

**CITY OF NORWALK  
LAND USE AND BUILDING MANAGEMENT COMMITTEE  
REGULAR MEETING  
NOVEMBER 1, 2017**

**ATTENDANCE:** Tom Livingston, Chair; Richard Bonenfant; Nick Sacchinelli; Bruce Kimmel

**STAFF:** Alan Lo, Building and Facilities Manager

**OTHERS:** James Giuliano, Consultant; Diane Beltz-Jacobson, Assistant Corporation Counsel

**I. CALL TO ORDER**

Mr. Livingston called the meeting to order at 7:34 p. m. A quorum was present.

**II. PUBLIC PARTICIPATION**

No members of the public came forward.

**III. MINUTES OF PREVIOUS MEETINGS**

**September 6, 2017**

**\*\* MR. BONENFANT MOVED TO APPROVE THE MINUTES OF SEPTEMBER 6, 2017 AS SUBMITTED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**October 4, 2017**

**\*\* MR. LIVINGSTON MOVED TO APPROVE THE OCTOBER 4, 2017 MINUTES AS SUBMITTED.  
\*\* THE MOTION PASSED WITH THREE VOTES IN FAVOR AND ONE ABSTENTION (MR. SACCHINELLI.)**

**IV. OLD BUSINESS**

**A. Maritime Aquarium**

1. Review terms for the proposed Amendment to the Norwalk Maritime Aquarium's lease agreement and refer the following to the Common Council for approval:

"Authorize the Mayor, Harry W. Rilling, to execute a First Amendment to the Amended and Restated Lease Agreement with the Maritime Aquarium at Norwalk Inc., dated December 4, 2014, in order to address the impact of the State's Walk Bridge Project on the Leased Property and to incorporate the Aquarium's proposed improvement plan for the Property."

**\*\* MR. SACCHINELLI MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A FIRST AMENDMENT TO THE AMENDED AND RESTATED LEASE AGREEMENT WITH THE MARITIME**

**AQUARIUM AT NORWALK INC., DATED DECEMBER 4, 2014, IN ORDER TO ADDRESS THE IMPACT OF THE STATE'S WALK BRIDGE PROJECT ON THE LEASED PROPERTY AND TO INCORPORATE THE AQUARIUM'S PROPOSED IMPROVEMENT PLAN FOR THE PROPERTY.**

Atty. Beltz-Jacobson gave an overview of the proposed terms of a first amendment to the amended and restated lease of the Maritime Aquarium property at 10 North Water Street. She stated that in this past year, the State of Connecticut approached the City and the Aquarium regarding plans for the reconstruction of the Walk Bridge and the impact it would have on the Aquarium. The State plans to take, by eminent domain, the land on which the Aquarium's IMAX Theater sits. The state plans on razing the IMAX Theater building. She stated that the State plans on taking an additional portion of the Property by eminent domain for temporary and permanent easements along the Norwalk River.

Atty. Beltz-Jacobson stated that the Aquarium determined that it would need to relocate and replace some of its facilities and assets. The First Amendment to the Lease is intended to address these changes and the impact they will have on the existing relationship between the City and the Aquarium.

Atty. Beltz-Jacobson stated that the State will award compensation for the functional replacement of certain building improvements necessitated as a result of the Walk Bridge Project. The State acknowledges that such compensation should be directed to the Aquarium. She stated that the City shall direct and authorize the State to make these payments directly to the Aquarium as they become available. She stated that the City will be entitled to receive any additional funds awarded by the State and not considered part of the functional equivalent calculation.

**\*\* THE MOTION PASSED WITH THREE VOTES IN FAVOR AND ONE OPPOSED (MR. BONENFANT.)**

**B. NFCC Referral**

**1. Review request to amend Silver Petrucelli Architects' on-call services contract relating to the School Facilities Improvement Plan and refer the following to the Common Council for action:  
"Authorize the Mayor, Harry W. Rilling, to execute an amendment to the on-call architectural services agreement with Silver Petrucelli Associates relating to the School Facilities Improvement Plan to increase the contract allowance by \$14,861.00 Acct. #09175010 5777 C0585"**

**\*\* MR. SACCHINELLI MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO THE ON-CALL ARCHITECTURAL SERVICES AGREEMENT WITH SILVER PETRUCELLI ASSOCIATES RELATING TO THE SCHOOL FACILITIES IMPROVEMENT PLAN TO INCREASE THE CONTRACT ALLOWANCE BY \$14,861.00 ACCT. #09175010 5777 C0585.**

Mr. Lo stated that on July 12, 2016, the Common Council authorized the execution of an on-call architectural services agreement with Silver Petrucelli Associates. Silver Petrucelli agreed to provide technical support to initiate various components of the approved School Facilities Improvement Plan. The agreement was for a total not to exceed \$75,000.

Mr. Lo stated that Silver Petrucelli Associates provided design services relating to Norwalk High School, South Norwalk School, Ponus Ridge School, Jefferson School and Columbus School. Mr. Lo stated that

the services were essential to assisting the City and Board of Education in completion of our State reimbursement grant application. With attendance at numerous Ed Spec Committee meetings, and the need for office staff support to develop Education Specifications, Silver Petrucelli exceeded their contract allowance.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**2. Review recommendation for the hiring of a Construction Manager (CM) for the Ponus School renovation and addition project and refer the following to the Common Council for approval: “Authorize the Mayor, Harry W. Rilling, to execute an agreement with Newfield Construction, Inc. as the Construction Manager (CM) for the Ponus Ridge School (new PK-8 STEM School) renovation and addition project. Terms of the agreement shall include the following:**

<b>Preconstruction Phase Services (including reimbursable allowance)</b>	<b>\$102,000</b>
<b>CM Fees (% of total trade bids)</b>	<b>1.20%</b>
<b>CM Contingency (% of total trade bids)</b>	<b>1.5%</b>

**Following bidding process, final contract price (GPMP) will be submitted to the Common Council for approval. Acct. # 09185010 5777 C0608**

**3. Review recommendation for the hiring of a Construction Manager (CM) for the new South Norwalk School project and refer the following to the Common Council for approval: “Authorize the Mayor, Harry W. Rilling, to execute an agreement with Downes Construction Company, LLC as the Construction Manager (CM) for the construction of the new South Norwalk School project. Terms of the agreement shall include the following:**

<b>Preconstruction Phase Services (including reimbursable allowance)</b>	<b>\$110,000</b>
<b>CM Fees (% of total trade bids)</b>	<b>1.55%</b>
<b>CM Contingency (% of total trade bids)</b>	<b>3%</b>

**Following bidding process, final contract price (GMP) will be submitted to the Common Council for approval. Acct. #09185010 5777 C0607”**

**\*\* MR. LIVINGSTON MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH NEWFIELD CONSTRUCTION, INC. AS THE CONSTRUCTION MANAGER (CM) FOR THE PONUS RIDGE SCHOOL (NEW PK-8 STEM SCHOOL) RENOVATION AND ADDITION PROJECT, AND AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH DOWNES CONSTRUCTION COMPANY, LLC AS THE CONSTRUCTION MANAGER (CM) FOR THE CONSTRUCTION OF THE NEW SOUTH NORWALK SCHOOL PROJECT.**

Mr. Giuliano stated that the city approved the architect for the Ponus Ridge School project. The Purchasing Department issued and received proposals from Construction Management firms in response to a RFP. A total of eleven proposals were received. The Review Committee evaluated the proposals and made a shortlist of firms to interview. Mr. Giuliano stated that after the interviews, the Committee recommended Newfield Construction for this project.

Mr. Lo stated that the Construction Manager will work closely with school administration and the architect to develop multiple cost estimates, provide value engineering services, develop project phasing plans, assemble the construction bid packages and manage the bid process.

Mr. Giuliano stated that the City approved the architect for the South Norwalk School Project. The Purchasing Department issued and received proposals from nine Construction Management firms in response to a RFP. A Construction Management Committee was formed and made a shortlist of firms to interview.

Mr. Giuliano stated that after the interviews were held, it was decided that Downes Construction was the most qualified for the project. Downes has not completed any projects in Norwalk, but they have an extensive resume for school construction projects.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

### **C. Oak Hills Park**

**1. Review request to increase contingency allowance for underground contamination remediation at Oak Hills Park and refer the following to the Common Council for action:**

**“Authorize the Office of Building Management to issue change orders on Herbert Recovery Systems LLC’s contract for contaminated soil removal at Oak Hills Park for an additional allowance not to exceed \$16,000. Acct. # 09151340-5799-C0558.”**

**\*\* MR. LIVINGSTON MOVED TO AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON HERBERT RECOVERY SYSTEMS LLC’S CONTRACT FOR CONTAMINATED SOIL REMOVAL AT OAK HILLS PARK FOR AN ADDITIONAL ALLOWANCE NOT TO EXCEED \$16,000. ACCT. # 09151340-5799-C0558.”**

Mr. Lo stated that an environmental consulting firm was retained to obtain boring material samples and to prepare technical specifications for bid purposes. The bid documents were developed to include a lump sum bid for base contract work plus a 70 cubic yard allowance for excavation, disposal of contaminated soil and installation of replacement backfill material.

Mr. Lo stated that the contamination did not travel down beyond seven feet below grade. Instead, the contamination traveled horizontally along a layer of sandy soil. We excavated a total of 108 cubic yards of contaminated material. He stated that we also encountered ground water which required us to de-water the excavated pit and dispose of the contaminated water.

Mr. Lo stated that we do not have the actual remediation quantity at this time for both locations, but we are projecting that an additional allowance of \$16,000 would be required to finish this project.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

### **D. Building Management**

1. Review bids for window replacement at Norwalk Early Childhood Center (NECC) at Roosevelt Center and refer the following to the Common Council:

“a. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Norwalk Glass Company, Inc. for the installation of replacement windows at NECC/Roosevelt Center for a total not to exceed \$72,042.00 Acct.# 09165010 5777 C0555

b. Authorize the Office of Building Management to issue change orders on Contract for a total not to exceed \$7,204.00.”

**\*\* MR. KIMMEL MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH NORWALK GLASS COMPANY, INC. FOR THE INSTALLATION OF REPLACEMENT WINDOWS AT NECC/ROOSEVELT CENTER FOR A TOTAL NOT TO EXCEED \$72,042.00, AND AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$7,204.00.**

Mr. Lo stated that the City completed the renovation of six classrooms and the gymnasium at the Roosevelt Center for the Norwalk Public School 50/50 early childhood center for children with special needs. The building received a major renovation but the exterior windows were left untouched. We anticipated that these windows would only require minor repairs.

Mr. Lo stated that upon completion of the renovation project, all three of the vendors we contacted declined to provide any repair services due to the age and condition of the windows. He stated that replacement of the windows is the only available option. We will work closely with the Early Childhood Center staff in order to gain access to the classrooms for installation work. If the classrooms are not accessible in the spring, we will have to complete the installation immediately after the end of the spring semester.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

#### **VI. MISCELLANEOUS/DISCUSSION ITEMS**

No items were brought forward.

#### **ADJOURNMENT**

**\*\* MR. BONENFANT MOVED TO ADJOURN.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 8:37 p. m.

Respectfully submitted,

Tom Blaney  
Telesco Secretarial Services

City of Norwalk  
Land Use and Building Management Committee  
November 1, 2017  
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