



MINUTES

TOWN OF NORTON

Town Clerk Date/ Time Stamp

Board/ Committee: Permanent Building Committee

Meeting Date: December 14, 2015 Time: 7:00 PM

Meeting Location: Town Hall, 70 East Main Street Norton, MA

Members & Staff Present:

Members Not Present: Lukasz Wasiak, Frank Reynolds, Mark Gershman, Dennis Colwell, Tom Wiess

The meeting was called to order at 7:20 PM and adjourned at 8:02 PM

Minutes from the October 26, 2015 and November 16, 2015

Meeting were reviewed & Approved as written.

Meeting Motions / Actions and Summary of Discussions:

1. Meeting Minutes from Permanent Building Committee (PBC) October 26, 2015 and November 16, 2015 meetings were approved.
2. A tour of the Library HVAC systems will follow the close of the meeting. Brian Stalters, President Norton Library Board of Trustees, will be leading a tour of the Library and reviewing the current status and issues with the HVAC system.

Per the direction from the Town Manager, see October 27, 2015 and November 12, 2015 emails attached, the Permanent Building Committee's role related to the Library's HVAC system is as a non-official advisor since the Library is privately funded. Individual PCB members are free to assist the Library and offer their personal options and recommendations outside of the PBC.

3. The PCB voted to invite the Town Manager to the next PBC meeting on January 12, 2016 to discuss the Building Assessment / Envelope Study approved by Town Meeting and the role of the PCB moving forward.

As requested by the Town Manager, the Chartley Fire Station was to be added to the list of Town owned buildings to be included in the Building Assessment / Envelope Study. PCB will reach out to the Fire Chief to set-up a tour of the Station and to review the Department's goals for the Station.

4. The Council on Aging (COA) Assessment prepared by the PBC is to be completed and forwarded to the Town Manager for review. The PCB will review and finalize the COA and request that the Town Manager attend the next PBC meeting on January 12, 2016 to discuss.

Next Meeting(s):

January 12, 2016 @ 7:00 PM


PBC Meeting Town Hall – Break Room
70 East Main Street, Norton, MA

Minutes respectfully submitted by: **Mark Gershman**

Minutes Approved by Committee on:

1/12/16

Chairman Signature:



A handwritten signature in cursive script, appearing to read 'Mark Gershman', is written over a horizontal line.

Mark Gershman

From: Frank Reynolds <FReynolds@Dimeo.com>
Sent: Thursday, November 12, 2015 2:18 PM
To: Lukasz Wasiak (lukasz@woodcraftgroup.com) (lukasz@woodcraftgroup.com); Dennis Colwell (dennis@dc-architect.com) (dennis@dc-architect.com); Weiss, Thomas (Thomas.Weiss@WSPGroup.coM) (Thomas.Weiss@WSPGroup.coM); Mark Gershman
Subject: FW: NPBC - Norton Public Library

Guys – here's Mike Yunits response from today re: the question of NPBC involvement in the Library improvements.

Thanks!



Frank Reynolds
Director of Estimating Services
Dimeo Construction Company
75 Chapman Street | Providence, RI | 02905
(p) 401.330.2256 | (f) 401.941.0435 | (c) 401.641.4416
www.dimeo.com

From: Michael Yunits [mailto:MYunits@nortonmaus.com]
Sent: Thursday, November 12, 2015 2:10 PM
To: Frank Reynolds <FReynolds@Dimeo.com>
Subject: RE: NPBC - Norton Public Library

Hi Frank:

If they are using Town funds I would require that they go through your committee for a recommendation. If they are using their own funds your involvement would be strictly a courtesy.

Mike

From: Frank Reynolds [mailto:FReynolds@Dimeo.com]
Sent: Thursday, November 12, 2015 10:47 AM
To: Michael Yunits
Cc: Lukasz Wasiak (lukasz@woodcraftgroup.com) (lukasz@woodcraftgroup.com); Dennis Colwell (dennis@dc-architect.com) (dennis@dc-architect.com); Weiss, Thomas (Thomas.Weiss@WSPGroup.coM) (Thomas.Weiss@WSPGroup.coM); Mark Gershman
Subject: RE: NPBC - Norton Public Library

Hi Mike – could you give some feedback on this:

Follow up on your response to item #1 below: Should the board assume we make a formal recommendation to you, or should we assume this is privately funded work? I guess I'm confused whether this really falls under the purview of the NPBC and particularly, if the funding is coming in from the Library itself; are we just a sounding board to give advice to the Library directly? Sorry for the additional emails – just a little confused.

Thanks!



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From: Frank Reynolds
Sent: Tuesday, October 27, 2015 2:55 PM
To: 'Michael Yunits' <MYunits@nortonmaus.com>
Cc: Lukasz Wasiak (lukasz@woodcraftgroup.com) (lukasz@woodcraftgroup.com) <lukasz@woodcraftgroup.com>;
Dennis Colwell (dennis@dc-architect.com) (dennis@dc-architect.com) <dennis@dc-architect.com>; Weiss, Thomas
(Thomas.Weiss@WSPGroup.coM) (Thomas.Weiss@WSPGroup.coM) <Thomas.Weiss@WSPGroup.coM>; Mark
Gershman <MGershman@BETA-Inc.com>
Subject: RE: NPBC - Norton Public Library

Great stuff! Thanks Mike!

Follow up on response to item #1 below: So should the board assume we make a recommendation to you, or should we assume this is privately funded work? I guess I'm confused whether this really falls under the purview of this board and particularly if the funding is coming in from the Library itself – are we just a sounding board to give advice to the Library? Sorry for the additional emails – just a little confused.

Thanks!



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From: Michael Yunits [<mailto:MYunits@nortonmaus.com>]
Sent: Tuesday, October 27, 2015 1:50 PM
To: Frank Reynolds <FReynolds@Dimeo.com>
Cc: Lukasz Wasiak (lukasz@woodcraftgroup.com) (lukasz@woodcraftgroup.com) <lukasz@woodcraftgroup.com>;
Dennis Colwell (dennis@dc-architect.com) (dennis@dc-architect.com) <dennis@dc-architect.com>; Weiss, Thomas
(Thomas.Weiss@WSPGroup.coM) (Thomas.Weiss@WSPGroup.coM) <Thomas.Weiss@WSPGroup.coM>; Mark
Gershman <MGershman@BETA-Inc.com>
Subject: RE: NPBC - Norton Public Library

Frank:

Very unique! See answers below and thresholds attached.

Mike

Michael D. Yunits
Town Manager
Town of Norton
508-285-0212

From: Frank Reynolds [<mailto:FReynolds@Dimeo.com>]
Sent: Tuesday, October 27, 2015 11:46 AM
To: Michael Yunits
Cc: Lukasz Wasiak (lukasz@woodcraftgroup.com) (lukasz@woodcraftgroup.com); Dennis Colwell (dennis@dc-architect.com) (dennis@dc-architect.com); Weiss, Thomas (Thomas.Weiss@WSPGroup.coM) (Thomas.Weiss@WSPGroup.coM); Mark Gershman
Subject: NPBC - Norton Public Library

Hello Michael,

The team dedicated a portion of last evenings meeting of the Permanent Building Committee to discussing a handful of urgent infrastructure needs at the Norton Public Library (NPL). All members of the board were in attendance as well as representatives from the Library including Brian Stalters and his associate. Mr. Stalters relayed to the board the condition of the NPL heating and cooling system and specifically the need to address failing 20+ year old systems components that have decidedly fulfilled their projected useful life. The impetus of the discussion stemmed from a recent repair project which included replacement of a single air handling unit, and subsequently the NPL is experiencing downstream leaking and damage to contents and building finishes which may or may not be a direct result of the installation. Conversation on potential solutions for the building ranged from a full reimagining of the entire HVAC system...to replacement in kind...to replacement with high-efficiency units,...to engineering studies, etc. In addition, discussion occurred relative to other building deficiencies (Lighting, Lighting Controls, Toilet and other plumbing items...).

The board would be pleased to offer the town a recommendation, but during the meeting significant confusion arose relative to the process and jurisdictional boundaries.

We are hopeful that you could guide the board with input on the following:

1. From our discussion last evening, the NPL appears to be a unique situation regarding funding. As we understand it presently; the NPL building is owned by a Private entity, but the land it sits upon is owned by the town. Could you confirm that the town does not financially support the building structure, maintenance or repairs to the building itself? Ie: the NPL is 100% Privately Funded? **Until recently the town did not fund library projects.**
2. If it is privately funded, must the NPL go through the required public bid process for repairs? Ie: Prevailing Wage, public bid, formal RFP... Or are they able to directly contract for the repairs? **Though they are funded privately they still must meet all public purchasing guidelines including prevailing wage.**
3. What are the thresholds for RFP requirements that trigger the public bid process for both: **See attached**
 - a. Design Services Cost Threshold - \$
 - b. Construction Services Cost Threshold - \$
4. This appears to be an urgent need as we approach the heating system in a rapid manner. Does project funding require an approval at Town Meeting? **They do not require TM approval if they are using their own Building Fund**
5. Who develops and issues the RFP itself? **I am the Public Purchasing Official for the Town and I would develop the RFP**

The Board is somewhat at a standstill as our recommendation could change based on resolution of the above items. The board decided our next step is to tour the facility. It would be great to be informed on what the town financial and legislative limitations are regarding this facility prior to that. We look forward to your guidance.

Sincerely,

Vice Chair – Norton Public Building Committee



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M.G.L. c. 149 -- BUILDING CONSTRUCTION CONTRACTS

Estimated Contract Amount	Under \$10,000 ¹	\$10,000 to \$25,000	Over \$25,000 to \$100,000	Over \$100,000	Over \$10,000,000
Procurement Procedure	Sound business practices	Solicit written responses.	Sealed bids (using M.G.L. c. 30, § 39M procedure).	Sealed bids.	Solicit statements of qualifications prior to soliciting sealed bids.
Advertising Requirements	No.	Advertise in the <i>Central Register</i> and COMMBUYS and post a notice on your jurisdiction's website and in the office at least two weeks before responses are due. ²	Advertise in the <i>Central Register</i> and a newspaper at least two weeks before bids are due, and post a notice in your jurisdiction's office for at least one week before bids are due. ³ Posting on COMMBUYS or your website is optional.	Advertise in the <i>Central Register</i> and a newspaper at least two weeks before bids are due, and post a notice in your jurisdiction's office for at least one week before bids are due. ³ Posting on COMMBUYS or your website is optional.	Advertise the request for qualifications in the <i>Central Register</i> , a newspaper, and COMMBUYS at least two weeks before responses are due. ⁴
DCAMM Certification	No.	No.	No.	Required for general bidders and filed sub-bidders.	Required for general bidders and filed sub-bidders.
OSHA Training	No.	Yes.	Yes.	Yes.	Yes.
City/Town Prequalification	No.	No.	No.	Optional. ⁵	Yes.
Filed Sub-bids	No.	No.	No.	Yes (\$20,000 and over).	Yes (\$20,000 and over).
Bid Deposit	No.	No.	5% of the value of the total bid.	5% of the value of the total bid, or sub-bid.	5% of the value of the total bid, or sub-bid.
Payment Bond	No.	No.	50% payment bond.	100% payment bond.	100% payment bond.
Performance Bond	No.	No.	No.	100% performance bond.	100% performance bond.
Prevailing Wage	Yes.	Yes.	Yes.	Yes.	Yes.
Contractor Evaluation	No.	No.	No.	Yes.	Yes.

¹ M.G.L. c. 149, § 44A(2)(A), as amended by Chapter 188 of the Acts of 2010.

² M.G.L. c. 149, § 44A(2)(B), as amended by Chapter 188 of the Acts of 2010 and Section 16 of Chapter 409 of the Acts of 2010.

³ M.G.L. c. 149, § 44J.

⁴ The advertising procedures listed pertain only to the request for qualifications. Within 14 days of the completion of the prequalification evaluation process, you are required to post a notice in your jurisdiction and on COMMBUYS listing those general and subcontractors who have been prequalified. A copy of the notice must be sent via first class mail, postage pre-paid to all prequalified general and subcontractors along with an invitation to bid. The invitation to bid must have a deadline of at least two weeks. Although you may only consider bids from those general and subcontractors who have been prequalified, the advertising requirements for building construction contracts over \$100,000 apply.

⁵ If you decide to use the optional prequalification process for projects over \$100,000, follow the procedures listed in the "Over \$10,000,000" column.

M.G.L. c. 7C, §§ 44-57, PUBLIC BUILDING PROJECTS DESIGN SERVICES -- Cities, Towns, Regional School Districts, and Horace Mann Charter Schools¹

Estimated Construction Cost (ECC)/Estimated Design Fee (EDF)	ECC \$100,000 or less or EDF less than \$10,000	ECC more than \$100,000 and EDF \$10,000 or more (both ECC and EDF thresholds must be met before the designer selection procedure is required.) ²
Procurement Procedure	No. Recommend soliciting qualifications and prices from at least three designers.	Qualifications-based selection process. Jurisdiction must either set the design fee or set a not-to-exceed fee limit and negotiate the fee with the top-ranked designer within the fee limit.
Advertising Required	No.	Advertise once in the <i>Central Register</i> and your local newspaper at least two weeks before the deadline for filing applications.
Designer Selection Board¹	No.	No – adopt selection procedure in writing. ²³ Use “DSB Application for Municipalities.”
Designer Evaluation (Submit to DCAMM and Designer Selection Board)	No.	Yes.
Registration	Yes.	Yes.
Insurance	No.	10% of the total cost of the project or \$1 million, whichever is less.
Prevailing Wage	No.	No.

* As of December 2008, the Designer Selection Board revised its “Guidelines for City and Town Building Projects” to clarify that both thresholds must be met.

¹ Executive Departments of the Commonwealth and Commonwealth Charter Schools are subject to the jurisdiction of the Designer Selection Board when the design fee is \$10,000 or more and the construction project is estimated to cost \$100,000 or more.

² Cities, Towns, School Districts, and Horace Mann Charter Schools are required to adopt their own procedures for selecting designers for building projects. These procedures must conform to the purposes and intent of the designer selection process as outlined in M.G.L. c. 7C, §§ 44-57 and noted herein. See the *Model Designer Selection Procedures for Municipalities and Other Local Public Agencies* developed by this office at <http://www.mass.gov/ig/publications/guides-advisories-other-publications/model-designer-selection-procedures-municipalities-and-other-local-public-agencies-nov-2009.html>.

³ Housing Authorities must follow the procedures established by the Department of Housing and Community Development for design of state-funded housing. Projects requesting funding from the Massachusetts School Building Authority (MSBA) are subject to MSBA rules.