

**Tyngsborough Middle School Building Committee Meeting Minutes**  
**May 5, 2021**  
**Tyngsborough Elementary School Cafeteria**  
**205 Westford Rd, Tyngsborough, MA 01879**

**Building Committee Members Present/Absent** *[8 voting members required for a quorum]*

<b>Committee Member</b>	<b>Present</b>	<b>Absent</b>	<b>Late [time arrived]</b>
Justin Sultzbach		✓	
Hillari Wennerstrom	✓		
Matthew Hanson	✓		
Rebecca Stanton	✓		
Anthony Tinnirella	✓		
Michael Flanagan	✓		
Dominic Sementelli	✓		
Chris Pollet	✓		
Mark Branco	✓		
Burt Buchman	✓		
Amy Pozerski	✓		
Paul Mitchell	✓		
Todd Goodrich	✓		
Karen Cavanagh	✓		
Joseph Messina	✓		

**Guests:** David Saindon [Leftfield], Hamdi Cobanoglu [Leftfield], Douglas Roberts [JC],  
 Lauren Braren [JC]

**1. Call to order**

Ms. Wennerstrom called the Building Committee [BC] meeting to order at 6:30 PM.  
 Ms. Wennerstrom requested everyone to introduce themselves. Ms. Wennerstrom also indicated to the committee that the meeting was being audio and video recorded.

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Everyone introduced themselves. Mr. Saindon presented the meeting agenda to the committee.

### **2. Approval of Meeting Minutes from April 21<sup>st</sup>**

The meeting minutes from April 21, 2021, Building Committee Meeting was prepared and shared with the committee on May 4, 2021. No comments were received regarding the meeting minutes before the meeting. Ms. Cavanagh asked a question regarding the additional \$10,000 designer allowance. She said she missed the last meeting, and she could not understand the reason for this allowance from the meeting minutes. Mr. Saindon and Mr. Roberts explained the scope of work of the additional designer consultant's allowance. The allowance was funded from the Owner's contingency, and it is within the total feasibility budget. The detailed presentation of the designer consultant's allowance was done to the committee at the last meeting and also documented with the JCJ contract amendment #1. Ms. Wennerstrom encouraged the committee members to watch the recording of the meeting if they unfortunately were absent from a meeting. In the interest of Committee time, Mr. Saindon offered Ms. Cavavagh an off-line phone call or zoom to revisit her inquiry. Ms. Wennerstrom asked for a motion for the approval of the meeting minutes.

### **MOTION**

Mr. Mitchell made a motion to approve the meeting minutes dated 4/21/2021. The motion was seconded by Mr. Tinnirella and approved 13-0-1-1 (yes-no-absent-abstained) unanimously by those present. Ms. Cavanagh abstained as she was not present at the April 21<sup>st</sup> meeting.

### **3. Review project budget, approve invoices & commitments**

Mr. Saindon presented the updated budget and monthly invoices for the period ending April 30, 2021. There was one Leftfield invoice for the OPM services and one JCJ invoice for the feasibility study design services. The total of the invoices presented was \$46,763.00.

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### MOTION

Mr. Tinnirella made a motion to approve the project invoices for the period ending April 30, 2021, as presented. The motion was seconded by Mr. Buchman and approved 14-0-1-0 (yes-no-absent-abstained) unanimously by those present.

#### **4. Designer/OPM Update**

Mr. Saindon presented the updated project calendar schedule for the PSR phase to the committee.

##### **i. Preliminary Design Program (PDP) Submission Update**

Mr. Roberts updated the committee with the MSBA's PDP review & comments letter. The comments were received on Monday, May 3, 2021, and the district has 14 days to return a response. Ms. Wennerstrom asked if the committee members reviewed the MSBA's PDP comments letter. Mr. Saindon said that the district, JCJ, and Leftfield started working on the draft response letter, and it would be shared with the committee after the meeting.

Mr. Roberts continued the presentation with the MSBA PDP comments. The comments included the clarification of multiple program spaces such as performing art spaces, special education programs, academic and unified arts neighborhoods. They also identified multiple program categories where the proposed square footage exceeded the MSBA guidelines. Therefore, the square footage in excess of the guidelines is considered ineligible for reimbursement. They also noted that costs associated with the removal of fuel storage tanks, associated contaminated soil, asbestos-containing floor and ceiling materials are considered ineligible for reimbursement. Mr. Saindon clarified that square footage over the core academic and special education may be considered eligible for reimbursement by the MSBA.

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### **ii. Existing Facility Assessment Update (Geotechnical, HazMat, Traffic study)**

Mr. Roberts updated the committee with the existing facility assessment. The geotechnical borings and samples were completed on April 26<sup>th</sup> and 27<sup>th</sup>, and the preliminary report indicates that conventional, shallow spread footing foundations will be required for the structural foundation design of the building. They also observed 4 to 6 feet of fill material at the western and central area of the site and up to 10 feet of fill material at the south and eastern border of the site. There are also organic materials present at the edge near wetlands below fill. Therefore, over-excavation may be required for a portion of the proposed building footprint.

The hazardous material consultant is scheduled for May 22<sup>nd</sup> and 23<sup>rd</sup> to perform a limited field survey and sampling. The report will be completed within 2-3 weeks after the site visit.

The phase 1 environmental site assessment (ESA) report will be completed by May 14<sup>th</sup>, and it will be shared with the MSBA as an attachment to the PDP response letter.

The traffic consultant installed automatic traffic counters, and they will collect data on May 5<sup>th</sup> and 6<sup>th</sup>. The report will be completed within 2-3 weeks after the site work.

### **iii. Sustainability Update**

Mr. Roberts presented the project sustainability update and LEED scorecard. The project team met with the district and the sustainability consultant to identify the “low hanging fruit” and easily achievable points for the LEED Silver certification, which requires 50 points. However, the sustainability consultant recommends additional 4-6 points as buffer points. The team identified 47 “yes” points, 9 “maybe yes” points, 11 “maybe no” points, and 43 “no” points in the following

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categories: location and transportation, sustainable sites, water efficiency, energy and atmosphere, materials and resources, indoor environmental quality, innovation, and regional priority. Ms. Pozerski represented the district in the sustainability meeting, and she commented that the team was conservative with the points. The points at the “maybe yes” categories can be achievable. Mr. Mitchell asked the design team to clarify the categories and the points in each category. Mr. Roberts explained the points in each category in the scorecard. Each category in the scorecard has yes, maybe yes, maybe no, no columns, and some points are prerequisites meaning that they have to be achieved.

#### **iv. Design Update (Conceptual Layouts)**

Ms. Braren started the presentation by reminding the guiding principles of the Tyngsborough School District, which are: personalization and connection, creative and visible learning, collaboration and cooperation, lifelong learning, adaptability and evolution, school as a community resource. She noted that the design team takes these principles into considerations while designing the school building and site. She showed the building layout of option A – code upgrade. Although the existing building does not meet the educational program requirements, the team needs to do their due diligence and show the MSBA that this option has been studied. The code upgrade option needs to include the study of egress, accessibility, life safety, toilet room count, building envelope, energy code, etc.

Ms. Braren also presented the classroom neighborhoods, which includes two teams of four (one science and three general classrooms), one Spanish, one full-size special education classroom, one half-size special education classroom, one small library space, one toilet room, and one collaborative space for each grade level. Ms. Braren showed

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the different layout configurations of the classroom neighborhoods. Mr. Goodrich asked about the locations of the storage spaces in the classroom neighborhoods. Ms. Braren responded that there are storage spaces built-in the science prep rooms and built-in millwork within the general classrooms. She also added that the design team would work with each room teacher to review the storage spaces when they work on the room datasheet. Mr. Mitchell noted that in one of the layouts, the science rooms are kept together to share the resources. He asked if the special education rooms could be kept together to share the resources. Mr. Flanagan answered that the DESE does not want to keep the special education rooms together. They want them to scatter throughout the building.

Ms. Cavanagh requested clarification regarding the small library spaces in each neighborhood. How would it function in terms of staffing? Mr. Branco responded that currently, the middle school does not have a librarian, and these spaces will be used more as a research center and interdisciplinary study spaces in the neighborhoods. The larger media center will be located in the steam program neighborhood near the heart of the school.

Ms. Braren presented the preliminary building layout of option B.1.1.1 renovation/addition. The existing middle school gym building would be renovated in this option. The main entry remains close to the existing bus loop, and there would be outdoor learning spaces between the classroom wings. The steam and 6<sup>th</sup>-grade neighborhood would be located at the first level, and the 7<sup>th</sup> and 8<sup>th</sup> grades would be located at the second level. The community would access the building at the south entry and use the community spaces after school hours. Ms. Braren also showed the stacking diagram of the block layouts. She mentioned that the diagram would evolve during the design, but it is helpful to picture the locations of the classrooms in three dimensions. A similar study for

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option D.2.1.1 new construction was presented to the committee. The building footprint of the new construction option was tried to fit outside of the existing middle school building, including the gymnasium building. This option includes the construction of the new school and demolition of the existing middle school, including the gymnasium building. The location of the main entry remains the same as the renovation/addition option, and the heart of the school separates the civic wing and academic wings. The academic wing would have three stories in this option and leaves more outdoor learning spaces on-site. Ms. Wennerstrom asked if the three-story option would work with the height restrictions in the town and with the first responders. The project team will do more research regarding the building height restrictions in the town and communicate with the fire chief whether the fire truck can access the proposed third level of the building or not. Ms. Braren noted that the design team is working on more options, and they will update the committee at the next meeting.

### **v. Community Workshop #2**

Mr. Roberts presented the agenda of community meeting #2, which is scheduled for May 12, 2021, at the TES Cafeteria. The team planned to present to the community the MSBA process, project timeline and milestones, a summary of the community meeting #1, preliminary design report update, preferred schematic report overview, and respond to the questions of the community.

### **vi. Construction Procurement Methodologies Design-Bid-Build (c. 149) vs. CM-R (c. 149A)**

Mr. Saindon presented the design-bid-build and the construction manager at-risk processes to the committee. He started the presentation with a brief history of Massachusetts public construction

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bidding law and explained the details of both procurement methods. Design-bid-build is a traditional approach for public construction, and the project is designed by a team of Architects and Engineers to complete construction documents with no contractor involvement. Once plans are completed, bids are solicited from filed trade contractors and general contractors, and the contract is awarded to the low responsive bidder on a lump sum contract value. On the other hand, construction manager at risk is hired during the design process based on qualifications and fee. CM-R provides services during design phase, pre-construction phase and becomes the builder of the project at the construction phase. It is more advantageous for a fast-track schedule, and the contract value is based on Guaranteed Maximum Price (GMP) with open book accounting. Mr. Saindon has also explained the OPM's role in both processes and noted that Leftfield and JCJ are very familiar with the CM-R process. In his opinion, the design-bid-build process is best suited for less complicated projects that are budget-sensitive but are not schedule-sensitive and not subject to change. On the other hand, Construction Manager at Risk is best suited for projects that are time-sensitive, challenging to define or subject to potential changes. Mr. Saindon has also explained the differences between filed trade contractor and subcontractor. The Owner has more control over the selection of the subcontractors at the CM-R process. Regardless of the procurement methodologies, there will be general project risks such as unforeseen building or site conditions, unqualified sub-contractors, poor performance, working on and around occupied facilities, complex site logistics, etc. However, the CM-R can help mitigate project risks during pre-construction phase. The CM-R can confirm existing conditions, provide exploratory services, and perform constructability reviews to fill in gaps in project design and detailing. These services during the pre-construction phase are not free. The

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Town needs to pay a fee for these services, but the fee is typically nominal compared to the overall cost of the work. The CM-R procurement method is the preferred method for many Massachusetts agencies such as DCAMM, Umass Amherst, UMBA, and the UMSBA. The Ch. 149A, CM-R process needs to be approved by the Inspector General (IG) to utilize for Tyngsborough; it usually takes 4-5 months to get approved.

Ms. Wennerstrom mentioned that probably the Town does not have experience with CM-R process. She asked Ms. Pozerski's opinion. Ms. Pozerski mentioned that she had had a good experience with CM-R process, and she is in favor of this procurement method. Dr. Flanagan mentioned that he talked to superintendents in other school districts, and they are recommending the CM-R procurement method. Ms. Cavanagh asked if the CM-R company would hire the contractors. How does the building get built? Mr. Saindon responded that CM-R companies hire subcontractors for the non-trade works similar to the General Contractors; however, the Owner is involved in the process of awarding all sub-contractor scopes of work. They may also do some of the work in house, depending on the size of the project. Mr. Mitchell asked if the CM-R companies get bids for the trade works. Mr. Saindon confirmed that [yes]; in addition, Mr. Saindon added that some of the file-trade companies go after certain projects if they know it is being performed by a CM-R company. Some file-trade companies believe that a construction project run via the CM-R process is run smoother than the design-bid-build process.

Mr. Saindon noted that we do not need a motion for this meeting, however a motion/vote will be required during the schematic design phase of the project. Mr. Saindon mentioned, if possible, a decision earlier would allow the project team to inform the estimator to incorporate said decision as part of the PSR estimating process.

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**5. Look-ahead project schedule/work plan for the Preferred Schematic Report [PSR] phase**

Mr. Roberts showed the work plan to the committee. The next committee meeting is scheduled for May 19, 2021. The team will have more updates regarding the design (site plans, floor plans), building systems, and sustainability. The committee needs to select the preferred schematic option at the June 16<sup>th</sup> meeting.

**6. Communication/outreach update**

None.

**7. Public Comment**

None.

**8. Adjourn**

MOTION

Mr. Tinnirella made a motion to adjourn the meeting. The motion was seconded by Mr. Mitchell and approved 14-0-1-0 (yes-no-absent-abstained) unanimously by those present at 7:57 PM.