



MINUTES OF THE NOVEMBER 7, 2007 MEETING OF
THE NATHANIEL WITHERELL TOWN BUILDING COMMITTEE

A meeting of the members of The Nathaniel Witherell Building Committee was held in the conference room at Nathaniel Witherell at 8:00 a.m. on November 7, 2007.

Present were:

Voting Members: Dik Glass, Paul Toretta, Jeremy Kaye, Lloyd Bankson, Andy Fox, Leslie Tarkington and Christopher Lacey.

Non-voting Members: William Kowalewski, Thomas Saccardi and Frederic H. Brooks.

Guests: Jack Hornak, Ken Henderson, Ray Augustine, Ashley DeMain and Lynn Bausch.

Mr. Glass commenced the meeting by asking whether the minutes of the October 24, 2007 meeting were reviewed by all and were approved. Upon motion duly made and seconded the minutes were approved.

Mr. Glass noted that a revised combined Architect's RFP/RFQ was being readied for distribution and hopefully will be distributed before Thanksgiving. Minor adjustments to the specifications are being made. Members of the Architect Selection Task Force have been E-Mailed this document.

Mr. Kaye reported on the meeting on October 29, 2007 with Mr. Lash and Mr. Fox (the Town Attorney). Minutes of that meeting were distributed. Mr. Glass asked Mr. Kaye to contact Eric Brower to see if he would be interested in working with the Committee on the project and to request a written statement as to how he would proceed if engaged.

Mr. Lacey reported on the meeting on October 29, 2007 with Mr. Fox (the Town Attorney) and Joan Sullivan regarding the Construction Manger's RFP. Bullet points from that meeting were distributed. Attorney Schmidt from Curtis, Brinckerhoff & Barrett in Stamford (a partner of Mr. Fox) was present at the meeting. Mr. Lacey reported that Mr. Schmidt has worked with the City of Norwalk utilizing a one step

RFQ/RFP process and has good success with it. He offered to and did send a copy of the CM RFQ/RFP used by Norwalk. Mr. Fox indicated that the form would be acceptable to the Town of Greenwich but would need to be customized for the Town's use.

Mr. Lacey also reported that Mr. Schmidt indicated that Norwalk has used a CM at risk several times without any problem.

The Construction Manager Task Force of the Committee would like to utilize a CM at risk with a guaranteed maximum price.

A motion was made by Mr. Bankson to approve the concept of using a CM at risk with a guaranteed maximum price. The motion was seconded and unanimously approved.

Under this scenario, the CM would have a payment bond issued to the Town and the subcontractors would have a payment and performance bond issued to the CM. The Committee would like the subcontractors to have the performance bond issued to the Town as well as co-obligee. There would be no need for the Town to be named as co-obligee for payment purposes.

Mr. Glass noted that Norwalk has used an owner's representative on its projects. Ms. Tarkington indicated that she felt that the Committee should engage an owner's representative. Mr. Lacey, Mr. Andy Fox and Mr. Glass stated that this would add approximately \$1,000,000 to the cost of the project and did not feel that there would be a benefit to engaging such a party. It was agreed that the discussion on this topic would continue at a later and more appropriate date as the CM is chosen.

Mr. Glass noted that it would not be possible to provide the Town with a detailed budget for the 2008 fiscal year as was being sought since the Committee has not yet chosen an Architect or CM.

Mr. Glass noted that the next two meetings of the Committee would be on November 28, 2007 and December 19, 2007.

The 2008 meeting dates will be circulated to Committee members via E-Mail.

The meeting was adjourned at 8:55 a.m.

"Disclaimer: These notes were taken at the meeting of November 7, 2007. If there are any changes to be made please email within 48 hours of this submission for revision, otherwise these minutes become record of all events as of the issuing date."

Respectfully Submitted,

Jeremy Kaye
Committee Clerk