



School Building Projects Advisory Council

Meeting Minutes

December 8, 2014, 1:00pm

Legislative Office Building, Room 1B, 210 Capitol Ave., Hartford, CT

Members Present
Pasquale "Bud" Salemi, Chair William Turley Lou Casolo John Woodmansee Sara Bronin Antonio Iadarola

Members Absent
Gian-Carl Casa

Attendance - Staff
Jenna Padula David Barkin Timothy O'Brien

Meeting Business:

Meeting called to order by Chair Salemi at 1:10pm.

Seating of new member
William Turley presented his appointment letter and was seated. (See Appendix A)

Minutes of previous meetings
A motion (Iadarola) was made to approve the minutes of the September 30, 2014 meeting. Motion approved.
A motion (Woodmansee) was made to take the June 19, 2014 minutes from the table and approve the revised minutes. Motion approved.

Bronin seated.

Agenda Item 3, Testimony from stakeholder groups
Salemi introduced the stakeholder testimony portion of the meeting and invited stakeholder groups to present to the SBPAC. <ul style="list-style-type: none">• Diane Harp Jones presented on behalf of the American Institute of Architects Connecticut (AIA). (See Appendix B.)<ul style="list-style-type: none">○ Testimony from AIA:<ul style="list-style-type: none">▪ AIA began producing standard form contracts over 100 years ago.▪ AIA has a family of over 200 interlocking model contracts for different needs in design and construction.▪ AIA family of model contracts is updated every ten years.▪ Consistency between AIA contracts for different kinds of contracted work.

- AIA contracts can be modified to meet owner requirements.
 - Ten states use AIA contracts as the basis for their contracts.
 - Each state's own officials modify them to suit their needs.
 - Counties, municipalities and Native American nations use the AIA standard contracts.
 - Though the State of Connecticut purchased licenses for five of the AIA contracts to create model contracts before, they were not accepted by municipalities. Few, if any, were used.
 - On questions from SBPAC membership (Bronin), AIA responded:
 - Q: What is the Licensing cost to use AIA contracts? AIA: It is negotiated on an individual basis. The state would need to determine how many contracts it wished to use and negotiate a fee with AIA.
 - Q: How many school districts use AIA contracts? AIA: No city has a license with AIA. Town of Fairfield uses AIA contracts; use through architects.
 - Comments from SBPAC membership (Casolo):
 - AIA contracts are comprehensive. Important for municipalities to be able to make edits.
- John Butts, Carolina Cudemus of Gilbane Building Company and Ty Tregellas of Turner Construction Company presented on behalf of the Associated General Contractors of Connecticut (AGC).
 - Testimony from AGC:
 - AGC supports standard contracts and design guidelines; will save time and money.
 - AGC would like the process to allow construction managers to see more project information from towns up front, as towns apply for state aid.
 - Changes needed to plan review schedule to create a regular process.
 - Need a regular, early, PREP meeting.
 - PCT meetings have been a big challenge to the process; moving them forward in the schedule could be helpful.
 - Having towns do code review would be good.
 - Important to have a construction professional involved in projects early on; to assist with the grant application.
 - A construction manager should be hired at the same time as the architect.
 - AGC CT does not endorse one form of model contracts; national AGC endorses ConsensusDoc; many AGC members have used AIA contracts.
 - AGC endorses use of model contracts because they add consistency and predictability.
 - Key for a system of model contracts is that different contracts in the system relate to and reference each other.
 - AGC members do not like change orders; cost contractors money; would like to see reduced.
 - On questions from SBPAC membership (Bronin), AGC responded:
 - Q: Experience with model contracts in other jurisdictions? AGC: New York City School Construction Authority has model contracts. Baltimore, MD is using model contracts.
 - Comments from SBPAC membership (Salemi/Casolo):
 - SBPAC has discussed changes to the grant approval schedule. Approval is out of sync with construction schedule in terms of seasons and school schedules. Putting in sync might speed process.
 - Seasonal timetable for construction depends on the project.
 - SBPAC not intending to favor one form of model contract over another.
 - Municipalities trying to figure out how much they can do before a grant authorization; officials leery of funding work before grant authorization. Not easy for a municipality to have all project information up front.
 - Discussion about reimbursement for schematic design costs.
- David Lenihan, Ed Arum, Sharon Bruce and Rich Carmelich for the Connecticut Association of School Business Officials (CASBO). (See Appendix C and Appendix D.)
 - Testimony from CASBO:
 - Refer to CASBO letter in agenda packet.

- Agree generally with site selection direction.
 - Anything to streamline the process saves time and money.
 - Generally supports the schematic design proposal, but has concerns about upfront costs paid by a municipality if local referendum fails. Asks for reimbursement for schematic design if referendum fails.
 - Supports new cost estimating system; asks for stakeholders to be involved in development.
 - Would like flexibility in maximum reimbursable cost per square foot based on different circumstances from district to district.
 - On the idea of design guidelines, expressed that one size does not fit all. Minimum quality standards makes sense. Can support program guidelines for learning spaces; should be flexible, innovative, technology-focused and able to adapt to what is going on in the future. Consider special education needs.
 - Standard space calculations need to be updated or supplanted.
 - Support the idea of a family of standard contracts. Suggested that districts be incented rather than required to use standard contracts.
 - Also do not like change orders; sometimes a necessary part of the process.
 - Comments from SBPAC membership (Salemi):
 - Schematic design would be 35% of design, not 35% of design costs.
- Matt Galligan presented on behalf of the Connecticut Conference of Municipalities (CCM).
 - Testimony from CCM:
 - Would like to be part of process; have concerns.
 - Economic swings might affect prices so as to make a maximum reimbursable cost per square foot impractical.
 - Sometimes towns have charter provisions that do not allow them to use state processes; would be better if South Windsor could use state contract prices.
 - What would be the appeal process from the cap to account for unforeseen circumstances?
 - If there is to be an increase in the school construction grant retainage, there would need to be an increase in state staffing to reduce time to close projects.
 - Concerned that standard contracts could be unbending.
 - Standard contracts would need to be thoroughly vetted to ensure no unforeseen problems; discussed difficulty with liability bonding in model contracts for other agencies.
 - Discussed application process.
 - Concerned about the preference for renovation, which might not be the best fit.
 - Important to have local control in decisions; local considerations affect local school capital decisions.
 - Should continue the dialogue to find compromise.
 - Be careful in creating design guidelines.
 - On questions from SBPAC membership (Bronin), CCM responded:
 - Q: What other components should determine the amount of a dynamic maximum reimbursable cost per square foot? CCM: Inflation, by region, appeal. Different districts have different needs. Per student cap would not take account of students with higher needs.
 - Comments from SBPAC membership (Salemi/Iadarola/Casolo):
 - SBPAC wants CCM to be a part of the process.
 - Danbury schools have been expanding due to rapid enrollment increases; continuously building as neighboring school districts are shrinking.
 - Maximum reimbursable cost per square foot would be set based on region.
 - Higher cost per square foot is positively related to reimbursement percent.
 - State is not intending to use a mean average for a fixed limit on reimbursable costs.
 - Need to clarify nomenclature used for different subjects of consideration.
 - Discussion that model blueprints might have a place.

- Maximum reimbursable cost per square foot should allow flexibility for unforeseen circumstances.
 - Discussion that there needs to be some design guidelines.
 - Betsy Gara presented on behalf of the Council of Small Towns (COST). (See Appendix E.)
 - Testimony from COST:
 - Concerned about maximum reimbursable cost per square foot. Small towns generally have low reimbursement rates. The maximum reimbursable cost per square foot is driven by costs in urban areas. Suggests a pilot cap in urban areas. If done statewide, could result in a reduction in amount towns receive.
 - Concerned about design guidelines. Guidelines not needed for small towns; site conditions or local donations affect school construction. Better to develop best practices.
 - Template contracts would be helpful. Do not want model contracts towns cannot modify.
 - Set-aside for maintenance helpful.
 - Interested in legislation allowing flexible projects, such as school projects that involve tying into a public water supplies or waste water facilities.
 - Would like a higher prevailing wage threshold.
 - Cindy Dubuque presented on behalf of the Foundation for Fair Contracting (FFC). (See Appendix F.)
 - Testimony from FFC:
 - FFC promotes compliance with laws and regulations on public construction projects; providing assistance to public agencies, contractors and construction workers on wages, classification of workers and apprenticeship standards.
 - Supports Recommendation #6 for standardized procedures for school district contracting, procurement and construction management processes. Supports centralized state-run construction program which takes the responsibility out of the hands of municipalities.
 - Recognize autonomy of municipalities, but those who receive substantial state aid should follow the same standards as other public entities.
 - School construction can spur economic development.
 - School construction should follow the same transparency guidelines as other public construction projects.
 - On questions from SBPAC membership (Bronin), FFC responded:
 - Q: Who is FFC? FFC: An industry-sponsored organization representing workers and contractors.

Agenda Item 4, Reports on administrative progress

Salemi introduced the reports on administrative progress.

- Jeff Bolton, Supervising Environmental Analyst with DCS, presented on the new ED053 form and the site plan review process for school construction.
 - Report from DCS:
 - ED053 has been in use for decades; relevant for issues 20-30 years ago.
 - When departmental merger occurred, procedures were reviewed; compared with review process on state projects; see if synergies could be created.
 - Changes included online resources; pointing municipalities toward online tools.
 - New form is streamlined; one signature instead of many.
 - All school projects must now have an ED053.
 - New form in keeping with SSIC process.
 - Process now takes days instead of months.
 - In the past, projects would be advanced in design before environmental problems were identified, such as being in a floodplain; frontloading information helps districts avoid larger costs later.
 - Things like floodplain designations have changed over the years; school districts may not know sites now in floodplains.
 - The new process encourages early involvement to identify problems.

- Comments from SBPAC membership (Salemi/Casolo):
 - Process now provides assistance to municipalities early to help identify problems.
 - Bolton's unit is efficient and timely.
 - In addition to environmental considerations, traffic planning adds to project time; should get STC into process.
 - Having all projects have an ED053 lets the state advise on whether they need more analysis, instead of districts guessing.
 - Online resources now part of ED053 are helpful.
 - Traffic planning could be included in recommendations.
 - Even though the state does not pay for offsite improvements in school construction projects, they are a part of the process.
 - Traffic considerations are large in school construction planning; municipalities could benefit from early identification of traffic problems.
- Petina Killiany and Jack Butkus, of Arcadis, presented a report, as consultant for the state, on Unifomat and the new construction cost database:
 - Report from consultant:
 - Trying to capture costs going forward on school construction projects, cost projections and trends of costs.
 - Going from minimal information to a goal of a huge database of information.
 - Goal to get a better handle on project scope and budget: project type, location, delivery type.
 - The cost reporting system is proposed to call for:
 - Unifomat, Level II at application. Basic; based on general building systems.
 - Unifomat, Level III at design development. More details; abatement costs, how much windows to cost, etc. Better idea of elements going into building; better able to capture costs.
 - Unifomat, Level IV at 100% construction document completion and project completion. Cost estimates down to the nuts and bolts of buildings.
 - Spreadsheet form created for school districts to download.
 - Form includes not only hard costs, but also soft costs, since many districts that do not regularly do construction do not have experience with budgeting for costs at different stages.
 - White cells (in example data entry spreadsheet presented by the consultant) are editable by school districts and gray cells (locked cells) are not. Only cells that apply to the particular project are filled out; others are left blank.
 - Proceeding sheets in the spreadsheet form are broken down into progressively greater detail in the Unifomat levels.
 - If the budget at each stage is done correctly, the cost per square foot should remain about the same at different stages.
 - The new data collection will track district, project number, square feet, enrollment projections, reimbursement rate; tied back to SCGMS.
 - Arcadis IT personnel are working with DAS IT personnel to ensure interoperability and populate costs into state database; will help create dynamic cost data.
 - This reporting and data collection will allow comparisons of costs by project types: renovation as new, alteration, etc.
 - On questions from SBPAC membership (Casolo/Salemi/Iadarola), consultant responded:
 - Q: Why is the cost per square foot (in example data entry spreadsheet) the same at different stages of design completion? Consultant: The model was done based on design costs from the Wright Tech project, which was at 100% design completion.
 - Q: Discuss presentation of soft costs. Consultant: Generated based on consultant's school construction experience. Meant to serve as a guideline to help districts budget as much as to capture cost data.
 - Q: Not clear yet what is editable or not editable in database. Consultant: White fields editable by school districts. Progressively greater detail filled out on different sheets

for Level II, Level III and Level IV. Will allow for comparison between estimates at different stages.

- Q: Will there be tracking of average bid prices by division? Consultant: Goal is to find what the average cost would be.
- Q: How will school districts obtain Level IV data? Consultant: Provided by construction manager.
- Q: How will school districts obtain Level IV data if they do not use a construction manager? Consultant: Provided by district's design professional. Unformat used to create a common thread to data formatting between districts and projects. Unformat does not break down by CSI divisions, rather greater detail of building systems.
- Q: Would Unformat, Level IV be required only before bid documents or into the construction phase? Consultant: Department asked for options for both possibilities, including Unformat, Level IV at project completion to archive actual costs. What option to use is up to the Department.
- On questions from SBPAC membership (Iadarola/Woodmansee), DAS staff responded:
 - Q: Will municipalities have to report on every item at Level IV that applies to their project? Unclear how data would be obtained. Barkin: Data will be provided by the municipalities' design contractors.
 - Q: What is the cost to do Unformat reporting? Barkin: Will depend on the size of the job. Municipalities should already be insisting that design firms give them cost estimates. Design firms are familiar with Unformat. Unformat lets you look at the cost of building assemblies; allows better comparison of choices.
 - Q: For a municipality that does general contractor construction work, how would the municipality get construction cost data before a project goes to bid? Barkin: The general contractor does not do these estimates, the design firm does.
- Comments from SBPAC membership (Salemi/Casolo/Iadarola):
 - This reporting provides assistance to municipalities in putting together accurate budgets.
 - Creating the database is significant change.
 - Consultant is helping to create database that will capture data and allow use of database to analyze costs.
 - The new database will allow for analysis of costs by region, season, etc.
 - A new letter is to come from DAS regarding new data reporting requirements.
 - Costs will vary across the state.
 - DOT's average weighted cost is cost data used for cost estimates. This data allows for a good distribution around the state and weighted costs by region.
 - The point of having a database able to track costs per square foot is not to use the average as the maximum reimbursable cost per square foot; point is to be able to make comparisons we cannot make now.
 - Towns will be able to compare the state data for average costs against the bid prices they are receiving.
 - Unformat was chosen because it is an industry standard and is used by the state. Most costs estimates are done by design consultants and confirmed by construction managers
 - Will be tough for Unformat, Level IV reporting to be the standard for all projects; those doing non construction manager and smaller projects may have a difficult time.
 - Concerned that reporting by Unformat, Level IV will difficult, result in larger fees charged to municipalities.
- Salemi asked for a summary on consultant work being done by Arcadis to revise the state's school construction plan review checklist.
 - Consultant reported that
 - User experience on PCT process has been varied; question of why the state was interested in particular levels of details on particular projects.
 - Questions about the process:

- What is an acceptable level of detail that the state should be asking for?
- What is the proper time in the timeline for the review to occur?
- Does the state need to do the same review that are municipal officials' responsibility to do.
- Is it best to wait until 100% design completion to start finding concerns or to start analyzing project plans earlier?
 - Doing the analysis earlier would allow the state to serve as a resource to help the design process move in the right direction.
- State has had architectural reviewers doing code review.
- Barkin reported that
 - State law has been interpreted in a way that evolved into the state doing a thorough school project code review.
 - The new system would have a sit-down review earlier in the process, allowing the state to point out problems that need to be addressed, and that can be more easily addressed well before 100% design completion.
 - Proposed system would have the state look at code review at a higher level.
 - Approvals for code review would be submitted by local officials.
 - Is it really the responsibility of the state to do detailed code review that is local officials' responsibility?
- Discussion (Casolo/Salemi) included that
 - Some PCT meetings have been smoother than others. State code reviewers had high skill level.
 - Was a problem that state workers did detailed code compliance, this change would remedy this.
 - Concerns about passing all responsibility for this on to the local level.
 - The proposal would allow the state to focus on state education standards.
 - The consultant is working on a checklist for each level of review.
 - Local officials are understaffed, too.
 - Sometimes local officials have a mentality that, "Why are you doing the level of review that you are doing?" As many reviews as possible, the better. There should be some level of state review.

Welcoming of new member/school safety

Salemi formally welcomed William Turley as the new SBPAC member for the seat with expertise in school safety.

Discussion (Casolo/Woodmansee/Salemi) about SSIC standards:

- Question of whether any projects have been reviewed for SSIC standard compliance; no Priority List projects have gone to that stage.
- Special grant funded projects have occurred.
- Concern about implementation of the standards and need for education for municipal and school district officials on the standards.

Next SBPAC meeting

Salemi announced that there will be another SBPAC meeting in mid-January, 2015, at which there will be staff recommendations presented as possible policy recommendations of the SBPAC.

Discussion (Casolo), suggesting inviting representatives of the MSBA and NYCSA to testify.

Adjournment

Motion (Casolo/Woodmansee) to adjourn. **Motion approved without objection.**

Chair Salemi declared the meeting adjourned at 3:55pm.

Appendix A



Dannel P. Malloy
GOVERNOR
STATE OF CONNECTICUT

October 8, 2014

William Turley
25 Sigourney Street
6th Floor
Hartford, CT 06106

Dear Mr. Turley:

Pursuant to the Sections 4-1a and 10-292q of the Connecticut General Statutes, as amended by Public Act 14-217, it is my pleasure and privilege to appoint you as a member of the School Building Projects Advisory Council, as a person with experience in school safety, for a term coterminous with my term, or until a successor is appointed and has qualified, whichever is longer.

Sincerely,

A handwritten signature in black ink, appearing to read "Dannel P. Malloy".

Dannel P. Malloy
Governor

cc: Honorable Denise Merrill, Secretary of the State
cc: Honorable Kevin Lembo, Comptroller
cc: Messrs. John Geragosian and Robert Ward, Auditors of Public Accounts
cc: Carrie Rose, Legislative Library
cc: Secretary Benjamin Barnes, Office of Policy and Management

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Appendix B



A Chapter of The American Institute of Architects
370 James Street, Suite 402, New Haven, CT 06513
203-865-2195 FAX: 203-562-5378
aiainfo@aiaact.org, www.aiaact.org

December 8, 2014

AIA Contract Documents has been publishing standard form design and construction contracts since the late 1800s. Today, AIA Contract Documents publishes nearly 200 agreements and forms. They are known as the industry standard because they are the most widely used and accepted contracts in the building industry, the top choice for contractors, architects, attorneys, and owners alike.

AIA documents maintain a symbiotic relationship with the industry, each profoundly influencing the other. The AIA regularly revises its documents to account for recent developments in the construction industry. Standardized documents for design-build, sustainable projects, for different types of construction management, and for international practice have been published in recent years.

The AIA's drafting process is a thorough and deliberate approach that strives to achieve a fair balance among interests affected by the contract documents. The process is based on the cooperative input of a Documents Committee of practicing architects who have been appointed based on their experience, regional diversity, and variety of practices. Beyond the input of these committee members, the AIA also solicits feedback from owners, general contractors, engineers, subcontractors, sureties, lawyers, insurers, and others. By considering the opinions of a broad range of disciplines, the AIA strives to publish documents that account for the best interests of all parties affected by them.

The AIA Contract Documents are grouped by family and by series. The great advantage of having Contract Documents created for the entire design and construction project is that the Contracts all are linked by common terminology and procedures and may also adopt one another by reference. Documents in the same family are coordinated to tie together the various legal and working relationships on the same project types or delivery methods. The relevant terms of A201 for example, are adopted by reference in several agreements including A101, B101, etc. Documents in each series reflect the purpose of the document. For example, owner/contractor agreements are found in the A series, and contract administration forms are in the G series.

AIA Contract Documents are also widely used by municipalities and governmental departments.

Officers

Alan S. Lagocki, AIA
President
Philip H. Corrone, III, AIA
Vice President

Diane Harp Jones, CEO/EVP

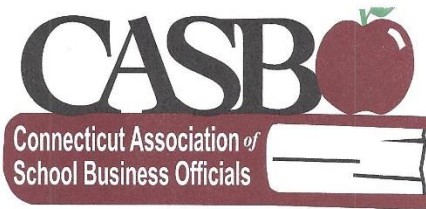
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Glenn R. Gollenberg, AIA
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Michael Pereira, Assoc. AIA
Arthur L. Sanders, AIA
Kernit D. Thompson, AIA

Appendix C



11 High Gate Lane, West Hartford, CT 06107-1010
Phone/Fax 860.519.0023
www.ct-asbo.org

September 5, 2104

Mr. Tim O'Brien
Asst. To Deputy Commissioner
Division of Construction Services
Department of Administrative Services
165 Capitol Ave. Rm. 473B
Hartford, CT 06106

Dear Tim,

CASBO appreciated the opportunity to meet with Deputy Commissioner Salemi, you and other staff to provide input to the School Building Projects Advisory Council and discuss with key stakeholders some of the issues surrounding school building projects.

As requested at the meeting, the following are CASBO's recommendations:

1. Recommend that an owner's representative be hired at the very start of the project (greater than \$10 million) to assist in hiring of architect, engineer, CM etc. *
2. Recommend that a design professional develop schematic designs with specific cost estimates to be included in referendum. *
* These steps would assist in bringing a better-documented design and project estimate forward. However, these steps can be costly to towns/schools, if the project fails in referendum. As incentive, the state could agree to reimburse for these costs if the referendum fails or allow them to be added to the eligible costs for reimbursement once a project passes referendum.
3. Recommend that an audit be performed after 50% of design is completed (scope, cost and size are known at this point) This would provide for a review and guidance before construction begins and provide time to make changes so as to avoid costly adjustments well after project is completed.
4. Expedite the project closing process. Require that all original documents remain in the BOE office. Simplify and streamline change order process. This could involve online processing of change orders. New online forms should be developed to make it easier to document and approve change orders on a timely basis. Involve all players involved in the change order process (architects, CM, owners, school business officials, contractors and SFU staff etc.) to participate in such a review. Everyone benefits by streamlining this process.
5. Expedite "renovate as new" process and provide more flexibility in meeting these requirements.
6. Education and training- many schools are involved in a limited number of projects that could span decades. Therefore, clear, concise communication and guidelines are needed each step of the way.
7. Old Change Orders- We all know that old change orders are a major problem and cause huge delays in closing a project. Many times documentation is missing; key players are gone and inconsistency is rampant. CASBO recommends that a "swat team" be assigned with the authority and flexibility to quickly address these old backlogs in a fair way. Materiality thresholds should be developed to help expedite.
8. Support the DAS' effort to address Form ED050. We recommend that DAS review the essential data that is truly needed and develop a streamlined approach to collect and report such data.

School Business Officials...Vital Partners in School Leadership

9. Reduce and/or streamline Notwithstanding Legislation situations

This is an area that is very time consuming and a bureaucratic burden to all involved. Although some of this legislation is very project specific, several generic situations are involved. These include: (a) the requirement not let out to bid until plans and specifications are approved by DAS; (b) exemption from standard space standards. (c) old change orders

The issue with all of these is time. When managing a project of any size, time is of the essence. The solution for the above situations is to seek notwithstanding legislation via your legislator and then wait until the next legislative session for approval. Our experience is that almost all "notwithstanding legislation" is approved, however this can take over a year delaying projects and reimbursement.

With respect to situations discussed above, please note:

- (a) The requirement to wait for written approval of plans and specifications by DAS before letting out a bid can result in loss of precious time to complete these projects. This is especially true for smaller projects that must be completed when school is not in session, such as asbestos removal or roof replacement. Often the vendors involved are under State contract. Tight schedules necessitate schools go to bid as early as possible so that construction can begin as soon as students vacate. Project approval can take time and written approval can be slow in arriving. As result, some schools, for expediency sake, do not comply with the "not to bid" requirement. CASBO recommends that DAS provide more flexibility regarding the timing of bidding. For smaller projects, that use local review, allow the bid to proceed on the date of local approval. For projects reviewed by the DAS, allow bids to be let on the date the reviewer signs off and not require schools to wait for final written approval to be received by DAS.
- (b) Exemption from State Standard space specifications- the current space specifications are quite old and are grade specific. These standards should be updated to reflect changing school uses and incorporate flexibility for interdisciplinary uses, technology and adaptive space.
- (c) Old Change orders- See separate discussion on dealing with change orders.

We hope you find these initial recommendations helpful. Many school business officials have extensive experience in many aspects of school facility planning, construction, change orders, closeout and grant reimbursement. We stand ready to assist the council staff in any, and all, aspects of the school building process. We would also be happy to be a "sounding board" for the staff before the Council formally rolls out its recommendations. CASBO has used this approach to assist the State in the past, including the Data Reports Committee and Uniform Chart of Accounts review.

Thank you for your time.

Sincerely,

Sharon Bruce
Executive Director

C: Deputy Commissioner Bud Salemi
Attorney Jenna Padula
Craig Russell, Director of School and State Construction Support Services
CASBO Members

Appendix D



11 High Gate Lane, West Hartford, CT 06107-1010
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Mr. Tim O'Brien
Asst. To Deputy Commissioner
Department of Administrative Services
165 Capitol Ave. Rm. 473B
Hartford, CT 06106

Dear Tim,

As we discussed, CASBO welcomes the opportunity to provide you and the School Building Project Advisory Council (SBPAC) feedback with respect to issues discussed at the Council's meeting on September 30, 2014. I briefed the CASBO Board and liaisons about the issues discussed by the SBPAC and CASBO has the following comments:

1. **Site Selection and Site Plan Review Process** - CASBO supports the idea of addressing all site issues in one form. We do recommend that flexibility be exercised with respect to this form so as not to slow down the process. Specifically, the exception for "minimum site disturbance" should be clearly defined.
2. **School Construction Grant Application and Plan Review Process** - CASBO supports to need to expedite this process and understands the value of more complete design documents and related cost estimates at the front end of the process. We, however, are concerned that districts will be required to incur significant upfront costs to comply with the proposed recommendation for a 35% schematic design and related cost estimate be included with the grant application. Therefore, we again strongly recommend that the State reimburse school districts for these upfront costs if the project fails and allow all upfront costs to be included as eligible costs for reimbursement once a project passes referendum.
3. **Cost Reporting Database/Uniform Standard for Cost Estimates** - CASBO supports the development of a dynamic cost estimating system for school construction projects and encourages the DAS to ensure that such a system be user friendly, efficient and technology advanced to allow for easy data collection, analyses and reporting. It is also important that all data collected is readily available and relevant to school districts. To this end, we recommend that the DAS involve key stakeholders in the development of this system, including the review of the data requirements. It is also important that DAS provide training and communication to all stakeholders about the system and the format used.

CASBO is concerned about the establishment of a maximum reimbursable cost per square foot. We again stress the need for flexibility. Construction in urban areas is very different than in rural areas. Also market conditions can vary greatly, depending on the construction climate at the time of bidding.

4. **Standard Specifications** - CASBO would be strongly opposed to a "one size fits all" dictated specifications for school construction. The establishment of minimum quality standards makes sense and the concept for providing program guidelines and suggestions for learning spaces are helpful as long as they are flexible, innovative, technology focused and readily adaptable for future changes. Any such guidelines must also address Special Education mandates.

CASBO also recommends that the DAS revise/update or even eliminate the Standard Space calculations that are currently in place. These standards are outdated and, in any cases, not relevant to the flexible space needs for future schools.

5. **Standard Contracts** - CASBO supports the idea the development of a family of contracts by the State that integrate all aspects of design, construction management, owner's representative services and other professional services. We support the idea of incenting school districts to use these comprehensive contracts rather than requiring their use.
6. **Program Administration Funding** - CASBO would be supportive of a funding mechanism that was added to the State bonding commitment used to support school construction. We would be opposed to any funding mechanism that passed the costs of this staffing on to school districts.

As previously indicated, CASBO has extensive experience in many aspects of school facility planning, construction, change orders, closeout and grant reimbursement. We stand ready to assist you and the council in any, and all, aspects of the school building process. Please feel free to call at 860-416-3912 or email at lenihandg11@hotmail.com if you have any questions or would like to discuss this further.

David G. Lenihan
Legislative Liaison

Appendix E



December 8, 2014

Timothy O'Brien
School Building Projects Advisory Council
165 Capitol Avenue
Hartford, CT 06106

RE: REPORT BY SCHOOL BUILDING PROJECTS ADVISORY COUNCIL

Thank you for the opportunity to comment on the report of the School Building Projects Advisory Council. The Connecticut Council of Small Towns (COST), which represents approximately 110 communities throughout Connecticut, recognizes the importance of improving the school construction process to improve efficiency and assist municipalities in funding infrastructure upgrades.

Cap on Maximum Reimbursable Project Costs

The report recommends establishing a cap on maximum reimbursable project costs, whether cost-per-square foot or cost-per-student, based on location, type of construction, type of facility and education program, and cost of escalation determined by the construction cost index.

Given the need to refurbish aging buildings, address code compliance issues and upgrade technology and school security, the state has authorized billions of dollars in school construction funding for municipalities. However, the reimbursement percentages range from 10-80 %, with the wealthier towns receiving as little as 10 % and the wealthiest receiving as much 70% or more, depending on other factors such as whether it can be demonstrated that new construction is less expensive than renovation.

As a result, small towns aggressively manage building construction costs to minimize the impact on local property taxpayers. School construction projects must be approved by voters in local referendum and quite often, projects are controversial because of the impact on the town's budget and property tax levels. Building committees are advised to keep a close watch on costs and often have to cut certain items from the project to complete the project within the bond amount approved by voters.

Accordingly, a cap on maximum reimbursable projects costs is not necessary in the small towns and may undermine local efforts to refurbish schools and meet the educational needs of its students. **COST therefore urges the council to pilot the recommendations included in its report in the state's urban areas, which receive higher reimbursement percentages from the state.**

Design and Construction Standards

COST member towns have concerns with mandating design and construction standards and model blue prints for new school building projects. Although well-intentioned, efforts to impose one-size-fits-all standards generally don't work for small towns and result in unintended costs and issues. Available building sites, local zoning or wetland issues and other site conditions may render design and construction standards unworkable. In addition, school districts sometimes receive significant donation from the community earmarked for a specific project that may be undermined by the use of design and construction standards. For example, one school district received a memorial contribution to construct reading rooms.

Rather than mandate specific design and construction standards, COST recommends that it develop Best Practices and guidance to assist towns, school districts and building committees in moving forward with school construction projects.

Standard Contracts

Developing standard contracts to provide towns with a template to review and tailor to their particular community would be helpful. COST members are concerned that contract provisions may conflict with local charters or other local rules and regulations, creating unintended problems. Again, COST recommends the development of Best Practices and model contract language to assist towns rather than a mandated approach.

Other Recommendations

Capital Project Funding

One change that has assisted some communities in maintaining and upgrading schools is allowing boards of education to set aside a percentage of its budget to fund ongoing capital projects. This has been helpful in some communities in maintaining buildings and avoiding costs associated with disrepair.

Off-Site Improvements of Utility Extensions

Because of the long and short-term costs associated with installing, replacing, operating and maintaining wells or alternative sewage systems, public water companies are sometimes approached by school districts to determine whether it is feasible for a school building project to tie into public water or wastewater lines. As community water systems, water utilities are required by state and federal law to provide a safe and adequate supply of potable water to customers and are required to regularly test for contaminants and remediate any contamination issues, as well as address any other water quality and availability issues.

School building projects that install their own water systems must bear the cost of such testing and remediation. Moreover, under the federal Safe Drinking Water Act, such systems, which are considered non-community water systems, are not required to test for certain contaminants, such as uranium, which may pose health concerns for consumers. In addition, alternative sewage disposal systems raise concerns with consumers as well and there have been ongoing issues regarding their regulation. As a result, many school districts look for opportunities to tie into a public water supply system or public sewer system, where feasible.

Unfortunately, under the current law, off-site improvements of utility extensions are considered ineligible costs, even where it may be more cost-effective and prudent, forcing districts to pursue other on-site options that may be less desirable and more costly.

COST is continuing to seek input on the Council's recommendations and looks forward to working with the Council in developing sound recommendations that will assist towns in meeting the educational needs of all of its students.

Very truly yours,

Elizabeth Gara
Executive Director

Appendix F



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School Building Project Advisory Committee Testimony December 8, 2014

Deputy Commissioner Salemi and members of the SB-PAC Committee, my name is Cindy Dubuque. I am the executive director for the Foundation for Fair Contracting of CT. Thank you for providing this opportunity for stakeholders to testify regarding the matters addressed by this group. The Foundation for Fair Contracting of Connecticut ("the FFC") is an industry-sponsored organization. Our mission is to promote compliance with laws and regulations relating to public works construction. This includes providing assistance to public agencies, contractors and construction workers. Specifically, we focus on issues concerning wages, classification of workers and apprenticeship standards.

The Foundation supports a number of recommendations put forth by the Council. One in particular that I would like to highlight and discuss is Recommendation #6: Require or encourage standardized procedures in school district's contracting, procurement and construction management processes. We support a centralized state run construction program which takes the responsibility out of the hands of the municipalities.

While the Foundation and the Building Trades recognize the autonomy of the municipalities, we also believe that those who receive substantial funding from public monies should abide by the same standards as other public entities. School construction is imperative to any healthy community. It not only supports the growth and sustainability of a community, but has the opportunity to spur economic development. However, lack of knowledge of the construction industry or process may lead local leaders and tax payers to pay a price. Therefore, we believe that school construction projects should abide to the same transparency reporting guidelines as any other public construction project.

Thank you for the opportunity to speak today.

Cindy Dubuque, MSW
Executive Director
Foundation for Fair Contracting of CT