noise levels: Peter Castanino is working with the Police Department to find out if there is someone certified to do the sound level testing; trying to do this before pools closes.

**4. Schedule & Permitting Timeline**

- Schedule is off no matter how the project moves forward; how much depends on what path the project takes.

**5. Meeting Adjourned**

- Bob Phillips made a motion to adjourn the meeting, David Kane seconded the motion. The UPBC voted unanimously to adjourn the meeting at 9:52 p.m.

**Adjourned:** The meeting was adjourned at 9:52 p.m.

**Next UPBC Meeting Dates:**

- September 2, 2014: to be verified

**Upcoming Milestones:**

- Meeting with Board of Selectmen: to be determined
- Contract to be awarded by 9/26/14.

**Attachments:**

- PCI: UPBC Meeting Discussion Point

Respectfully Submitted, Deborah Marai, Pinck & Co. Inc.