

WELLINGTON SCHOOL BUILDING COMMITTEE
MINUTES
June 26, 2013
School Administration Building Conference Room
7:30 AM

Meeting #167

Committee Members Attending: Joe Barrell, John Bowe, Patricia Brusch, Laurie Graham, Mark Haley, Bill Lovallo, Eric Smith

Liaisons Attending: Amy Spangler

Clerk: Chris Kochem

Mark Haley, Chair, called the meeting to order at 7:35 a.m.

Invoices – John Bowe

- **Arlmont Word Processing Services** for secretarial services from January to May 2013. *Pat Brusch made a motion to approve payment of \$237.50. The motion was seconded by Eric Smith and unanimously approved.*
- **Kelly Brothers Landscaping Inc.** to purchase and plant 13 hicks yews and transplant bushes. *Pat Brusch made a motion to approve payment of \$4,065.00. The motion was seconded by Eric Smith and unanimously approved.*
- **Tech Depot** for five printers, to be paid from the IT budget. *Pat Brusch made a motion to approve payment of \$1,187.45. The motion was seconded by Eric Smith and unanimously approved.*

Discussion of Ongoing Work

- Commission Report - Bill Lovallo reported that he has the final commissioning report and will be presenting it to the Ara Yogurtian in the Community Development Office; the Town of Belmont should now be able to issue a permanent Certificate of Occupancy.
- HVAC system - control of the system. Fred Domenici went to Burnell Controls to ask that Burnell override the system and shut the rooftop units completely down during unoccupied times. Mr. Lovallo said that Mr. Domenici is going to prepare a proposal from Burnell to allow Mr. Domenici the level of access needed to do this. The generator service company will make adjustments to the generator controls so that it is tested every other week (rather than every week) at approximately 4-5 pm.
- Roof screen – For two days during the week of July 1, Skanska will repair hardware to prevent the roof screens from swinging too far and being damaged. They will add some stud work to the framing for better stability of the screen wall infill panels. This will be warranty work.
- CHPS update – with the commission report completed, Diane Ozelius of JLA has submitted the CHPS report to the MSBA as part of the project completion package.

Planning Board Meeting on May 14, 2013

Mr. Lovallo reported that he and Eric Smith went before the Planning Board at its meeting on May 14. They reported that there has been a marked improvement of the acoustics on the south (Orchard Street) side of the building. The Planning Board accepted the rooftop acoustic improvements and the new

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plantings and has granted approval of the project. The WBC can now request a final certificate of occupancy for the Wellington School.

Eric Smith thanked Mr. Lovallo for the effective presentations that Mr. Lovallo made to the Planning Board and for keeping the process going so that the final certificate of occupancy can be issued.

JLA Invoice

Bill Lovallo presented an invoice from Jonathan Levi of JLA for \$19,000 for services rendered during the process of Planning Board approval of the rooftop screening and acoustic issues. This value is consistent with the amount proposed by JLA and approved by the WBC at the start of the effort. While the WBC approved of the payment, it was determined that no contract amendment was in place to pay for these services. Bill Lovallo stated that he would work on getting a new amendment in place for this work.

Energy Credit for JLA

Eric Smith reported that the Section 179D of the IRS tax code allows the town to allocate energy credits to the designer (architect). The town is not allowed to access these energy efficient credits because it is tax exempt. As the architect, JLA will conduct a building efficiency analysis at his own cost and JLA will provide a copy of the analysis to the town at no charge to the Town.

Eric Smith made a motion to approve the allocation of section 179D to JLA, subject to the condition that the property owner shall have no responsibility for any costs incurred in connection with this allocation, which shall be the sole responsibility of the designer and that the designer will provide a copy of the analysis related to section 179D to the town of Belmont at no charge. Bill Lovallo seconded the motion. The vote was six in favor with one abstention.

Boiler Breeching

Mr. Lovallo reported that, during the acoustics testing, they identified that, when the boilers fire up in a certain sequence, they make a low frequency sound. Today (June 26), there will be a meeting between GGD, Fred Domenici, Acentech, and NB Kenney to try to replicate the sequence that causes this low frequency sound and make corrections to keep this sound from occurring.

Tennis Court Update

Mark Haley is meeting a contractor about the courts today. The bids are due in two weeks.

MSBA Propay Update

John Bowe said that, with the approval of the MSBA representative, who has agreed to the reclassification process recommended by Sean Burke of PMA, Mr. Burke is reclassifying some of the WBC's previously submitted invoices to more accurately reflect actual spending.

Budget Revision Request (BRR)

John Bowe presented BRR #2 to the WBC to allow the reclassification of individual OPM-related line items in ProPay. This will result in line items more accurately aligned with spending, but will be a zero dollar change to the project budget.

Mr. Bowe made a motion to endorse BRR #2 as presented to the WBC. Bill Lovallo seconded the motion and it was unanimously approved.

PMA Amendment #10

PMA has requested a contract change in the amount of \$47,000. There was agreement among committee members that John Bowe will request additional information from PMA regarding what additional services have been provided that were beyond the scope of the original contract.

Noise in the Interior of the School Building

Acentech has identified three school sound issues related to noise in the interior of the school building. There is excessive noise in the atrium, excessive noise in the learning spaces (classrooms), and insufficient sound insulation between learning spaces. The noise emitted by HVAC systems is not a concern in the school because the displacement ventilation system is very quiet but this means that there is no 'white noise' to mask other noises. Acentech is taking a structured approach regarding the acoustics and has provided a proposal to do a measurement assessment in the building. This testing will be an amendment to the JLA contract so that it can be performed this summer, while the building is empty. The testing will take one day and the results will be compared against the design standards. Acentech will then make recommendations.

Bill Lovallo made a motion to accept the Acentech proposal of \$6,000 as a fixed fee and as an amendment to JLA's contract. The motion was seconded by Eric Smith and unanimously approved.

Skanska Requisition

Bill Lovallo presented Skanska Requisition #26 in the amount of \$315,670.03, which has been reviewed and approved by Sean Burke (PMA) and Diane Ozelius (JLA). Mr. Lovallo reported that there are no outstanding issues, all retainages are released, and all liens are included. If approved, the requisition will be certified by Jonathan Levi and then sent to Donna Pini of the Belmont Public Schools for payment.

Mr. Lovallo made a motion to approve payment of Requisition #26 in the amount of \$315,670.03 to Skanska. John Bowe seconded the motion and it was unanimously approved.

Neighborhood Concerns

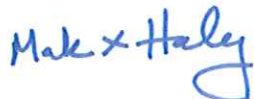
Mr. Asimakopoulos has requested that the swings in the lower school playground be lubricated.

Minutes of April 10, 2013

Pat Brusch made a motion to approve the minutes of April 10, 2013. John Bowe seconded the motion and it was unanimously approved.

Laurie Graham made a motion to adjourn the meeting at 8:52 a.m. The motion was seconded by John Bowe and unanimously approved.

Respectfully submitted,



Mark Haley
Chair

SECTION 179D ALLOCATION

As part of the Energy Policy Act of 2005 (P.L. 109-58), Congress enacted Section 179D of the Internal Revenue Code, which provides a deduction with respect to energy efficient commercial buildings to incentivize building owners to make qualified energy efficient systems for new or newly renovated buildings. The Emergency Economic Stabilization Act of 2008 (P.L. 110-343) extended this deduction through December 31, 2013.

Under IRS guidelines, the deduction for a government (Federal, State, or local government or a political subdivision thereof)-owned building may be allocated to the prime contractor responsible for designing the energy efficient property ("Designer"). The deduction will be allowed to the Designer for the taxable year that includes the date on which the property is placed in service. The government-owner is not responsible for the energy efficient analysis required by the Internal Revenue Service. The Designer claiming the deduction is required to obtain a certification that the property satisfies the energy efficiency requirements of § 179D(c)(1) and (d) of the Internal Revenue Code.

Before a designer may claim the § 179D deduction with respect to property installed on or in a government-owned building, the designer must obtain the written allocation in the form below.

In the event that the Roger E. Wellington School ("Building"), located at 121 Orchard Street, Belmont, Massachusetts, qualifies under the energy efficiency requirements of Section 179D, Wellington School Building Committee, authorized representative for The Town of Belmont ("Property Owner"), the owner of the Buildings, allocates the full federal tax deduction available under Section 179D and attributable to the design of the lighting systems, heating, cooling, ventilation, and hot water systems and building envelope to Jonathan Levi Architects LLC ("Designer"). The Building was placed into service on September 6, 2011 and the cost of the property is \$28,811,804.00.

We acknowledge that at the time of signing this form of allocation, the building energy efficiency analysis has not yet been performed. With allocation granted by the Owner, the Designer will proceed with the analysis at its own cost. *The Designer will provide a copy of the analysis to the Property Owner without charge.*

Required IRS Statement Notice 2008-40, 2008-14 IRB 725, 03/11/2008, IRC Sec(s). 179D, section 3.03

Under penalties of perjury, I declare that I have examined this allocation, including accompanying documents, and to the best of my knowledge and belief, the facts presented in support of this allocation are true, correct, and complete.

AGREED TO AND ACCEPTED:

The Property Owner shall have no responsibility for any costs incurred in connection with this allocation, which shall be the sole responsibility of Designer.

Signature (Property Owner Representative)

Signature (Client Name Representative)

Mark X. Haley

Jonathan Levi, FAIA

Print Name

Print Name

Chair of Wellington School Building Committee

Designer

Title

Title

Town of Belmont
455 Concord Avenue
Belmont, MA 02478

Jonathan Levi Architects LLC
266 Beacon Street
Boston, MA 02116

Address

Address

617-515-4647

617-437-9458

Telephone Number

Telephone Number

Date

Date