

MINUTES OF THE NOVEMBER 5, 2008 MEETING OF

**THE NATHANIEL WITHERELL TOWN BUILDING COMMITTEE**

The twenty-eighth meeting of the members of The Nathaniel Witherell Town Building Committee was held in the conference room at Nathaniel Witherell at 8:00 a.m. on November 5, 2008.

Present were:

Voting Members: Andy Fox, Paul Toretta, Jeremy Kaye, Peter Arturi, Leslie Tarkington and Christopher Lacey.

Non-voting Members: Jonathan Shankman, Lin Lavery, Frederic H. Brooks, and William Kowalewski.

Guests: David Ormsby, Ray Augustine, Jack Hornak, Ken Henderson, Linda Marini, Susan Welsh, Margaret Wayne, Maryann Ferrara Ramos and Ashley DeMain.

Mr. Fox called the meeting to order. He asked whether the minutes of the October 16, 2008 meeting were reviewed by all and were approved. Upon a motion duly made and seconded the minutes, as amended were approved.

Mr. Toretta reported that the Architect's contract has not yet been finalized. A letter of award is anticipated from the Town by the end of this week. Mr. Toretta advised that after the letter of award is issued, discussions with SLAM can begin to move the project forward.

Mr. Toretta advised that he was seeking three members for a design subcommittee. Mr. Toretta and Ms. Tarkington have already agreed to serve on this subcommittee. Mr. Toretta indicated that he thought that Mr. Soler would be a good member of the subcommittee. Mr. Soler was not present for the meeting.

The subcommittee is administrative in nature. Its purpose is to communicate with the Architect and to keep the process, from the Architect side, moving forward. It is not a decision making subcommittee.

Mr. Fox indicated that the schedule which SLAM provided for in the RFP will be revised as the project gets underway.

Mr. Kowalewski volunteered to be the third member of the design subcommittee. Mr. Toretta indicated that Mr. Kowalewski will be the liaison between the staff of The Nathaniel Witherell and the Committee with respect to architectural design.

Mr. Fox advised that the Architect will provide a schematic design. Copies of this design will be given to Mr. Kowalewski to review with staff. Ms. Lavery wanted to be clear that staff must be given the opportunity for input into the design.

Mr. Lacey reported that the final version of the questionnaire for the CM RFP has been prepared. Mr. Lacey advised that there are three parts to the questionnaire. The CM is to provide information about the company, performance of the organization (disputes, etc.) and its project expertise. The scoring provides for a possible total of 100.

At this time, 18 firms have expressed interest in the project.

Mr. Fox explained that the plan is for the Committee to review all responses from CM's and to pick four to six firms to proceed to the next phase, which will request their fee proposal, team and project experience.

Mr. Ormsby asked Mr. Lacey whether the CM is still expected to have a guaranteed maximum price. Mr. Lacey replied that this is the plan. Mr. Lacey explained that a guaranteed maximum price would mean a price for trade costs (direct construction costs), general conditions and the CM's fee.

Mr. Fox suggested that the Committee members review the proposed budget with an eye to the possibility of moving funds within categories if need be.

Ms. Tarkington indicated that The Board of The Nathaniel Witherell will need to work with the Committee since any changes in the budget could impact the business plan of The Nathaniel Witherell.

Ms. Tarkington advised that the Committee can seek an appropriation for funds for construction from the BET outside of the ordinary budget process. Since the RTM will also need to approve the appropriation for the additional funds, a consensus was reached that the Committee should provide for a five month lead time in seeking such funds.

Mr. Fox indicated that he thought that construction will not commence until May, 2010. Utilizing that time frame, the Committee should be prepared to submit a proposed construction budget by September, 2009.

The next meeting of the Committee will be on November 19, 2008 at 8:00 a.m.

The meeting was adjourned at 9:03 a.m.

Respectfully Submitted,

Jeremy Kaye, Committee Clerk