

Memorial Boulevard Intradistrict
Arts Magnet School Building Committee
Special Meeting May 14, 2020
Via WebEx Online Meeting Platform

Present: Dr. Michael Dietter, Cheryl Assis, Lori Eschner, John Lodovico,
David Preleski, John Smith, Frank Stawski, and Chris Wilson

Also Present: Jeff Anderson, Jill Browne, Angela Cahill, Tim Callahan, Ed
D'Amato, David Heer, Roger Rousseau, and Mayor Ellen Zoppo-
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1. CALL TO ORDER

The meeting was called to order at 4:02 p.m. by Chair Dietter.

**2. CONSTRUCTION MANAGER UPDATE – GMP REVIEW AND TAKE ANY
ACTION NECESSARY**

At the last committee meeting, it was stated that the demo and hazmat abatement was to be awarded to a DAS contractor versus the lowest bidder per the direction of OSCGR. Since this meeting, there has been a new directive from OSCGR and that is to award the bid to the lowest, qualified bidder and not to the DAS contractor. This transpired after a bid protest was received by Downe's D'Amato and the City of Bristol relating to the award process. Because of this, at Tuesday night's city council meeting, the GMP was approved to include all four trades which changed the value of the GMP. City Council did approve the GMP with the four trades contingent the committee approving it. D'Amato Downes recreated the GMP that includes the four trades which totals \$8,332,505.00.

Mike Dietter asked: Is there exposure from the committee or city's standpoint? Is there any liability or concern?

- There has been dialogue since Tuesday – The position with the lowest bidder has been secured; in regards to the bids that were rejected, the low bid contractor recognizes his bid to be valid still. Communication from Bestech stated concerned that the city is not following proper business practice but Corp Counsel feels we are ok because Bestech does not have a standing.

Jeff Anderson stated the low bid rejection was rescinded. D'Amato Downes would like a disposition from OSCGR concurring the position to continue to award to the lowest qualified bidder.

Many of the committee would like something in writing from OSCGR relating to the turn of events that will protect the city from any ramifications from this.

Timothy Callahan stated during the scope review, Mike Sanders from OSCGR said the committee had to go with Bestech under the DAS contract. This is captured in the recorded documents from the scope review. In addition, an email from Kosta Diamantis to the construction manager to move back to the original low bidder, Select Demo.

In addition, there is a request in writing from OSCGR, the directive to make award Select Demo based on the original bids.

John Smith rescinded his motion and Frank Stawski rescinded his second to amend contract 2P19-037 Construction Manager for Renovations at Memorial Boulevard Intradistrict Arts Magnet School with D'Amato + Downes a Joint Venture in the amount of \$3,441,720 and to forward it on to City Council for appropriate action.

Instead, Frank Stawski made a motion that was seconded by Dave Preleski to amend Contract 2P19-037 Construction Manager as Constructor for renovations at Memorial Boulevard Intradistrict Arts Magnet School with D'Amato and Downes a Joint Venture in the amount of \$8,332,505.

3. ADJOURNMENT

The meeting was adjourned at 4:24 p.m.

Respectfully submitted,

Tara Landon

Tara R. Landon
Administrative Assistant/Operations