

Select Board Meeting  
Monday, May 12 – 7:00pm  
Main Street Fire Station

Present: C. Viens, C. Nordle, D. Schneider, Select Board; B. Shepeluk, B. Farr, L. Oates, A. Imhoff

C. Nordle called the meeting to order at 7:03pm.

**AGENDA**

B. Shepeluk asked that the agenda be revised to include a discussion regarding the bond bank application deadline. B. Farr noted that KAS Consulting sent a proposed contract to the town, in which a price reduction was offered to account for use of a back hoe and a driver for one day. B. Shepeluk is authorized to sign the revised contract.

**CONSTRUCTION MANAGEMENT RFP**

B. Farr, B. Shepeluk, Ashar Nelson of Vermont Integrated Architecture, and Sandy Fead of Fead Construction Law have been working together to develop the RFP for a Construction Manager for the municipal complex project. The draft RFP is scheduled to go out this Thursday (5/15), pending Select Board approval with several edits. Nelson and Fead agreed on the following proposal evaluation breakdown: 30% qualifications/experience, 20% project understanding and 50% cost. C. Nordle stated that A. Tuscany, B. Farr and B. Shepeluk will be included in the scoring process. B. Farr suggested informing interested applicants that the proposed construction start date is currently set to begin this fall. If that timeline is delayed, the construction manager may identify projects that could be completed this fall (Janes House renovation, foundation pouring, etc.) or could elect to start construction in the spring. C. Nordle mentioned a major factor for this will be the closure period for the library. B. Shepeluk, B. Farr and A. Tuscany plan to do background research on all firms that submit proposals.

There was a discussion about the library's options for temporary housing during construction. The need to keep the library open and the ability to properly function in a temporary space will need to be discussed and evaluated in the coming months. B. Shepeluk noted that after a construction manager is on board, they will work with VIA on developing a progression of work that will be used to determine the viability of temporary space for the library. B. Farr mentioned that the library's capital campaign plans to raise enough money to provide revenue for temporary housing, if needed.

B. Farr will be the point of contact for interested firms. She noted that the required grant language for the \$1 million CDBG-DR grant has been worked into the AIA contract form. She also mentioned that the money for the construction manager is built into the \$4 million that the RFP refers to as the total construction portion of the project, with the remaining \$0.98 million reserved for engineering studies, contingency funds, designs, etc. C. Nordle stated that the Town is asking interested applicants for three things: (a) cost to wrap up the design phase; (b) general conditions/supervision; and (c) the percent of construction cost charged as a fee to get us through the construction phase. B. Farr said we would get a guaranteed maximum construction price in the late summer prior to construction.

The board then reviewed the construction management RFP. C. Nordle said that he was comfortable with the sufficiency of paperwork requested. The remaining present member had no objections. The board agreed that they wanted the language in the RFP to be inclusive enough that they would receive a diverse pool of proposals but not so inclusive that anyone could submit a proposal. C. Nordle said that the minimum qualifications will ensure the proper degree of

inclusivity. D. Schneider asked that if a proposal was missing a portion of a criterion, would the proposal be thrown out or would it simply receive a lower score. C. Nordle said that this would not result in immediate exclusion, but rather a reduction in overall score. The board agreed to change “must” to “should” for all criteria. B. Farr and B. Shepeluk will work on this language with Sandy Fead and Ashar Nelson.

C. Nordle said that arbitration would not be the best option for this project, since we are dealing with public funds. If there is a dispute during the course of the project, the C. Nordle said that the court system is a better option. This option would result in a trial by judge, and would not require a jury trial. The board then discussed the liquidated damages, which will increase the longer the occupancy delay to cover expenses because unable to move into new building. VIA is charging \$330/day. B. Shepeluk said that the liquidated damages fee is suggested at \$750/day for the first 30 days of delay, and any time beyond 30 days, the fee will be doubled to \$1,500/day. This is anticipated to cover town expenses if construction is delayed on their end, not on the Town’s. A retainage amount is factored into the proposed contract.

B. Shepeluk stated that VIA will review all construction management invoices by the 25<sup>th</sup> and then send them along to the Town, with payment expected by the 21<sup>st</sup> of the following month.

C. Viens made a motion to authorize B. Shepeluk and B. Farr to finalize the construction management RFP, with all of the attachments and the discussed edits from tonight’s meeting, including language to ensure that all responders identify specific projects. The motion was seconded by D. Schneider and passed by those present.

#### **TOWN CLERK’S ITEMS**

D. Schneider made a motion to approve the minutes of 4/21, 4/24 and 5/5. The motion was seconded by C. Viens and passed by those present.

#### **BOND BANK APPLICATION**

B. Shepeluk noted that the application to the bond bank is due by 5/15. Because the board has not yet discussed a 20- vs. 30-year bond, B. Shepeluk will submit the application without specifying a bond duration, noting on the application that the board has not yet chosen the bond duration. If the bond bank requires a bond duration as part of the application, B. Shepeluk can edit the application before Monday. D. Schneider made a motion to authorize B. Shepeluk to sign and submit an application to the Vermont Bond Bank for the \$2.95 million municipal complex project. The motion was seconded by C. Viens and passed by those present.

There being no further business, the meeting was adjourned at 8:02pm.

Respectfully submitted,  
Lauren Oates – AmeriCorps VISTA

Approved on: May 19, 2014