

PROJECT MINUTES

Project:	W. Edward Balmer Elementary School Feasibility Study	Project No.:	17020
Prepared by:	Joel Seeley	Meeting Date:	3/26/18
Re:	CM Selection Committee Meeting	Meeting No:	7
Location:	District Offices	Time:	5:30pm
Distribution:	School Building Committee Members, Attendees (MF)		

Attendees:

PRESENT	NAME	AFFILIATION
✓	Paul Bedigian	Representative of the Building, Planning, Construction Committee
✓	Jeff Lundquist	Community Member with building design and/or construction experience
✓	Andrew Chagnon	Community Member with building design and/or construction experience
✓	Dr. Catherine Stickney	Superintendent of Schools
✓	Lee Dore	D & W, Architect
✓	Joel Seeley	SMMA, OPM

Item #	Action	Discussion
7.1	Record	Call to Order, 5:30 pm meeting opened.
7.2	Record	A motion was made by L. Dore and seconded by J. Lundquist to approve the 3/17/18 CM Selection Committee meeting minutes. Motion passed unanimous by those attending.
7.3	Record	J. Seeley reviewed that the School Building Committee did not act upon the recommendation of the CM Selection Committee at the 3/20/18 School Building Committee meeting and remanded the issue back to the CM Selection Committee. The CM Selection Committee is to utilize the following equally weighted criteria: qualifications, plan/schedule and cost, and return with a recommendation at the 4/3/18 School Building Committee meeting.
7.4	Record	J. Seeley distributed and reviewed letters from Consigli Construction Co., and Fontaine Bros., Inc., attached.
7.5	Record	Each Committee member expressed their findings from the CM proposals, CM interviews, supplemental proposal information, the 3/17/18 CM Selection Committee meeting, the 3/20/18 School Building Committee meeting, the letters and the criteria. Upon discussion, a Motion was made by C. Stickney and seconded by L. Dore to recommend Fontaine Bros., Inc. to the School Building Committee to be the CM. No discussion, motion passed five in favor and one against.
7.6	Record	A Motion was made by A. Chagnon and seconded by P. Bedigian to adjourn the meeting. No discussion, motion passed unanimous.

Attachments: Agenda, Letters from Consigli Construction Co., and Fontaine Bros., Inc

The information herein reflects the understanding reached. Please contact the author if you have any questions or are not in agreement with these Project Minutes

PROJECT MEETING SIGN-IN SHEET

Project: W. Edward Balmer Elementary School Feasibility Study
Prepared by: Joel Seeley
Re: CM Selection Subcommittee Meeting
Location: Northbridge Public Schools District Office
87 Linwood Avenue, Whitinsville, MA

Project No.: 17020
Meeting Date: 3/26/2018
Meeting No: 7
Time: 5:30pm

Distribution: Attendees, (MF)

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Agenda

Project:	W. Edward Balmer Elementary School Feasibility Study	Project No.:	17020
Re:	CM Selection Subcommittee Meeting	Meeting Date:	3/26/2018
Meeting Location:	Northbridge Public Schools District Office	Meeting Time:	5:30 PM
	87 Linwood Avenue, Whitinsville, MA	Meeting No.	7
Prepared by:	Joel G. Seeley		
Distribution:	Committee Members (MF)		

1. Call to Order
2. Approve Meeting Minutes
3. Review CM Proposals
4. Next Meeting: TBD
5. Adjourn

1000 Massachusetts Avenue
Cambridge, MA 02138
617.547.5400

www.smma.com



Joel Seeley
COO/Executive VP
SMMA
RE: Balmer School CM Selection

March 26, 2018

Dear Mr. Seeley,

On Thursday March 22nd, video of the March 20th Balmer School Building Committee meeting was posted to the Northbridge Community TV webpage. It was a great opportunity to stay abreast of the process, so we have viewed the video in its entirety. While we understand that the award process has stumbled upon an unanticipated delay, we are honored to have the support and the recommendation of the CM Selection Committee.

We would like to echo the appreciation for the time and effort that the CM Selection Committee has dedicated to this process dating back to November. As was noted in the video, the CM Selection Committee has facilitated a thorough and intense process which included a review of materials gathered through an RFQ, RFP Technical Proposal, RFP Price Proposal and CM Interviews. We were thrilled to learn that at the conclusion of their review and deliberations, the CM Selection Committee voted 5-1 to award to Fontaine.

We would also like to echo the concerns raised by several members of the Building Committee and Selection Committee in regards to the timing and the fashion in which several comments regarding Fontaine were presented on Tuesday night. As stated by several members of the Committee, those outside of the Selection Committee did not have the opportunity to review the materials submitted, participate in the interviews, or ask questions of the CM firms. As a result, these committee members did not have the context (which the CM Selection Committee accumulated throughout the process) to question or engage in accurate conversation regarding many of the comments presented or the conversation that followed. Furthermore, we feel that several of the statements, especially regarding our approach to safety, our EMR, and its connection to student safety, need clarification, at best, if they are to be considered by the committee.

To see our candidacy jeopardized after winning the recommendation of the CM Selection Committee, based on comments presented to an unapprised committee after the conclusion of a thorough and thoughtful process where any of the various questions could have been raised and addressed during the proposal and interview process causes us pause. Had any of these questions been raised during our interview we would have been more than happy to address any concerns of the Selection Committee.

While the conversation took many twists and turns, there were two topics that prompted us to draft this letter in advance of the CM Selection Committee reconvening to affirm their recommendation to Fontaine. The first is safety and the second is the delay's impact on the projects schedule and MSBA's April 25th submission deadline.

SAFETY

The topic of safety (as it should be), is clearly of tremendous importance to the CM Selection Committee. Safety is of absolute paramount importance to Fontaine and is at the heart of everything that we do. As shared with you in our interview, our primary focus is public school construction. We work every day on occupied campuses throughout Massachusetts and every member of our team lives and breathes student safety. Also as shared with you in our interview, our proposed Senior PM and Superintendent bring a combined 60 years of experience building schools for Fontaine, with more than 30 completed school projects between them including several phased, occupied renovations.

Contrary to what was stated on the video, our safety and communications procedures are in no way "informal", and our results speak for themselves as **we are proud to say that in the process of completing more than 100 public school projects, (20 of which were larger than Balmer), there has never been a student, parent, faculty or community member harmed due to our construction activities.**



While EMR is certainly an important metric to consider, we do not feel as stated on the video that it is a representation of a firm's commitment or results in regards to student and campus safety. EMR is a complicated metric that, while affected by many factors including size of firm, states in which the firm does business, and trades that a firm chooses to self-perform, is not affected by any inputs outside those of a firm's direct payroll. We feel that our results as detailed above on over 100 public school projects, completed over several decades, speak clearly to our firm's commitment, procedures, and track record in keeping all stakeholders safe.

As our proposed Superintendent Mike Cavanaugh articulated in our interview, he is committed to managing the Balmer site as if his three daughters were attending the school. Our entire team will work with the men and women who are part of our team to instill a culture of safety and will have an unwavering focus on the safety of the school community and general public surrounding the construction site.

MOVING FORWARD

Separate from the conversation of safety, the building committee had a lengthy discussion and expressed concerns about this unexpected delay threatening the project's ability to stay on the preferred MSBA Board of Directors' submission schedule. I would like to assure the CM Selection Committee that we are hard at work digging into the project details and are confident that we can do our part to stay on schedule. Upon being notified of the CM Selection Committee's vote and recommendation to award, we received a draft CM/Owner Contract, SD-progress drawing set, and a schedule of preconstruction deliverables based on the committee's intended submission to MSBA. I would like to offer a few updates as it pertains to these documents:

- 1. We have thoroughly reviewed the draft CM/Owner contract and have no comments or exclusions. We are prepared to sign the contract upon the SBC's approval of the CM Selection Committee's recommendation.*
- 2. We would like to confirm that we can meet all the SD preconstruction milestones required to stay on the preferred MSBA submission schedule. We will have a draft SD Estimate ready for 4/10/18 and our team has blocked 4/12/18 to reconcile the SD Estimate with PM&C at the SMMA office. We are well on pace to ensure that the SBC has a reconciled SD Estimate to approve at the 4/18/18 SBC meeting in advance of submitting to MSBA on 4/25/18.*
- 3. Currently, our team has begun to price the drawing set and building interest amongst local subcontractors. We have also been in communication with the design team, begun the process of submitting RFI's, and are well into the details of the design and the estimating process.*

As you can imagine, we are very anxious to be officially welcomed to the team and wish you well with confirming this final step in the process. We recognize that the work we have already begun is being conducted at risk given this unexpected delay in the CM Selection process. We hope you will take this as a reflection of how excited we are to be a part of this project. This project is as important to Fontaine as it is to each member of the Building Committee and the Town of Northbridge. We promise you will receive the personal attention of the top executives and owners of our firm. We stand ready to do whatever it takes to deliver a successful Balmer project to the Town of Northbridge.

Most Sincerely,

David Fontaine, Jr.
Vice President
Fontaine Bros., Inc.

David Fontaine, Sr.
President
Fontaine Bros., Inc.



March 23, 2018

Mr. Joel Seeley, Principal/EVP/COO
SMMA
1000 Massachusetts Avenue
Cambridge, MA 02138

Dear Joel:

It has come to our attention that the Building Committee postponed a final vote at Tuesday night's meeting on selection of Construction Manager for the new Balmer Elementary School. Though not initially recommended due to the estimated cost of our proposed general conditions, we respectfully ask that the Building Committee consider several significant points before making a final selection.

As you know, under the CM at Risk selection process, client teams typically compare the CM fees when evaluating shortlisted construction managers. Fees are consistent and non-negotiable under the Chapter 149a legislation. The General Conditions are often later finalized as preconstruction progresses and all parties have a better understanding of the project phasing and duration. General Conditions are ultimately agreed upon by the entire client team prior to GMP being established. Prior to this point, the estimate, the schedule, and the corresponding General Conditions are largely theoretical.

If we assume for a moment that our General Conditions need to be more competitive, we are certain that this can be accomplished; we know what it takes to properly staff a project of this magnitude because we have done it before several times. Moreover, we are confident we will add far more value on the remaining +/- 99% of the cost of the building through a multitude of ways, such as:

- Consigli has proposed a dedicated M/E/P Manager on your project, backed by a pre-construction staff experienced in maximizing sustainability and operations of school buildings. The operating costs of an average school building in Massachusetts is \$1.25 per square foot, just for utilities. If we can impact 10% of these utility costs through the experience and knowledge of our MEP/sustainability experts, the operating costs of your school over the next 50 years could exceed \$1,000,000 in savings.
- Consigli has been doing CM at Risk and comprehensive pre-construction much longer than our competitors, and as a result, have developed more robust processes and far deeper pre-construction resources. Our competitors cannot offer the preconstruction deliverables that we can. By saving 1-2% of the cost of the project by making better informed choices in design and preconstruction, we would save the Town of Northbridge over \$1,000,000. As shown in the estimating chart in our interview package, we have a proven track record for finding such savings on every 149a school project we undertake.

- Furthermore, if our pre-construction services and experience on 75 completed Chapter 149a CM at Risk projects saves the Town of Northbridge even 1-2% of your contingency through reduced change orders resulting from better constructability reviews, that would be an additional savings of over \$1,000,000.
- It's clear that the economy is booming, and the subcontractor market is stretched. A larger Construction Manager with state-wide experience, rather than localized Western/Central Massachusetts relationships, will attract a significantly larger subcontractor pool of competition for your project. This competition will impact 80% of the cost of your project. Limiting the amount of interested and qualified subcontractors will increase the project cost.
- We are the largest self-performing Construction Manager in New England, and the majority of our craftworkers are residents of Central Massachusetts. This capability has historically been utilized to drive down bid costs in a busy subcontractor market. A 1% savings will outweigh what our competition can provide.
- We recently completed the safest and most secure elementary school in America, the Sandy Hook Elementary School in Newtown, CT. Having a Construction Manager that will apply those specific lessons learned to the new Balmer Elementary School is a value that can't be quantified.

Balmer Elementary School will only get built if passed by town vote in November. Consigli can offer more resources than our competitors in achieving the town vote. Our 15 employees who live in Northbridge, along with our numerous ties to family, friends and businesses in Town will allow us to mobilize significant support toward this effort. Our involvement at the Whitinsville Christian School, Alternatives Unlimited, the Whitin Community Center, and several other relationships provides a clear understanding of your community. This will help us work with you on a strategy for getting your school project approved.

Hopefully we demonstrated how important the Balmer School Elementary project is to all of us at Consigli. In our view, it would be unfortunate to select a Construction Manager based on general conditions alone. If not selected for other important factors, such as our team experience, safety record, and ownership commitment, we would respect your decision.

We all understand that this is a decision of significant importance to the Town. If there are lingering questions or concerns, you may want to consider conducting another round of interviews with the two finalists. We recently participated in two similar situations which allowed the selection committees to move forward with confidence.

We sincerely and respectfully appreciate the selection committee's final decision.

Sincerely,



Anthony M. Consigli
CEO