Norwalk

THE RIGHT PLACE ▪ THE RIGHT TIME

COMMON COUNCIL

LAND USE AND BUILDING MANAGEMENT COMMITTEE

SPECIAL MEETING AGENDA
WEDNESDAY, JANUARY 20, 2016
7:30 PM at NORWALK CITY HALL, ROOM #231

I. ROLL CALL

II. PUBLIC PARTICIPATION

III. MINUTES OF PREVIOUS MEETING(S)

December 2, 2015

IV. OLD BUSINESS

A. Mayor's Energy Task Force

1. Discussion and approval of location for the photovoltaic panel to be supplied and installed by Direct Energy Solar as part of their Norwalk Solar Challenge initiative.

V. NEW BUSINESS

A. Norwalk Early Childhood Center project (Referral from Norwalk Facilities Construction Commission)

1. Project update –

2. Review bid summary and refer recommendation to the Common Council for action:
Authorize the Mayor, Harry W. Rilling, to execute an Amendment to A.P. Construction Company's contract as the Construction Manager (CM) for the Norwalk Early Childhood Center project at 11 Allen Road. Terms of the agreement shall include the following:

POST OFFICE BOX 5125 ▪ 125 EAST AVENUE NORWALK, CT 06856-5125

Total Trade Contractors' Costs	**$**	**1,646,847**
CM Fees (3% of total trade costs)	**$**	**59,749**
CM Contingency (3% of total trade costs)	**$**	**78,877**
CM General Conditions Fees	**$**	**336,599**
Additional Bond and Insurance Costs (over $1.2)	**$**	**16,825**
General Trades	**$**	**72,639**
Guaranteed Maximum Price (GMP)	**$**	**2,211,536**

Acct. #09155010 5777 C0555, #09045010 5777 B0291, #030000-2633, #09155010 5777 C0537 and #09165010 5799C0555

VI. ADJOURNMENT

Prepared by Alan Lo
Dated: January 15, 2016

CITY OF NORWALK
LAND USE AND BUILDING MANAGEMENT
DECEMBER 2, 2015

ATTENDANCE: Tom Livingston, Chairman; Richard Bonenfant, Faye Bowman, Bruce Kimmel, Michael DePalma, Michelle Maggio, Nick Sacchinelli; John Kydes (Non-Committee Member of the Common Council)

STAFF: Alan Lo, Building and Facilities Manager;
OTHER: Direct Solar Energy: David Goldberg, Brandon Hart, Matthew Lepowski; Norwalk Public Schools: Craig Creller, Evelyn Russo, Tom Hamilton

Call to Order

Mr. Livingston called the meeting to order at 7:35 p.m., called the roll, stated that the above members were in attendance and there was a quorum present.

Public Comments

1. Diane Lauricella, Blue Mountain Road, Norwalk spoke on the goals for the Mayor's Energy Task Force, and her expertise and involvement on solar energy and green building incentives. She noted that while she strongly supports and commends the committee for working on energy efficiency measures to have solar panels, there is a concern for the residents. She noted that it is encouraging to have this happening, but asked to be more involved with the selection process for herself and other committee experts to be included on any marketing approach and City endorsements. She asked to have more than one firm and to have this item tabled for further evaluation to ensure that it is the best program for the residents. She referred to other state programs available that have smart loans and green solarized endorsements by solar engineers. She noted that there needs to be further evaluations, as there are problems and flaws with the system. She noted that she had spoken to Kate Donnelly and wanted an actual comparison of the programs and an analysis of the results of other towns and their experiences with Direct Energy to serve as a comparison of their services and the outcome of their performance. She asked for a closer following of state programs before the release a City endorsed marketing program. She noted that this is being pushed through too quickly and we need to take a step back and to include her and her experience to provide input with the evaluations and to be included in the meetings.

Old Business

Mayor's Energy Task Force:
Review recommendation to collaborate with Direct Energy Solar on the marketing of the Norwalk Solar Challenge initiative and refer the following to the Common Council:

> Authorize the Mayor, Harry W. Rilling, to execute an agreement with Astrum Solar, LLC d/b/a Direct Energy Solar to promote installation of solar energy systems with Norwalk homeowners and small businesses under "The Norwalk Solar Challenge" program. Direct Energy Solar will be responsible for all marketing costs and provide the City with a sample solar photovoltaic system at no cost to the City (location details to be agreed upon). Agreement period shall be for one year.

Mr. Bonenfant reviewed the background on the item and noted the process of interviewing several firms throughout the RFP process. He spoke on the goal of recommending a firm to partner with the City in a solar marketing approach for residents and asked Mr. Kydes to provide the details on how the item was vetted.

Mr. Kydes referred to the supporting documentation and outlined the goals of the Mayor's Energy Task Force to increase public awareness of benefits of solar energy and to encourage installation of photovoltaic systems. He explained that they reached out to Purchasing for RFP for companies to collaborate with the City on the marketing of solar panel installation to vet the firms to provide a no fault endorsement measure for protection of residents.

Mr. Goldberg provided a presentation and distributed copies to the Committee members. Comments and questions from committee members were fielded by representatives of Direct Energy Solar on the size of the panels, direction placement and wattage, the type of module and the directional placement and comparisons with other cities.

Mr. Kydes reviewed the benefits and the incentives of Direct Energy and summarized:

- The City's responsibilities are limited to supporting Direct Energy Solar marketing efforts and in return, the City will receive up to a 5 kW photovoltaic system to be installed at a City facility. Homeowners and small businesses will receive the following benefits as part of the consolidated purchasing efforts:
  - Competitive installation pricing at $3.30 per watt. A typical home would support a system between 5,000 watt (5 KW) to 7,000 watt (5 KW);
  - First 20 homeowners will receive an additional $500 discount;
  - A free Nest Thermostat for everyone who signs a contract;
  - Every system comes with a 90% production guarantee and a 120-day install guarantee; a 10 year workmanship warranty and free online performance monitoring.
  - Quality equipment: Solar modules — 25 year warranty
    Inverter — 10 year warranty
    Roof racking — 10 year warranty
    Monitoring - 2 to 5 year depending on equipment
- Homeowners interested in solar system will contact Direct Energy Solar through contact information provided. Direct Energy Solar will provide initial remote site assessment based on satellite image and followed by an on site visit with the homeowner. The representative will confirm the solar quality of the home and provide the homeowner with detailed description of the equipment, process, available incentives, funding options and end cost to the homeowner. Direct Energy Solar will provide information regarding third party energy lease and loan programs available as they are not funding provider.
- The City will not be receiving any financial benefits from each homeowner who signs up with Direct Energy Solar; and the City will not be providing any financial incentive to this program. The City's role is to help market solar energy with a company which has gone through the City's proposal/review process and thereafter. The City has determined that Direct Energy Solar offers a quality product and competitive pricing. The decision to purchase and the method of financing the purchase of a solar system rest solely on the individual homeowner.

Mr. Bonenfant stated that if promotional materials using the City of Norwalk Energy Task Force endorsement, after the agreement expired, would have to be destroyed so that they could not be distributed. He expressed a concern over how the printing and inventory of materials should be managed to avoid misuse of the promotion arrangements. Mr. Bonenfant believes that Energy Task Force logo to be used instead of the City Seals.

Ms. Bowman asked about the wording on the contract and promotional materials be done in a general or broad terms of service rather than time specific. Mr. Lo noted that the contract is being routed to the Legal Department for the standard review process. Ms. Bowman suggested to include "2016" to accompany the use of the Energy Task Force logo.

There was discussion on the term of the agreement, and if it should be for one year or six months. Mr. Lo explained that considering the time in the development and advertising cycles, one year should be the minimum term. Mr. Lo also agreed to follow-up with the Law Dept. to include the logo requirements, termination provision and that the solar panel location to be determined by the Land Use and Building Management Committee.

Mr. Kimmel suggested that the note of location be determined be changed to reflect as agreed upon, and the date clauses follow recommended legal wording and incorporate the conditions as agreed upon.

** **MR. BONENFANT MOVED TO APPROVE AND FORWARD ON TO THE COMMON COUNCIL TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH ASTRUM SOLAR, LLC D/B/A DIRECT ENERGY SOLAR TO PROMOTE INSTALLATION OF SOLAR ENERGY SYSTEMS WITH NORWALK HOMEOWNERS AND SMALL BUSINESSES UNDER "THE NORWALK SOLAR CHALLENGE" PROGRAM. DIRECT ENERGY SOLAR WILL BE RESPONSIBLE FOR ALL MARKETING COSTS AND WILL PROVIDE THE CITY WITH A SAMPLE SOLAR PHOTOVOLTAIC SYSTEM AT NO COST TO THE CITY (LOCATION DETAILS TO BE DETERMINED BY THE LAND USE AND BUILDING MANAGEMENT COMMITTEE). AGREEMENT PERIOD SHALL BE FOR ONE YEAR.**

** **MOTION PASSED UNANIMOUSLY.**

BOARD OF EDUCATION

Review request for textbook purchases and refer the following to the Common Council for action:

Authorize the Purchasing Agent to issue Purchase Orders to Houghton Mifflin Harcourt for K-5 Math Textbooks in the amount of $17,362.64 and an order to Follett for $17,594.05. (Total $34,956.69) Account #09155010-5777-C0538.

Authorize the Purchasing Agent to issue Purchase Orders to Houghton Mifflin Harcourt for English Language Arts Textbooks in the amount of $16,076.50 and to Pearson Education for $7,733.07. (Total $23,809.57) Account #09155010-5777-C0538.

Mr. Hamilton referred to the supporting documentation and explained his memo as follows:

...At it's meeting of November 25, 2014, the common Council approved an order to Houghton Muffin Harcourt for NPS K-5 math textbooks for a total amount not to exceed $386,396 with a contingency of $15,455. The Council also approved the purchase of textbooks for NPS K5 English Language Arts for a total of $299,765 with a contingency of $11,990. He explained that the orders were placed and the textbooks were received with purchases based on anticipated enrollment at the time; and there is now an enrollment increase requiring additional textbooks.

There was discussion on why other areas would not need additional textbooks. Mr. Hamilton explained that with the roll out of Common Core Standards, there were textbooks purchased. He then outlined how funds were budgeted in the 2013-14 and 2014-15 budget. He further explained that this is due unexpected enrollment increases at the start of the 2015-2016 school year, and additional textbooks are needed, with a breakdown as follows: K-5 Math: a total of $34,956.69 - English Language Arts: a total of $23,809.57 is required.

Mr. Kimmel asked about the bid and state approved vendor list versus quotes from the publisher. He shared his experiences on how capital budgeting for textbooks is done and why this Committee has oversight. Mr. Kimmel explained that for typically City capital budget projects, the details of projects are submitted to Committee once the capital budget process is approved so that the project would be adequately reviewed by the appropriate Council Committee.

Mr. Bonenfant explained the history of budget battles at City Hall with parent outcries for funding of books which the City funded the Board of Education through the operating budget. Unfortunately, in order to assure that appropriated funds were used to purchase textbooks, the City decided to fund books through the capital budget.

Mr. Creller stated that he did agree with that situation that occurred with the operating budget crises in the past.

There was further discussion on per pupil allocation and textbook leasing agreements as a way to address capital budget funding.

**** MR. BONENFANT MOVED TO AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO HOUGHTON MIFFLIN HARCOURT FOR K-5 MATH TEXTBOOKS IN THE AMOUNT OF $17, 362.64 AND AN ORDER TO FOLLETT FOR $17,594.05.**
ACCOUNT #09155010-5777-C0538, TOTAL OF $34,956.69 AND TO AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO HOUGHTON MIFF/IN HARCOURT FOR ENGLISH LANGUAGE ARTS

TEXTBOOKS IN THE AMOUNT OF $16,076.50 AND TO PEARSON EDUCATION FOR $7, 733.07. ACCOUNT #09155010-5777-C0538 FOR A TOTAL OF $23,809.57.
** **MOTION PASSED UNANIMOUSLY.**

MISCELLANEOUS DISCUSSION ITEMS

Overview of Land Use and Building Management Committee &
Land Use and Office of Building Management's roles and responsibilities.

Mr. Lo provided a chart of the areas of responsibility of the Land Use & Building Management staff for City buildings, capital improvement projects, school renovations, building improvement, land use and property lease requests, and Board of Education funded capital budget oversight.

There was discussion on the process for approvals and procedures for operation.

Other Business

Mr. Livingston asked the committee members how they felt about the meeting times and there was a discussion on schedules.

** **MR. BONENFANT MOVED TO SUSPEND THE RULES TO ADD THE FOLLOWING ACTION ITEM ON THE AGENDA:**
MEETING CALENDAR FOR 2016.
** **MOTION PASSED UNANIMOUSLY.**

Meeting Calendar and Schedule for 2016.

Mr. Livingston outlined a recommendation for meetings to be held on the first Wednesday of each month at 7:30 p.m. at City Hall. Mr. Lo suggested that the location could include meetings to be held at the site of building renovations such as schools or other buildings where projects are taking place.

** **MS. BOWMAN MOVED TO APPROVE THE PROPOSED SCHEDULE OF MEETING DATES AND TIMES FOR 2016 FOR MEETINGS TO BE HELD ON THE FIRST WEDNESDAY OF EACH MONTH AT 7:30 P.M.**
** **MOTION PASSED UNANIMOUSLY.**

Adjournment

** **MR. KIMMEL MOVED TO ADJOURN.**
** **THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,
Marilyn Knox, Telesco Secretarial Services

NORWALK on the move

DEPARTMENT OF PUBLIC WORKS

TO : MEMBERS OF LAND USE AND BUILDING MANAGEMENT COMMITTEE
MEMBERS OF NORWALK FACILITIES CONSTRUCTION COMMISSION

FROM: ALAN LO, BUILDINGS AND FACILITIES MANAGER AL

RE : NORWALK EARLY CHILDHOOD CENTER (NECC)– APPROVAL OF CONTRACT AMOUNT

DATE: JANUARY 15, 2016

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The City of Norwalk, in conjunction with Norwalk Public Schools, is proceeding with the implementation of the Norwalk Early Childhood Center (NECC) development project at Roosevelt Center. At the present time, Roosevelt Center is occupied by Norwalk Senior Center and Norwalk Recreation and Parks Department for its recreation programs. NECC will be occupying the spaces previously occupied by Tumble Bugs Childcare Center.

Norwalk Public Schools currently operates a 50/50 Pre-K program which is comprised of eight classrooms housed in five of our elementary schools. This model is a half day program of instruction and support services for students with "special needs" as required under the IDEA federal Special Education law, and provides an inclusive environment with "typical" peers who are tuition paid. A centralized facility will provide consistency of program and the consolidation of services resulting in a better use of resources with an ultimate goal of providing a PK-12 education for special needs students within the Norwalk Public Schools in the least restrictive environment. Equally important, the relocation of the existing Pre-K program from existing elementary schools will recapture valuable spaces in meeting elementary student enrollment and program needs for the 2016 fall semester.

The proposed six renovated classrooms will have a maximum capacity of 18 students per classroom. It is anticipated that these six classrooms will have the capacity to accommodate students from eight existing classrooms in the school system as these classrooms are not fully occupied.

The scope for the proposed 6 classrooms renovation project consists of the following:

Classrooms will be remediated of environmental hazardous materials. New floors, ceiling and lighting will be installed. Existing millwork will be removed. Each classroom will have direct access to toilet facilities and each classroom will have its own double sinks. Classrooms will be painted.
Hallways will be remediated and new floor tiles, ceiling tiles and light fixtures will be installed. Walls will be painted.
Other Facilities shall include main office, conference room, ADA compliance adult bathrooms, 8 Therapy Rooms and nurse's office. The existing gym will serve as active play area and available for multipurpose functions as well as the location for sensory gym equipment.
Building Exterior improvement shall include replacement of deteriorated wood façade and door/frame. A modest entrance lobby will be created in the area of the existing canopy. A handicap ramp will be constructed for ADA accessibility.

In terms of project budget, the following is a summary of approved funds from the following City accounts together with City's interim funding to cover "Projected" State reimbursement for eligible improvements:

#09155010 5777 C0555	- approved previous unexpended funds	$ 771,000
#09155010 5777 C0555	- approved special appropriation	$ 880,000
#09045010 5777 B0291	- balance in unassigned school construction funds	$ 316,777
#030000-2633	- Roosevelt Center Reserves for Replacement account	$ 164,564
#09155010 5777 C0537	- NPS security improvement account	$ 103,848
#09165010 5799C0555	- Special Appropriation to cover Estimated State Reimbursement share (Approval in progress)	$ 756,068
	Total project budget	**$2,992,257**

The current construction budget includes soft and hard construction costs as well as FF&E and security enhancement. IT Equipment, sensory gym equipment and new playground are currently NOT included in this budget. I am in continued conversation with Norwalk Public School staff to identify other source of funding for these items.

The projected State reimbursement is based on 32.86% of eligible improvements. We are projecting that the reimbursable amount to be approximately $756,068. The actual amount of reimbursement will NOT be determined until final audit which will happen about 2 years after the completion of the project.

In the fall of 2014, the City issued a Request for Proposals (RFP) for construction management services for this project. The Common Council awarded the contract to AP Construction, a Construction Management (CM) firm located in Stamford. At the time, AP Construction successfully completed the Naramake School Improvement Project and they were engaged in the construction phase of Rowayton School Improvement Project. Construction managers provide professional services to the City as an owner representative and construction administrator. Their scope of services includes preconstruction services, preparation of bid packages, administration of the bidding process and execution/management of contracts with trade contractors.

This project was approved by the State in early December 2015 to go out for bids. Immediately thereafter, we completed the bid package and advertised the project. This morning, the City/AP Construction received bids and attached is the summary of the bids and our tentative Guaranteed Maximum Price (GMP). Since we just received the bids this morning, I will be working with AP Construction in the next couple of days to refine the cost breakdown and I will provide an updated GMP at our Special Meeting on January 20, 2016.

In terms of schedule, AP Construction will start demolition and hazardous material remediation in February immediately after an Amendment to AP Construction's contract is executed. AP Construction is projecting the work will take about 7 months and therefore, we have a great challenge in front of us to complete this project by mid August 2016.

ACTION REQUESTED:

Authorize the Mayor, Harry W. Rilling, to execute an Amendment to A.P. Construction Company's contract as the Construction Manager (CM) for the Norwalk Early Childhood Center project at 11 Allen Road. Terms of the agreement shall include the following:

Total Trade Contractors' Costs	**$ 1,646,847**
CM Fees (3% of total trade costs)	**$ 59,749**

CM Contingency (3% of total trade costs)	**$**	**78,877**
CM General Conditions Fees	**$**	**336,599**
Additional Bond and Insurance Costs (over $1.2)	**$**	**16,825**
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NECC

NECC PROJECT GMP 1/15/2016

		GMP		
CONSTRUCTION BUDGET		**1/15/2016**		
BID RESULTS		$1,646,847		
ESTIMATING/DESIGN CONTINGENCY 2.5% ($38,477)		$0		
ESCALATION ($144,507)		$0		
SECURITY BUDGET ($103,848)		$0		
GENERAL TRADES		$72,639		
CM CONSTRUCTION CONTINGENCY 3%		$78,877		
CM GENERAL CONDITIONS		$336,599		
CM FEE 3%		$59,749		
INSURANCE ADDITIONAL (OVER $1.2M) 1.1%		$8,613		
ADDITIONAL BOND (OVER $1.2,) .095%		$8,212		
TOTAL CONSTRUCTION BUDGET		**$2,211,536**		
CITY OF NORWALK "SOFT" COSTS				
OWNER CONTINGENCY 5%		$103,630		
ARCHITECT FEE & REIMBURSABLES & AMMENDMENT #2		$156,880		
ENVIRONMENTAL DESIGN FEES		$3,110		
ENVIRONMENTAL MONITORING		$10,000		
PERMIT FEE (assume 1.6%)		$33,162		
SITE SURVEY		$0		
SPECIAL INSPECTIONS/TESTING		$0		
FF&E		$161,152		
AS-BUILT SURVEY		$1,000		
INSURANCE - BUILDERS RISK		$0		
PRE-OCCUPANCY CLEANING		$3,000		
PRINTING OF BID PACKAGES (ALLOWANCE)		$2,000		
PRECONSTRUCTION FEE		$3,000		
CITY -MUNICIPAL AREA NETWORK TO ROOSEVELT CENTER		$50,000		
ADVERTISING		$2,643		
TOTAL SOFT COSTS		**$529,577**		
TOTAL PROJECT BUDGET		**$2,741,113**		

1/15/2016
NECC
Bid Trade Package Results total bid day

Trade Package	Budget	Low Bid
2.01 Haz-Mat / Demolition	$224,035	$194,500
2.02 site & concrete	$74,663	$68,707
8.01 Alum. Storefront, windows	$72,420	$140,465
9.01 General Trades	$303,391	$411,281
9.02 ceramic & flooring	$98,175	$107,200
9.03 Paint	$53,875	$37,970
22.01 plumbing	$155,985	$160,000
23.01 HVAC	$179,890	$177,724
26.01 electrical	$303,997	$349,000
Total	**$1,466,431**	**$1,646,847**
security budget	$103,848	
escalation	$144,507	
estimating contingency	$38,477	
Total	**$1,753,263**	**$1,646,847**