

# Minutes

## School Building Committee (PK-8 Project)

Tuesday, January 17th, 2023

Remote/Hybrid Meeting

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**Present:** Tom Brown, Allison LeClair, Dayle Doiron, Pat Brough, Larry Carnes, Mike Owens, John Atwater, Cynthia Kwiecinski, Shannon Dunham, Mayor LaChapelle, Judy Averill, Debora Lusnia (5:20pm), Marin Goldstein (Est 5:20pm)

Tim Alex (Colliers), Adam Dalessio (Colliers), Bert Gardner (Caolo & Bieniek)

### **Tom Brown called the meeting to order at 5:02pm**

#### **Minutes Approval:**

Minutes: September 27, 2022

Motion to approve: Allison LeClair

Second: Mike Owens

Motion passed: unanimous

(Pat Brough Abstained)

#### **Public Comment:**

None

#### **Financial Update:**

##### **Adam Dalessio – Colliers**

-17 change orders to date with Fontaine

-Total contract value of \$88,135,800

-FFE: \$2,993,300

-Contingency: \$372,900 (\$135,000 of that Covid brick delay - pending)

-Remaining balance: \$732,700 (after contingency and pending items)

Still in good shape.

Theoretically, about one million under budget right now.

#### **PCO 225- Additional Gym Scoreboard:**

Request was made for a second scoreboard for the gym

Estimate from Fontaine: \$19,860

Bert Gardner: Seems like a premium price due to the fact that the installation is happening after construction is complete.

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Allison LeClair suggested purchasing a portable scoreboard (estimated cost \$500 - \$1,000).

Motion to purchase a portable scoreboard: Cindy Kwiecinski

Second: Shannon Dunham

Motion passes: unanimous (Deb Lusnia, Marin Goldstein - not present for the vote)

**Punch List Update: Bert Gardner – Caolo & Bieniek**

- His office has completed the whole punch list on the building.
- Fontaine handed back a “a back punch”
- They addressed a number of items – there is a handful still not complete
- The value of the outstanding items is approx. \$75,000

Next Steps:

- Caolo & Bieniek to review the monetization that Fontaine has assigned to the open items to be sure they agree
- Caolo & Bieniek will make sure the work they say has been completed has actually been completed to their satisfaction

Discussion:

- Still have some roof leaks (Bert Gardner: fairly common with new bldgs.)
- Some water running down the face of the building (Fontaine will provide a second mock-up for a solution)
- No interior damage (if it were to occur – would be repaired)
- Warranty – 1 year from “substantial completion”
- Haven’t declared substantially complete yet (not until Larry Carnes has full control of the building management system). So, 1 year warranty hasn’t started yet.
  
- Mayor: Roadway that needed to be fixed is still pooling substantially
- Bert Gardner: Will look into it

**Sub-Contractor Violations discussion:**

Received a letter from Office of Attorney General (see attached file) notifying us that one of the sub-contractors on our project failed to follow prevailing wage laws on a different project. Harold Brothers, Mechanical Contractors, were fined for:

- 1.Failure to submit true and accurate payroll records
- 2.Failure to pay proper overtime rates

The letter was sent to anyone who used them as a subcontractor.  
The vendor is disputing the information in the AG’s letter.

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**Other Business:**

-The maintenance building is 95% done.

-The sign at the front entrance should be functioning this week

-EV Chargers are not up and running.

The project paid to install but doesn't pay to turn them on.

The school department has to pay for the electricity and does not have a budget for that. Estimated annual shortfall is \$8,000.

Solar on the building will not cover the cost of the chargers.

-We don't currently have an interconnection agreement for those chargers.

Allison LeClair will have Nick Bernier reach out to Mike Owens about that.

**Possible Next Meeting:** Tuesday, 2/28/23, 5:00pm - Hybrid

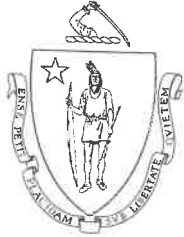
Meeting location: second floor conference room at 50 Payson.

**Adjourn:** Motion: Pat Brough

Second: John Atwater

Motion passed unanimously at 5:39pm

Respectfully submitted,  
Debora Lusnia



THE COMMONWEALTH OF MASSACHUSETTS  
 OFFICE OF THE ATTORNEY GENERAL  
 ONE ASHBURTON PLACE  
 BOSTON, MASSACHUSETTS 02108

MAURA HEALEY  
 ATTORNEY GENERAL

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 www.mass.gov/ago

December 22, 2022

Nicole LaChapelle, Mayor  
 City of Easthampton  
 50 Payson Avenue  
 Easthampton, MA 01027

Dear Mayor LaChapelle:

The Massachusetts Prevailing Wage Laws establish minimum wage rates for workers on public works projects. The prevailing wage rates include the basic hourly pay and payments to certain fringe benefit plans by employers. The laws apply to all covered public works projects in your city, regardless of the cost or size of the project and apply to projects that are exempt from bidding requirements.

The contractor listed below was cited by the Office of the Attorney General for work performed during 03/23/2019- 03/26/2022 on the Maple Elementary School public works project, as well as work performed on other public projects during said time. The General Contractor for this project was: Consigli Construction Company.

**Employer Name:**

**Business Name:**

Harold Brothers  
 Mechanical Contractors 44 Woodrock Road Weymouth MA 02189  
 Inc.

have been cited following violation(s) of Massachusetts General Law:

Violation Code	Violation Description	Violation Beginning	Violation End	Restitution Owed	Penalty Owed
149.27B-(B)	Failure to submit true and accurate certified payroll records to the awarding authority on a weekly basis for work performed from [DATE] to [DATE] on the following public works project in Massachusetts [TEXT]	3/23/2019	3/26/2022		\$2,000.00
151.1B	Failure to pay proper overtime rate for hours	3/23/2019	3/25/2022	\$22,856.51	\$5,000.00

worked in excess of forty  
from [DATE] to [DATE]

Information regarding the above-listed citation(s) will be posted to the Attorney General's Office/Fair Labor Division's website: [www.mass.gov/ago/fairlabor/data](http://www.mass.gov/ago/fairlabor/data) (scroll to *Fair Labor Division enforcement data* section).

This correspondence serves as a reminder that with regard to projects covered by the prevailing wage laws, every awarding authority should:

- Request official prevailing wage rate schedules from the Executive Office of Labor and Workforce Development, Department of Labor Standards (DLS) before bids or quotes are solicited for public works projects.
- Make copies of the wage rate schedule available (free of charge) to all bidders or persons providing price quotes. Since DLS does not issue wage rate schedules directly to contractors, the awarding authority must provide them to all bidders.
- Review all bids carefully to ensure that bidders are accounting for the payment of prevailing wage rates in their labor costs.
- Include the wage rate schedule in the contract, once a contractor has been selected.
- Ensure that no contractor with whom you are contracting is debarred from engaging in public work. Check the Attorney General's debarment list at [www.mass.gov/ago/fairlabor/data](http://www.mass.gov/ago/fairlabor/data).
- Monitor the contractors' compliance with the prevailing wage laws. For construction projects, the prevailing wage rate schedule must be posted in a conspicuous location at the job site. Weekly certified payroll records (CPRs) must be collected from all contractors (and subcontractors) and kept on file. Please notify the Attorney General's Fair Labor Division if contractors fail to comply with these provisions or if you believe that a contractor is not paying prevailing wages.

For future prevailing wage projects, please be advised that under certain circumstances, workers who are not paid the proper prevailing wage rate for all hours worked have a right of action against the city or town to recover said wages in accordance with M.G.L. c. 149, §28.

Should you have questions about awarding authority and/or contractor requirements under the prevailing wage laws, please visit: [www.mass.gov/ago/fairlabor](http://www.mass.gov/ago/fairlabor).

Sincerely,

Joseph Drzyzga  
Inspector II  
Fair Labor Division  
(413) 523-7729  
[Joseph.Drzyzga@mass.gov](mailto:Joseph.Drzyzga@mass.gov)

*Encl.: The Massachusetts Prevailing Wage Laws – An Important Guide for Awarding Authorities  
The AGO Prevailing Wage Law Overview webinar flyer*

CC: Michael Owens, Procurement Officer for the City of Easthampton  
Suzette Waters, Contractor Certification Unit, DCAMM w/out enclosure  
Harold Brothers Mechanical Contractors Inc.  
*Encl.: The Massachusetts Prevailing Wage Laws – An Important Guide for Contractors*