

## **Sherborn Library Project Update - Tuesday 1/21/20**

The Sherborn Select Board officially sent notice it was terminating the December 28, 2016 Contract between Five Star Building Corporation ("FSBC") and Town for the Sherborn Library Addition and Renovation project. The notice also included a demand that Travelers Casualty and Surety Company of America ("Travelers"), which issued a performance bond for the project in favor of the Town, immediately undertake to perform and complete all project work and assume all liabilities and fulfill all obligations of the surety as set forth in the performance bond.

In the notice of termination, the Select Board stated that Contract was being terminated as a result of to FSBC's repeated failure to supply enough properly skilled workers, failure to prosecute the work timely and in a workmanlike manner, disregard of applicable laws and codes, performance of and failure to correct defective work, poor workmanship, and other material breaches of the Contract.

Town officials are working closely with Town Counsel at KP Law on next steps. The Performance Bond requires response by the Surety and allows for various resolutions. Once the Surety responds, the Select Board, Library Trustees and the Library Building Committee will provide an updated project plan to the Town. Although it is not known how long this next phase will take, the Performance Bond requires the Surety to act with 'reasonable promptness'.

Library Trustees and the Town Administrator notified Massachusetts Board of Library Commissioners of the latest project status. The Town has a contract with the MBLC who funded \$3.6m of the project cost. The final of five grant payments is outstanding and is still expected to be paid upon completion of the project.

Library Trustees and Town officials believe this recent action was warranted and will allow the Town to move forward to complete this public construction project.

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**WHAT EFFORTS ARE IN PLACE TO ADVANCE COMPLETION OF THE PROJECT?** The Town continues to do everything possible to ensure that the project gets done correctly and with the expected high level of workmanship. The Library Building Committee, Select Board, and Library Trustees continue to meet regularly, and an advisory group consisting of members of the Select Board, Library Trustees, Library Building Committee and key Town employees meets twice weekly. Weekly Owner, Architect, Contractor (OAC) meetings continue to take place on Tuesdays with the Owner's Project Manager.

**ARE THERE ANY LOCAL MEETINGS I COULD ATTEND, TO LEARN MORE?** Meetings of the Select Board, Library Trustees, and Library Building Committee are open to the public. Times and locations for these meetings are posted on the Town website. Select Board meeting minutes are posted on the Town website; minutes from meetings of the Library Trustees and of the Library Building Committee are posted on the Sherborn Library website.

**WHERE CAN I FIND THE LATEST INFORMATION ABOUT THE LIBRARY PROJECT?** Sherborn Library website – [sherbornlibrary.org](http://sherbornlibrary.org) Town of Sherborn website – [sherbornma.org](http://sherbornma.org)

**WHERE CAN I VISIT THE LIBRARY DURING CONSTRUCTION?** Our community continues to visit the Library in its temporary home at the Sherborn Community Center and to take full advantage of available resources. The Library's current lease with the Sherborn Community Center runs through February 2020, and the Town is grateful to the Sherborn Community Center for its extended hospitality. For information about the Sherborn Community Center, visit the website – [sherborncommunitycenter.com](http://sherborncommunitycenter.com).