

COMMITTEE ON JOINT SCHOOL BUILDINGS

November 15, 2022 at 6:00 PM

The Clerk called the meeting to order.

The Clerk called the roll.

Present: Aldermen Heath, Trisciani, Levasseur and School Committee Members
O'Connell, Potter, Hamer

Messrs.: J. Gagne, F. Ransdell, T. Clougherty

The Clerk requested nominations for a Chair of the Committee.

Alderman Heath moved to nominate June Trisciani as Chair. **Alderman Levasseur** duly seconded the motion.

School Committee Member Potter moved to nominate Jim O'Connell as Chair.
School Committee Member Hamer duly seconded the motion.

City Clerk Normand stated when I call your name, please state which person you are voting for. Aldermen Heath, Trisciani and Levasseur voted for Alderman Trisciani. School Committee Member O'Connell, Potter and Hamer voted for School Committee Member O'Connell.

City Clerk Normand stated since it is a tie, the committee will have to work this out.

School Committee Member O'Connell stated I think that given where we are going with regard to schools as the RFQ for those, which is not a subject for tonight, is out and we have an RFP process that we are beginning which has the potential to have school closings, school building and certainly school modernization going on that as we move through time the work of this committee will be dealing with things it hasn't dealt with in a decade or more. The three of us who are on the BOSC are also...I am the Chair of the Finance Committee of the BOSC and my two colleagues are also members of that and we deal with this on a monthly basis. I just think that the knowledge of what will be coming to this committee will reside with the school board and in the end this is school buildings we are talking about. That is my input.

Alderman Heath stated I would like to suggest that we alternate chairs. One meeting it would be someone from the BOSC and the next it could be someone from the BMA. I think it is important that ultimately when we get to the end of the road the responsible agent is the Board of Mayor and Aldermen. I think we should consider sharing the responsibilities. We are planning on meeting once a month and I think we really need to meet at least once a month and I think it makes a lot of good sense that we alternate if people are willing to do that.

Alderman Trisciani stated my only concern on alternating is it just creates confusion. My two cents is yes the three of you are working on this and you will be handling this mostly. We will be paying attention to it and ultimately the BMA has oversight so it

might be good to make it more neutral on the Chair side to oversee what is going on and what is happening.

School Committee Member O'Connell stated I expect that whatever we do we will have to do collegially and I don't want to start off not being collegial but it seems to me that if there is a construct that works that is joined or shared or alternate, one of those three which are different things, I am certain open to that.

School Committee Member Potter moved to nominate School Committee Member O'Connell and Alderman Trisciani as co-chairs. **Alderman Heath** duly seconded the motion. City Clerk Normand called for a vote. There being none opposed, the motion carried.

City Clerk Normand stated I will start the meeting by letting you know the subjects typically handled by this Committee. This Committee is statutory in nature. For those of you haven't had any experience with the Joint School Buildings Committee, the statute provides that you have oversight of the construction of school facilities in the City of Manchester. You have the duty to oversee and decide all matters relating to the construction of school houses and submit monthly status reports relating to the construction progress; prepare and submit audit; submit financial reports relating to total authorized construction budget and expenditures; and then anything that is appropriated by the Board of Mayor and Aldermen is administered by this Committee in terms of construction and schools. They cannot be erected or otherwise altered without coming to this Committee.

Alderman Levasseur asked who will answer our questions regarding the facilities or schools.

Co-Chair O'Connell responded we have Josh Gagne here. He is the person who works with the school district. He works for the Department of Public Works. We also have Assistant Superintendent Forrest Ransdell who is the operations person for the school district. Welcome gentlemen.

2. ESSER Ventilation Projects:
 - Schedule of Values
 - Progress Tracker*(Note: For informational purposes only; no action is required.)*
3. Request to the Department of Education for approval of ESSER funds for Weston Elementary School construction project.
(Note: For informational purposes only; no action is required.)
4. Update on the project schedule for Green Acres, Northwest and Webster.
(Note: For informational purposes only; no action is required.)
5. Update on the design process for Central, Hillside, Southside and Parkside.
(Note: For informational purposes only; no action is required.)

Josh Gagne, Chief of Facilities, stated I tried to give the committee an overview of the ventilation projects. The first attachment is a high level budget estimate at each school. This is before we started. The second attachment is our tracker and what I use weekly to see where we are. This is already two weeks old but you can see and follow where we are at each school with each step. The next series of attachments is just a sample submission to the state. I think it is Weston that I submitted. There are a lot of agreements we have with the state and we need to meet federal regulations. This is all encompassed in these attachments. This is what the state receives and approves and what we work on. The final document is the change order policy. With the help of the City Clerk's Office, we dug up the policy from 2004. It has been an issue of confusion in previous meetings.

Co-Chair O'Connell replied you covered Items 2, 3, 4 and 5. We can deal with them separately if anyone has any questions.

Alderman Heath stated my question is a pretty simple one. What is the total amount of federal dollars that will be applied to this program ultimately?

Mr. Gagne responded the school district received a fairly large amount of money and then allocated to Facilities I believe \$38 million minus some of their own Covid-related expenses. Let's just say it is about \$35 million. That is what we started budgeting against. What we did was prioritize classrooms first. A lot of administration areas already have climate control. Our priorities are classrooms, common areas, and if there are any funds left it would be to go back and update older units on a priority list.

Alderman Heath stated when I walk into the schools...a lot of money is being spent on ventilation but how complete will the ventilation be within all of the school buildings in Manchester. Will we see air conditioning and will there be a better flow of air throughout our buildings?

Mr. Gagne responded what we are doing is changing out our current systems which are aged. The new units have increased filtration and dehumidification. So we have climate control and increased filtration. Yes, a lot of classrooms...whatever we can efficiently do and as many units as we can do.

Co-Chair Trisiciani stated on your completion dates it looks like right now the longest completion date we have is September 2023.

Mr. Gagne replied on the tracker yes. We haven't scheduled schools out that far. Right now we have completed Jewett, Smyth, Gossler and Beech. We are at Green Acres. This winter after the holidays we will flip Green Acres. We are in Wing A and we will do Wing B. We will also start McLaughlin, Northwest and Webster. I think Parker-Varney is with the state and as soon as they are approved we need to order units. It is about a 20-week lead time. As soon as those are ordered we will start meeting with the school administration at Parker-Varney and Webster to move students around. This is too much work to just do in the summer. We have been meeting with school administration. Every school has some challenges. Some schools are easy and have more capacity than others. That is the process.

Co-Chair Trisciani asked so you are comfortable right now so when we have a completion date of September 2022 that work is completed.

Mr. Gagne asked September 2022.

Co-Chair Trisciani answered yes you have Gossler...

Mr. Gagne interjected we are on schedule. We need to be complete by September 2023.

Co-Chair Trisciani responded but on the tracker though you are saying the Gossler completion date was September 2022.

Mr. Gagne answered yes.

Co-Chair Trisciani asked so that work is completed according to the tracker.

Mr. Gagne replied yes.

Alderman Levasseur stated I think this question might be more appropriate for the Assistant Superintendent. I am curious as far as policy goes. I notice the schools that are listed and Central is one of them. I don't know if that is a hint or not a hint but it seems to me that you wouldn't be doing all of the ventilation at Central and spending all of that money if you were thinking of closing that particular school or am I off. I know that you are looking at a 7-4-3 model I think.

Co-Chair O'Connell responded the model adopted by the BOSC is three high schools, four middle schools and twelve elementary schools.

Alderman Levasseur stated I know I discussed it with you and then I don't know if I read something in the paper the other day but that was a recommendation by the Superintendent and you guys are following it and you told me you are putting out the RFQ. It is not in my purview to wonder which schools are going to be moth balled or whatever you want to call it but my concern is if you are going to spend money to fix the ventilation in a building that you are not going to use at some point. I don't know if that has been given any consideration or not because it is on this list so that makes me curious.

Forrest Ransdell, Assistant Superintendent, responded I understand that curiosity because it is a logical question in my mind. I can't speak to the specifics of it because we are not far enough along in that long-term facilities study yet to really determine the if, what or where of any particular building but I know we have also had discussions about should a particular building become more directly affected by long-term facilities. There is some discussion about the portability and reusability of these particular units, etc. as we move forward as we may not be able to do all of our schools. I cannot speak to the likelihood of Central, in particular, being affected.

Alderman Levasseur replied I am not sure in looking at this which ones are considered middle schools or part of the 12. I would feel comfortable, obviously, with you starting

those jobs first because you know you are keeping 12 and then the 4 middle schools you know you are keeping and then the high schools I think would be ones that you would want to move on a little bit slower. I don't know if you have already started Central.

Co-Chair O'Connell stated I can jump in because I think it might be helpful. I understand the point and you have the same concern that I have that if we are putting money into buildings that ultimately will not be used or will have major changes. I think there are a couple of things. I think these gentlemen and the other people who are planning this are cognizant of that and are trying to do this while tracking what is going to be happening on this planning that is going to take the next eight or nine months. The other thing is though even if we, for instance, were to decide to build a new school at minimum maybe you are talking about a four-year time-line from today. Secondly, the buildings wouldn't be demolished. You can imagine if you were talking about a building that it might be repurposed. If eventually a building were lost to the school district and acquired by the city, it would now be a building that would have modern air-conditioning in it. This work needs to be done anyway but there is cognizance being taken of what the impact of the long-term planning is going to be. Nobody can predict it but we can same with some certainty that there are schools that are clearly not going to be going anywhere and they are at the front of the list.

Alderman Levasseur stated you weren't around in 2000-2001 when we received a huge windfall of about \$105 million and I questioned then whether or not it was wise to expand the high schools. We spent \$105 million expanding the high schools and doing what we did and then 20 years later we are now looking at closing one. The reason I bring this up and since this is our first meeting I will have to really start paying attention to a lot more of these issues. I am sure you guys are wise enough to know and plan and think the next steps forward but I have seen other administrations in the past few decades where it just comes down to planning and whether you are going to plan it and know what you are going to do and where you are going to spend that money. We just gave away Hallsville for not even \$1 and there was no air-conditioning in that building. If we are going to give away one of the other two schools for \$1, I don't want to see us putting millions into those buildings when we can put it into buildings we are going to keep or use those monies to build a new school. I am sure you guys have it figured out. I haven't because I am coming in new. That is the reason I am bringing it up.

Co-Chair Trisciani stated I am going to jump in and say I have to be in upside down world tonight because I actually agree with Alderman Levasseur on this as well. We are being told and the messaging is that there has been no decision made on a high school and what we are going to keep for facilities and there is a significant amount of money here being spent. I think we need to look at the prioritization of how that money is most useful. Putting in an updated system, and this is no statement on what is happening with any of the schools but putting in an updated system isn't necessarily going to change the value of the property should we go to sell. I know you mentioned portability. I think we need to understand how much of that is portable because a lot of it won't be. There is a significant amount of money in there and I think we need to understand that in making decision on how this funding is being utilized at that level.

Alderman Heath asked in terms of the high school conversation, I think we always have to keep in mind that the Manchester School of Technology's intent was to be a regional vocation center at the beginning and the state has given Manchester funding for that on two occasions because there was an addition put on. I think we have to keep that in mind too and the purpose of that school when it was initially put in place. I would hate to deviate from that. The other thing that I do want to mention is I want to be sure that we are cognizant as we go of all of the federal requirements and that we are documenting how we are meeting those as we go. Just being Manchester and being the largest city in the state, federal dollars will be audited. I expect that we will have somebody not only from the state level but somebody from the federal level to look at these dollars eventually and making sure that we are spending them in the manner in which we said we were going to spend them and in accordance with the rules and regulations that go with those funds. I just want everyone to be aware of that. *With that, could I make a motion that we meet on a monthly basis beginning in December?*

Co-Chair O'Connell stated I am find with that.

School Committee Member Hamer duly seconded the motion. *Co-Chair called for a vote. There being none opposed, the motion carried.*

Alderman Levasseur stated to piggyback on all of that, is the MST building ventilated because it is a newer building.

Mr. Gagne replied yes.

6. Change order policy adopted by the Joint School Buildings Committee on October 5, 2004.

Co-Chair O'Connell stated there will be a lot of conversation happening over the next eight or nine months on these topics, the very things we are talking about here, that will have broad spectrum interest across the community. We will be looking for information going out and information coming in. I am looking forward to and am excited about that. If we could go to Item 6. This is the Change Order Policy and I have a question on it. It has to do with the amount. On the second item it says "change orders with a value that does not exceed \$25,000 may be executed." I am wondering if our DPW Director has an opinion or if the committee has an opinion on that amount. Is that a sufficient amount or should that be changed? This is a 2004 policy and I am wondering if that is a number that...I am thinking in terms not so much of the HVAC projects that are currently underway but rather if we are looking at major expansion, extension or remodeling of schools.

Timothy Clougherty, Public Works Director, stated I think your question is a great one. Josh and I talked about that this morning. Ironically enough, I wrote that policy 18 years ago. Times have changed. I would recommend increasing that amount and perhaps doubling it. The policy does call for anything that is non-time sensitive to be brought back to the committee and I would expect that to happen on a regular basis for anything under that amount. It is really the time-sensitive stuff we are talking about. That would be my recommendation.

Co-Chair Trisciani stated in looking at this, you are also cognizant that when these decisions are made and I know you are but am just going to ask publically anyway, that the money is in the budget to fund that.

Mr. Clougherty responded most definitely. There would be nothing expended outside of any budgets ever. There would never be a change order executed outside of a budget.

Alderman Heath stated I am not sure that we have the authority to change this policy. This is a school district policy I believe.

City Clerk Normand stated no this was a policy adopted by this committee 18 years ago. This is the committee's decision on how they want to handle those change orders.

Alderman Heath asked so we are okay to change it to \$50,000.

City Clerk Normand answered sure.

School Committee Member Potter moved to change the amounts on Items 2 and 4 to \$50,000. School Committee Member Hamer duly seconded the motion.

Alderman Levasseur stated the way I read the policy, it gives them a lot of flexibility. \$25,000 is a baseline number but within that budget as long as they are...I think the two rules were...I read it and I don't remember the exact two rules but I thought it gave you a lot of flexibility without having to come before the committee anyway. Do you already have the money in the budget now? Do you already have the purchase orders done and did you already order all of the equipment? Did you already sign contracts? Why would you have to come to us anyway for more than a \$25,000 change or expenditure? I imagine you already have everything contracted.

Mr. Clougherty responded no that is not the case. A change order is a change in the contract.

Alderman Levasseur asked so if the contract is already in place and you have the money geared you don't really have to come before the committee under those conditions correct. Do you have it in front of you? The two conditions are...if you want to read them really quick.

Mr. Clougherty stated the policy currently states:

- 1) All change orders that materially change the scope of the project will be brought before the Joint School Buildings Committee for approval.
- 2) Change orders with a value that does not exceed \$25,000 may be executed by the Department of Public Works without prior approval by the Joint School Buildings Committee.
- 3) C orders that are time sensitive (that is without immediate approval delays and/or other escalated costs will be incurred) and do not materially change the scope of the project may be executed by the Department of Public Works without prior approval of the Joint School Buildings Committee regardless of value.

- 4) All change orders that are not time sensitive and whose value exceeds \$25,000 in costs or savings will be brought before the Joint School Buildings Committee for approval.
- 5) Monthly reports outlining change orders that have been executed will be provided along with the status reports.
- 6) Change orders that are non-monetary or reduce the contract value do not require prior approval of the Joint School Buildings Committee.

Alderman Levasseur stated the key words are material change. So not changing material but material change. So if you are doing a job and it is a \$100,000 job and you need to vary...it is still the same job and you are not materially changing it so you don't need to come before the committee. I would think these are pretty straight forward jobs. You are not building a building from scratch and changing a lot of different parts right? I mean it is HVAC and it is...

Mr. Clougherty interjected correct. A material change is changing the scope of the project. I will give you a couple of examples. If we went to excavate for a sewer line for a new school addition and it was \$52,000 and the contractor is sitting there will the excavator and the reason he is asking for \$52,000 is because he ran into buried asbestos or something like that in that situation DPW would be given the authority to move forward. It doesn't materially change the scope of the project. We are just digging for that sewer line.

Alderman Levasseur asked what would be a material change. If a meteor dropped on it and you had to go and buy brand-new equipment? It would have to be a pretty significant change right?

Mr. Clougherty answered it could be something like instead of partitioning this 10,000-foot area into eight classrooms we want to change it to ten. That is a material change.

Alderman Levasseur asked so if a material change changes the final amount that you budgeted...if it is a \$1 million budget but within that you change two more rooms but it doesn't affect the \$1 million it is not a material change. In other words, if you are increasing the amount of money is it different?

Mr. Clougherty responded it is a material change to the scope and material changes to the scope we would bring to this committee no matter what.

Co-Chair Trisciani stated this is a world that I actually work in quite frequently. The change order process is essentially like Tim said. What we are trying to do is make sure that if that excavator is in the middle and has one of those oops moments where something happened and Tim is now on the spot to either say stop everything because I have to go back to the committee and get authorization or we need to keep everything moving forward because we understand that we have the money in the budget so we are going to continue. If we stop everything and they go off the job site, who knows when we will be able to get them back again.

Alderman Levasseur asked so he doesn't have to come back to this committee under your scenario.

Co-Chair Trisciani answered correct and that is the scenario that I am reading this to be. If a material change still fits in with the \$1 million or say we want to go from eight to ten classrooms, in my world generally we just document that that change happened but it didn't change the pricing at all and we just write it down to make sure everybody understands it is still in the scope of the original project and it is not going to cost anymore. This is that oops emergency situation where DPW needs to be nimble enough to make that decision and make sure that the project continues.

Mr. Clougherty stated and your question before, Alderman Trisciani, I think I understand a little bit more. I wouldn't be opposed to adding a #7 that said no change orders will be executed by anyone unless the money exists within the project budget or something like that.

Co-Chair O'Connell stated we have a time constraint here. I think this policy is 18 years old so at its face you would imagine that \$50,000 would be a reasonable number. I like that number. I actually think it should be more but \$50,000 as a minimum. I know that this became a problem 20 years ago during the \$105 million project that you referred to Alderman Levasseur when the project was delayed on any number of occasions because of this requirement which meant that conditions in the field had to stop and the project had to wait and it cost us money and time because we had to wait for a joint meeting to okay that money. I will be guided by the director and his recommendation of \$50,000. The other thing I would say is that this committee can change this at any time. If we find as we go through this that it is either too much or too little, we can come back to this committee and change it at a meeting.

Co-Chair O'Connell called for a vote on the motion to change the \$25,000 on Items 2 and 4 to \$50,000.

Co-Chair Trisciani stated I would like to add a new #7 as Mr. Clougherty suggested because that is not clear to me in this current policy.

Mr. Clougherty stated we don't have any opposition to that.

Co-Chair O'Connell stated so the language would just state that no money will be committed that isn't in the budget.

Mr. Clougherty responded yes. We will update the document and distribute it to the committee.

Co-Chair O'Connell called for a vote on the amended motion with an added #7. The motion carried with Alderman Levasseur being duly recorded in opposition.

Alderman Heath asked in terms of changes is there a way that those changes are always checked with the school district so you always stay within the scope of the work. When you are in a classroom or a principal, there is a big difference between six classrooms and ten classrooms. I just want to make sure that they will all be what is desired by the school district.

Co-Chair O'Connell stated yes I agree.

Mr. Clougherty asked can I speak to that. The RSA that the Clerk read earlier also calls for the Building & Sites Committee of the BOSC to approve plans. Those plans are usually very general in nature. They show the layout of the building and the layout of classrooms and things like that. We don't deviate from that because it is approved by the BOSC. The policy also calls for us to bring any material changes to this committee so at no point in time would that ever happen.

City Clerk Normand stated before you adjourn, just so the committee members understand the scheduling, this committee will be scheduled for the third Tuesday of each month unless we need the whole night for aldermanic committees in which case it would move to the third Monday. Primarily it will be on the third Tuesday of the month.

*There being no further business, on motion of **Alderman Heath**, duly seconded by **Alderman Trisciani**, it was voted to adjourn.*

A True Record. Attest.

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is fluid and cursive, with a long horizontal stroke at the end.

Clerk of Committee