



**Office of the Board of Selectmen  
2 Town Hall Road, Newton, NH 03858  
Tel: 382-4405 ext. 10 \* Fax 382-9140**

[www.newton-nh.gov](http://www.newton-nh.gov)

**NEWTON BOARD OF SELECTMEN**

**DATE: MONDAY, JUNE 12, 2017**

**TIME: 5:30PM**

**LOCATION: NEWTON TOWN HALL, 2 TOWN HALL ROAD**

**PUBLIC MEETING MINUTES**

**I. Call to Order**

Chairman Burrill called the meeting to order at 5:37pm. In attendance were Selectmen, Matthew A. Burrill, Chairman, Selectmen Lisa L. Gonyer, Vice-Chairman, Robert S. Donovan Jr., James L. Doggett; Nancy J. Wrigley, Town Administrator and Diane M. Morin, Selectmen's Secretary. The non-public meeting was audio taped. The public meeting was audio and video taped; the public and the non-public minutes were transcribed and typed by Diane M. Morin. Selectman Lawrence Foote joined the non-public session at 7:00pm via phone. No other persons were present in the room where Selectman Foote was located.

**II. Scheduled Business**

**A. Interviews for Construction Manager position**

Chairman Burrill explained the process that the Board will follow for tonight's meeting. Each Company will be asked questions by the Board and allowed to answer. Once the interview is concluded they are allowed to remain but it is not necessary. After all the interviews are completed, the Board will discuss in a nonpublic session each applicant. Once a decision is made the applicants will be notified.

**Eckman Construction Company**

The first Company to be interviewed was Eckman Construction Company. President Preston Hunter provided the Board with a brief summary of the Company's experience with project such as the Fire Station building projects. He introduced the members of his team and provided a summary of each individuals qualifications. The Company has a large sub-contractor database that they utilize for their projects.

Selectman Doggett asked how the Company will handle public safety, language and cleanliness at the site. The Company representative responded that public safety is a top priority for the Company. There are ways to secure the site for safety.

Selectman Donovan asked if the Company has a Safety Officer. The Company representative responded that they have a 3<sup>rd</sup> party as well as a member on staff to monitor the site.

Chairman Burrill asked if Eckman Construction Company was chosen for the project, what would be their schedule. The representative responded that it is hard to determine without having the drawings or speaking with the Architect or the Civil Engineer. Chairman Burrill followed up asking if the Company has other projects that would delay the start of the Town's project. The representative responded with a no, the Company has enough resources to draw upon.

Selectman Doggett asked how often should the Board except progress reports. The representative responded that the Company can update the Board however the Town needs. Selectman Doggett followed up asking how the Company handles change orders, wrong concrete or issues with the pre-fab building that would affect the schedule. The representative responded that they are not afraid to reject the concrete if it does not meet the specifications. They will work with the Board to lessen the effect that change orders can have on the project. They will work closely with the liaison to communicate quickly any issues that need to be brought before the Board.

Selectman Donovan asked how change orders are handled. Do they use the time and materials method or provide the Board with estimates? The representative responded that if the need is critical they will use time and materials and bring it to the Board. The representative recommends estimating the cost of the change order over time and materials.

Chairman Burrill asked what portion of the work force will be used by the Company's staff. The representative informed the Board that the majority of the work force is done by sub-contractors. Chairman Burrill followed up asking how they determine which sub-contractors to use. The representative responded that the Company has a large database of sub-contractors that they draw from. Local sub-contractor will be vetted and utilized whenever possible.

Selectman Gonyer asked how many projects came in at, under, or over budget. The representative informed the Board that all the recent municipal projects have come in under budget. Selectman Gonyer followed up by asking if they were able to stay within the Guaranteed Maximum Price (GMP). The representative stated they stayed within the GMP.

Selectman Doggett asked if the sub-contractor is unexpectedly unavailable can they backfill. The representative stated that they will first try to work with the sub-contractor and if necessary bring a different sub-contractor in.

Selectman Donovan asked if there is a delay due to weather or other issue, will the crew work to ensure the schedule is met. The representative stated yes, they would work if needed as long as safety is not jeopardized.

Selectman Gonyer asked if a March 2018 completion date would be possible. The representative responded that without the drawings it would be hard to determine if a March 2018 completion date is possible. Selectman Gonyer re-phrased the question to

ask when they would need to meet with the Architect in order to meet the March 2018 completion date. The representative responded that if they started in September 2017 they should be able to complete the building by March 2018. The paving would not be completed until the later in the spring of 2018.

Chairman Burrill asked if the Company would like to make a final statement. The representative expressed the desire to work with the Town. They are a large Company that can work on smaller projects such as the Fire Station building.

Chairman Burrill thanked Eckman Construction Company for speaking with the Board.

Chairman Burrill recessed the meeting at 6:05pm to allow the Berkeley Construction Company representatives to arrive at their scheduled time of 6:15pm. Chairman Burrill continued the meeting at 6:13pm.

### **Berkeley Construction Company**

Chairman Burrill invited the representative from Berkeley Construction Company to address the Board. Mr. Patrick Kelly, Vice President of the Company addressed the Board. He introduced the members of his team that were present. The Company has a main office in Reading, MA and an office in Portsmouth, NH. Mr. Kelly is also a resident in Town. They are a full-service Construction Management Company and have worked on a variety of projects.

Selectman Doggett asked how the Company will handle public safety, cleanliness and language at the site. Mr. Kelly stated that they would ensure public safety. The site would be maintained to ensure safety. He stated a clean site is a safe site.

Selectman Gonyer asked when would they need to start in order to meet a March 2018 completion date. Mr. Kelly stated the project could be completed within 5 months so they would need the drawings by fall of 2017.

Chairman Burrill asked if there are other projects that would delay this one. Mr. Kelly stated they have corporate resources available to complete the project on time.

Selectman Donovan asked if the Company has a Safety Officer. Mr. Kelly affirmed that the Company has a corporate Safety Officer that will visit the site once a month. If there is an issue they will consult with an outside safety company.

Selectman Doggett asked how the Company handles change orders, wrong concrete or issues with the pre-fab building that would affect the schedule. Mr. Kelly would contact the manufacturer if the issue is with a pre-fab building and work to resolve the issue quickly.

Selectman Gonyer asked if the Company has worked on any other municipal projects.

Mr. Kelly responded that they do not have much experience working with municipalities as other companies. The Company did work with Barrington NH to complete a project there.

Selectman Donovan asked how change orders are handled, time and materials or estimates. Mr. Kelly stated that an internal estimate will be done first and that will determine whether a time and materials or estimate will be done. They can do both time and materials with a clause not to exceed or lump estimate sum depending on the Board's needs.

Chairman Burrill asked what portion of the work force will be used by the Company's staff. Mr. Kelly responded that most of the project will utilize sub-contractors. Chairman Burrill followed up asking how they could include Newton based sub-contractors. Mr. Kelly stated that they would use the sub-contractor pool. If a local sub-contractor places a bid on a job, they will vet the sub-contractor to ensure they are qualified for the job.

Selectman Doggett asked how often should the Board expect progress reports. Mr. Kelly recommends a once a week meeting but will do what the Board requires. They will attend a Board meeting when they are asked to.

Selectman Gonyer asked how many projects came in at, under, or over budget. Mr. Kelly responded that the projects are done as a GMP proposal.

Selectman Donovan asked if there is a delay due to weather or other issue, will the crew work to ensure the schedule is met. Mr. Kelly stated that the Company does not miss dates. If they need to work on weekends or late days they will to complete the job.

A representative from the Company further added that they can utilize the corporate resource should the need arise. The staff remains on the project until it is completed. Safety is a top priority for the Company.

Mr. Emil Frei, President of Berkeley Construction Company, addressed the Board. He stated that the Company has work experience with the Federal Government. The Company has a lot of repeat customers.

Chairman Burrill thanked Berkeley Construction Company for speaking with the Board. The Board hopes to make a decision quickly, possibly as soon as this week.

Chairman Burrill recessed the meeting at 6:26pm to allow the Eastern Seaboard Concrete Construction Company representatives to arrive at their scheduled time of 7:15pm.

Chairman Burrill continued the meeting at 6:31pm

### **Eastern Seaboard Concrete Construction Company**

Chairman Burrill invited the representative from Eastern Seaboard Concrete Construction Company to the address the Board. Mr. Michael Pivero, President, addressed the Board. Mr. Pivero stated that the Company has been in business for 34 years and that he is a long-time resident of Newton, NH. The Company work experience is very diverse with project dollar amounts ranging in the millions. The Company does a lot on in-house work.

Selectman Doggett asked how the Company will handle public safety, cleanliness and language at the site. Mr. Pivero addressed the language question first. Mr. Pivero does not see this as a major issue. There are rules in place to address this issue. He then addressed the public safety. There should not be an issue as the site is set back off the road. He recommends posting pictures of the progress on the town web site.

Selectman Gonyer asked how many projects came in at, under, or over budget. Mr. Pivero responded that it depended on the project if the budget was met, exceeded or under. This project does not have any room for going over budget. Should an issue occur, he would bring it to the Board's attention in order to resolve the issue quickly.

Selectman Donovan asked if the Company has a Safety Officer. Mr. Pivero stated that the Company holds a "Tool Box" meeting once a week on site and is run by the Forman or Supervisor. The Company does have a Safety Officer and policies in place.

Chairman Burrill asked what portion of the work force will be used by the Company's staff. Mr. Pivero explained that if the project was a calling for a General Contractor, the Company would be able to perform 50+% of the work. Because it's a Construction Manager project, the work needs to go out for bid. The Company is capable of performing 50-60% of the project.

Chairman Burrill asked how would the Company handle getting bids from local sub-contractors. Mr. Pivero answered that the Company will solicit bids from local sub-contractors whenever possible.

Selectman Doggett asked how the Company handles change orders, wrong concrete or issues with the pre-fab building that would affect the schedule. Mr. Pivero would not do a change order without the Board's approval. Should a problem occur with the concrete the truck would be sent back to the plant. If a problem arises with the pre-fab building, the Company would contact the manufacturer and work to resolve the issue.

Selectman Doggett followed up asking how soon would the Board be notified of such an issue and its effect on the schedule. Mr. Pivero explained that some matters are out of the Company's prevue. Without the drawings, it would be hard to say how the project schedule would be effected.

Selectman Gonyer asked when would they need to start in order to meet a March 2018 completion date. Mr. Pivero does not believe that the entire project would be completed by March 2018. The building would most likely be ready for occupancy but the site work, such as, paving, landscaping etc... would not be completed by end of March

2018. Selectman Gonyer followed up by asking, if the project could be completed by April 2018, when does Mr. Pivero need to meet with the Architect and Civil Engineer. Mr. Pivero stated next Monday or as soon as possible.

Chairman Burrill asked if there are other projects that would delay this one. Mr. Pivero stated that the Company does not have any conflict.

Selectman Donovan asked how change orders are handled, time and materials or estimates. Mr. Pivero answered that either will do but recommends using the estimate lump sum is better.

Selectman Donovan asked if there is a delay due to weather or other issue, will the crew work to ensure the schedule is met. Mr. Pivero stated the Company will work long days and weekends if needed. If the building is weather tight by November, 2017, the project would be able to move forward more efficiently.

### **Nonpublic Session under RSA 91-A:3 II (c)**

**Selectman Doggett moved to go into non-public session at 6:53pm under RSA 91-A: 3 II (c)- Reputation. Seconded by Selectman Donovan with a unanimous roll call vote: Burrill – aye, Gonyer – aye, Donovan – aye, Doggett – aye.**

**Selectman Doggett moved to close the non-public at 7:26pm. Seconded by Selectman Gonyer with a unanimous roll call vote: Burrill – aye, Gonyer – aye, Donovan – aye, Doggett – aye**

**Selectman Gonyer moved that the Board just came out of a non-public session under RSA 91-A: 3 II (c) and that they keep all matters discussed confidential until in the opinion of the majority of the Board the circumstances no longer apply. Seconded by Selectman Doggett with a unanimous vote**

III. Adjourn

**Selectman Doggett moved to adjourn at 7:27pm. Seconded by Selectman Gonyer with a unanimous vote.**

Respectfully submitted,

Diane M. Morin  
Board of Selectmen Secretary