

Sherborn Library Building Committee
Meeting Minutes
August 6, 2018

Present: Mark Brown, Chris Kenney, Jim Kolb, Adam Page, Libby Yon

Also Present: John Sayre-Scibona (Design Technique Inc.), Peter Byerly (Beacon Architectural Associates), Elizabeth Johnston (Library Director), Sean Killeen (Town of Sherborn CMD Director/Facilities Manager), Mary Moore (Library Trustees Chairwoman), Hank Rauch (Library Trustees), Jim Murphy (Library Trustees), Brian Connolly (Library Trustees), Kristiina Almy (Library Trustees), Lisa Schwartz (Library Trustees), Kaitlin Dunham (Friends of the Library)

The meeting was called to order at 7:00 pm.

1. **LBC moved and voted to approve** prior meeting minutes.
2. Comments made regarding July 25, 2018 meeting with Select Board. Mary Moore will be proposing dates for a Town Meeting to the Select Board, once potential dates are provided to her by the Town Administrator's office. Discussion on the timing of the meeting in relation to the latest projected completion date of the Library; the intention is to schedule the meeting and have sufficient time to calculate Library project costs.
3. Project update:
 - a. In a letter dated August 2 2018, the DEP approved the site plan submission. By accepting the site design and layout, this enables next steps to proceed and removes a major risk to the project completion date. The approval represents significant work on the part of the team. Next step is additional testing by Whitewater, which will be initiated by Sean Killeen of CMD, no additional action required of the LBC.
 - b. Recent work started: storefront glazing; roofing insulation, framing. Question on whether required testing is being scheduled; Chris Kenney explained the process which includes the design team signing affidavit that the building meets code. Peter Byerly stated that the Architect, Site Engineer and Field Engineer are all proceeding with the necessary reporting.
 - c. SLIC Continued interiors discussion: Muralist Robert Evans reported that preliminary designs were sketched but he is not yet ready to present to the LBC. He plans to install the mural as two large canvasses, rather than painting directly on the wall.
 - i. **Action:** Mary Moore will ask Robert about mounting requirements.
 - d. Community Center update: the team met with Community Center representatives at the end of June to discuss extending the Library's use of the space through February 2019, and finalized terms.
 - e. Schedule update provided by John Sayre-Scibona, who said that despite numerous requests, he has not been able to obtain an updated, current schedule from 5 Star. He related that in a site meeting, 5 Star stated "our 11 weeks is not realistic", a reference to their projected project completion. John related this to 5 Start project executive who promised a realistic schedule by the previous Friday, but as of August 6th, this still had not been received.
 - f. John Sayre-Scibona also stated that he has been unable to obtain realistic figures on Town Hall campus and generator work, or on site work in the Police Station area. He advised that the town's focus should be on Substantial Completion date, not owner move in date. In

discussion regarding the timing of site work completion relative to Substantial Completion, Peter Byerly explained that Substantial Completion is reached when the building is code compliant. Elizabeth Johnston raised the issue that the moving company will need a couple months advance notice to plan.

- g. Discussion of potential for a negative DCAM rating on the contractor, there is a perception that this would not help motivate improved performance. The Design Team noted that 5 Star has required more oversight than the norm, and that they are on their third site supervisor. They continue to be concerned about the quality and detail of rough work, and it is an ongoing effort to make sure that they are following specifications. Some examples cited by John Sayre-Scibona: Some footings need to be pulled up because they are the wrong size; framing issues. John noted that even given the great support from the town team (Building Inspector and CMD director), it is a daily struggle to work with 5 Star.
 - h. Mary Moore asked who is copied on correspondence regarding these issues; John responded that the Town Building Official and the Project Executive are, but not 5 Star president Kevin Perrier. Chris Kenney questioned whether measures are being taken to protect the building envelope; John Sayre-Scibona stated that the new site supervisor has been handed a tough scenario. Chris Kenney asked whether the DEP site approval will generate momentum; John responded that there are many revisions to work through.
 - i. Discussion on the impact of calling in the Bond. The team explained that the bonding company's first recourse could be to have 5 Star complete the project, and it could be in our interest to have that pressure; however there is a risk that they could simply walk away from the project.
 - i. **Action:** Mary Moore to ask town counsel about bonding option.
 - ii. Chris Kenney listed items that could be highlighted to 5 Star management:
 1. The project is on its third site supervisor
 2. The project has gone through multiple project managers
 3. The dates of CR revisions
 4. The number of revisions
 5. Construction quality issues
 6. The amount of rework
 7. Lack of delivery of credible schedule
 8. After multiple letters, Kevin Perrier has not met with the LBC or Trustees
 9. Sherborn has continued to process change orders, showing good faith
4. Requisitions and Change Orders
- a. Change Order 9 should have been presented last month, and is now on the current requisition. Peter Byerly walked through the items – his narrative has a typo, it should be for Change Order 9, not 8.
 - i. 47R2 scope has changed, now including 5" of rigid insulation, but this will be credited on 89R1, tied to CCD 7, which was already signed off on by the LBC.
 - ii. 62R1 is based on a variance from a year ago, but now showing up due to door hardware
 - b. The current requisition also includes Change Order 11 which is not the final version. Jim Kolb noted that we are not being provided a narrative. In the past LBC has repeatedly

requested that narratives be provided, so that the team can prepare to make the approval, rather than doing it “on the fly”.

- c. John Sayre-Scibona suggested approval of both Change Orders so as to not penalize subcontractors for how 5 Star is handling contractual issues on filed sub-bids. John Sayre-Scibona recalled that the LBC did not previously vote to approve Change Order 9 because it lacked any backup information. The recommended approach of excluding CO 9 and 11 from Application 19 is designed to keep work moving. Discussion on roof insulation method. It was reported that the Building Inspector has approved the method.
 - d. **The LBC moved and voted to approve** Application 19 as submitted less the value of Change Order 9 and 11.
 - e. **The LBC moved and voted to approve** a recommendation that the Library Trustees approve Change Order 9 in the amount of \$63,585.81 as calculated by Beacon.
5. Discussion on overall budget. John Sayre-Scibona re-stated he has a low confidence in the schedule. The team noted that there is a need for a more granular understanding of the budget numbers before there can be a proposal for a Town Meeting. Elizabeth Johnston noted that the Finance department has requested a burn rate.
- a. **Action:** Budget Subgroup to review budget offline, look at pending exposure, and vet the figures.
 - b. **Action:** John Sayre-Scibona will answer Finance Department’s request for burn rate
 - c. **Action:** Mary Moore draft meeting invite to Kevin Perrier to be sent from Select Board, requesting that Kevin attend the September 10, 2018 LBC meeting.
6. Next LBC Meeting September 10, 2018.
7. **LBC moved and voted to adjourn** meeting at 8:33 pm.

Respectfully submitted by Adam Page