

MINUTES
RYE CITY SCHOOL DISTRICT
BOARD OF EDUCATION SPECIAL MEETING
Central Administration Building
August 2, 2005

The meeting was called to order by Mr. Culyer at 7:01 p.m.. in the conference room of the Central Administration, and the roll was called.

Present

Mr. James Culyer, *President*
Mr. Stephen Feeney, *Vice President*
Mr. Edward Fox
Mr. Joshua Nathan*
Mr. George Pratt
Mr. Robert Zahm

Excused

Ms. Victoria Sterling

And Dr. Edward Shine, Superintendent of Schools

* arrived 7:23 p.m.

Minutes

On a motion by Mr. Pratt, seconded by Mr. Fox and carried 5-0, it was voted to approve the minutes of the July 16, 2005 meeting of the Board.

Milton School Additions and Alterations General Trades Bid

Dr. Shine said that with the default of the original low bidder and subsequent action of the Board on July 16, 2005 (as noted in the July 16th minutes) the District was required to go out to bid again on the General Trades work for Milton School. He said that the bids were opened on Friday, July 29, 2005 at 2:00 p.m. in the presence of legal counsel from Shaw and Perelson and that Melwood Contracting Corporation was the only bidder with a bid of \$3,993,000.00. He noted that in the post-bid submissions Melwood submitted A-/XV payment and performance bonds and the specifications require A/X. He said that Board counsel has indicated that this is a minor irregularity and that the Board can award the bid as recommended.

After discussion with Mr. Valentine and Mr. DiGaetano of Andron, on a motion by Mr. Zahm, seconded by Mr. Pratt and carried unanimously (6-0) it was voted to approve the recommendation that the Board award the General Trades Contract for Milton School to Melwood Contracting Corporation in the amount of \$3,993,000.00, waiving the requirement for A/X payment and performance bonds and accepting A-/XV payment and performance bonds subject to a final review of the remaining post-bid requirements. (Attachment I)

Change Order – Osborn School

Mr. Valentine explained that during the initial phases of excavation for Osborn a dry well was discovered which was not in any of the building plans. He said that the contractor and Andron had discussed the price associated with the additional work to respond to this development and, since the cost is more than \$10,000.00, Board approval was necessary. Board members asked whether the fee being charged was reasonable. It was determined that there had not been time for Andron to review the amount. It was suggested that the Board approve the

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Change Order pending and subject to Andron's reviewing the price and confirming that it is reasonable or negotiating a lower price if in their estimation it is not.

On a motion by Mr. Fox, seconded by Mr. Pratt and carried unanimously (6-0) it was voted to approve Change Order #1 in the amount of \$25,631.00 pending and subject to Andron's reviewing the price and confirming that it is reasonable or negotiating a lower price if in their estimation it is not. (Attachment II)

It was further agreed that Dr. Shine would inform the Board of the response from Andron regarding the price.

Waiving Requirement for Beneway, Inc.

Dr. Shine and Mr. Valentine explained that the bid specifications for plumbing required an A/X payment and performance bonds with a two-year post Substantial Completion extended bonding period. They said that Beneway, Inc. was the low bidder and the Board approved their bid on June 12, but in the post-bid submissions Beneway had submitted an alternate that requires Board approval before the Superintendent can sign the contract. Dr. Shine said that Andron is recommending that the Board waive this requirement and that Board counsel has indicated that it is a minor irregularity. He noted that technically, the Board is asked to waive the A/X payment and performance bonds with a two-year post Substantial Completion requirement and accept the minor irregularity of A/X bonds with a one-year post Substantial Completion extended bond period.

On a motion by Mr. Fox, seconded by Mr. Pratt and carried unanimously (6-0) it was voted to waive Beneway, Inc.'s A/X payment and performance bonds with a two-year post Substantial Completion requirement and accept the minor irregularity of A/X bonds with a one-year post Substantial Completion extended bond period. (Attachment III)

Mr. Valentine then provided a construction update for the Board.

There being no further business, on a motion by Mr. Zahm, seconded by Mr. Fox and carried unanimously (6-0) it was voted at 8:02 p.m. to adjourn the meeting.

Respectfully submitted,

Lynn Ferrari
District Clerk