

Minutes of the Little Compton School Building Committee

December 15, 2009

I. Call to Order – The meeting of the Little Compton School Building Committee was called to order by Chairperson T. Alder at 7:00 p.m. in the Wilbur/McMahon School Commons. A quorum was present.

Members Present: T. Alder, T. Arkins, B. Borden, L. Brousseau-Lebreux, H. Devine, B. Gauthier, J. Gibney, D. Gomez, M. Harrington, D. MacGregor, M. Manning, R. Mushen, J. Osborne, M. Rapp, M. Shapiro, J. Talbot, and D. Wordell

Others Present: Members of the public

Members Absent: D. Freeman, P. Golembeske (alternate), R. Racette, BG Shanklin

II. Approval of Minutes – On a motion made by the B. Gauthier and seconded by D. Wordell, it was voted to approve the Minutes of the November 19, 2009 meeting and the Minutes of the December 2, 2009 workshop.

III. Public Input – Upon a motion made by D. MacGregor and

seconded by D. Wordell, it was voted to move public input after the business of the meeting.

IV. Reports – None

V. Building Committee Business –

a. Open Discussion with RIDE Building Official, Joseph da Silva –

Mr. da Silva, of Rhode Island Department of Education (RIDE), was introduced to the Committee. He distributed and discussed the School Construction Application Process Flow Chart (Appendix A). RIDE approved our Stage I Application with a letter on November 19, 2009 (Appendix B). We are now in the Stage II timeline, which consists of finalizing what the project will be, its cost, and timeframe. We have one year to complete our application and receive approval by the Board of Regents (BOR). The BOR will vote on whether the project conforms to the construction regulations and will issue a Memorandum of Agreement (MOA) with the School District. The MOA is what makes us eligible for reimbursement and includes information such as the cost and date the project will be completed. We then have 6 months to get local approval. The flow chart doesn't include legislative approval, which happens after BOR approval and before local approval. In consideration of when the General Assembly is in session, Mr. da Silva would ideally like the BOR to vote on our application in May, which means we should have it to him for review

beginning in early February. The application could be submitted in installments. If we miss the BOR in May, the next timeframe for state approvals would not be until the fall, which is nearing the one-year deadline.

Mr. da Silva made it clear that this application is not just an administrative process – it is critical that we pick a design and flesh it out at a level of detail such that the cost can be professionally estimated with confidence. Toward that end, the JCJ sketches are not sufficient as a design schematic. Stage II also requires a Feasibility Study, where we must make the case for the concept we are advocating.

After reviewing the process and timeframe, Mr. da Silva proceeded to address questions that had been forwarded to him by the Superintendent in advance. His answers are summarized as follows.

RIDE recognizes and responds to the Building Committee as expert agents of the Little Compton School District. However, the Building Committee is actually chartered by and works for the School Committee, which is the governing body ultimately responsible for the project and certifying that it meets regulations.

The idea of the RIDE process is to be collaborative and involve stakeholders in coming up with the most cost-effective, prudent solution that addresses the physical, educational, and demographic

needs of our school district.

The State would like to see more efficiencies, including regionalization, and provides incentives accordingly. Mr. da Silva said that 30% is the minimum State Housing Aid Reimbursement. If the district regionalizes our high school, for example, we get 2 additional points for every grade, or 8%. There is no bonus for special education regionalization. Regionalization is coordinated through the General Assembly and the process can take years. If we seek such an arrangement and it takes longer than the bonding process, we may be able to work out a deal in our MOA that allows a regionalization reimbursement to apply from the closure point forward. Additionally, we get a 2% bonus for any project with energy conservation, ADA, or asbestos removal. On top of that, we get up to an additional 4% bonus for conforming to the Northeast Collaborative for High Performing Schools protocol.

Mr. da Silva highlighted the learning advantages of improving basic design considerations such as acoustics and a warm, safe and dry environment. He said the Northeast Collaborative for High Performing Schools protocol is a great reference for leading innovations in building design and construction. It was emphasized that any intent to produce an energy efficient school with a state-of-the-art learning environment needs to have these objectives clear in the very beginning of the facility requirements specification. In this way, the district has the greatest ability to build in the good ideas with the

least budget impact. Retrofitting energy savings, acoustic improvements, etc. is guaranteed to be costly.

RIDE has applied for an EPA Grant 'Tools for Schools' that would provide expertise in schoolroom environment design consultancy. Three good examples of energy efficient schools who have won added reimbursement by exceeding the energy standards are: Providence's Career Technical Academy (40%), Nathan Bishop School (40%), and East Greenwich's Middle school (30%). Mr. da Silva referenced a handout on incentives entitled "Summary of Financing Options for New School Construction" (Appendix C).

Interest is also reimbursed at the same percentage as housing aid, but only if financed through RI.

There may be a couple of changes to the Construction Regulations in response to the recently updated Basic Education Program (BEP), but none are substantial. There is also a facilities appendix of the BEP in the works but it will have to go through public process. Mr. da Silva said that RI researched the standards for the Construction Regulations thoroughly and any addition to the BEP will follow from those.

When comparing numbers of private and public school facility costs, it is important to consider 'construction' costs vs. 'project' costs. It is not necessarily the case that public is always more expensive. When

a project was built also matters. Escalation costs now are low, and the industry is hungry, so quotes will be very competitive. Mr. da Silva emphasized that this is an ideal time to build and provided recent examples of pricing. The East Greenwich school bidding was won by Gilbane with a low bid of \$220/ft² for construction of a 100,000/ft² state-of-the-art building. It was estimated to be a \$30 million project and came in at \$22 million. He noted that Gilbane is a firm that does not typically bid on school work. Other bids on that project were \$280/ft², several at \$240/ft², and one at \$220/ft². Design also matters. Foster-Gloucester just built a school for \$180/ft² at the peak of inflation.

Mr. da Silva said that we need to have a qualified estimate that will meet the standards, and include soft costs. Soft costs cannot be reimbursed beyond a maximum of 20% of construction costs and will include expenses such as engineering, furniture, testing, etc.

If a district doesn't want reimbursement it doesn't have to comply with the Construction Regulations, but no one has ever refused housing aid. RIDE's job is to help us through the process so the Regulations are not seen as something insurmountable in order to get the reimbursement.

He cited the letter from the RI Historical Preservation and Heritage Commission (Appendix C) and the need to plan accordingly and involve this organization in the process.

We do not receive housing aid on any grants we may receive from other funding sources, only on the remainder.

There were no project applications in 2008. Right now Mr. da Silva expects 5 or 6 other school district projects and a couple of charter schools to apply in May. In terms of competing with these other schools that are applying for reimbursement aid at the same time, he indicated that applications are categorized by order of necessity only. Priority is given according to clearly-defined criteria with safety, health, and structural integrity at the top of the list.

Mr. da Silva highly encouraged the use of an educational facility planner. He noted that some architects are also educational facility planners.

If renovating, furniture is not reimbursable. However, if renovation is extensive, then it could be considered. Outdoor field surface would be reimbursable only insofar as proven to be educationally necessary. The State can reimburse only that property under the care and control of the School Committee. The water supply is eligible if it is primarily for the use of school. If we abandon this building, there would be no reimbursement for demolition. All reimbursement is after project completion.

RIDE encourages us to consider this a long-term investment. A

'50-year' design is one that is robust and flexible.

Mr. da Silva discussed financing options and grant opportunities in greater detail (Appendix C). Regarding Qualified School Construction Bonds, he reported that last year RIDE awarded a total of \$22 million to the 6 communities that applied. There is another round coming up in January and details will be forthcoming.

Other opportunities include: Economic Development Corporation – Renewable Energy grants; Conservation Block grant through the town; National Grid reimbursement programs for energy efficiency; URI – Energy Center Fellows that can help track building usage etc.; Sustainable Schools Network – student fellows help.

He can provide us with a list of commissioning agents and help us with an RFP.

He pointed out that there are still outstanding items from Stage I. We need more extensive demographics, at minimum 5 years out. Also, we need more information on cross-districting due-diligence and asset protection. Ultimately, we need to submit a design to the BOR that we think will have voter support, from a 5-year asset protection plan to a new school.

M. Steers, chairman of the Planning Board, reported on a State Strategic Planning letter he had received asking for planning board

input on the Stage I application.

There was a discussion of the scope of our charge. As to whether this committee is limited to considering new construction only, it was noted that the state requires us to explore all possible options as part of the Feasibility Study. The process has built-in checks and balances and the State's review will tell us whether we did due diligence. T. Alder said that the Committee needs to come to a consensus. The Superintendent reiterated something Mr. da Silva had said earlier, "Pick one and develop it." He reminded the Committee that the Facilities Committee worked towards this end for three years.

Mr. da Silva said there are only a couple of solutions for the facility based on educational demands, physical conditions, and the number of students served. We need to come up with something where everyone is "OK". Some key questions to ask during this process are: Does this building serve the educational needs of its students? Can you renovate to serve the Educational Program? If not, go new, or a combination. Mr. da Silva said that to put money into a building with educational inadequacies doesn't make sense.

Mr. da Silva noted that Construction Regulations allow deviation for existing structures, but if we build new, there is no flexibility. J. Osborne observed that if we renovate, we will lose space, and the building is too small to start. T. Alder asked whether we want to spend \$10 million to rehab a school that is non-compliant on several

fronts. A member of the audience remarked that the term 'RIDE compliant' apparently has 2 standards – one for new and one for existing buildings. He advised that we need to understand what that flexibility is.

It was agreed that we need to look at examples of well-done Stage II packages. The Superintendent said this committee has to “pick one and develop it.” He said that the facilities committee worked for 3 years to get to that point, the School Committee picked one, and told this committee to develop it.

T. Arkins pointed out, however, that subsequently JCJ brought a brand-new option to the table at our very first meeting.

A member of the audience asked whether a project had to be all or none or whether we could break out work on just certain portions of the building. Mr. da Silva replied that we should be looking to satisfy educational specifications throughout all spaces of the building.

The ratios of rehab cost / present value are considered important guidelines. Above 50%, RIDE recommends the districts seriously consider reconstruction. Ben Gauthier reported that our facility's present value net of depreciation is \$6,965,200. Our ratio is at a minimum \$11.2M/\$6.9M or 162% for the school rehab as estimated in 2005 by Mt. Vernon. He pointed out that this is way over threshold of whether this might not be a prudent investment.

T. Arkins made, and subsequently withdrew, a motion to pick a number of architects to interview and come up with concepts for this school on a pro-bono basis until funding comes through.

The Committee thanked Mr. da Silva for his time and information.

b. Sub-Committee Assignments:

Members had indicated interest in particular subcommittees in advance of this meeting. T. Alder suggested that BG Shanklin would be an excellent chair of the Site Development subcommittee. M. Manning thought that it might be valuable to include a representative of the Planning Board in the Site Development Committee. After discussion, members felt that it would be desirable for subcommittees to appoint their own chairs and consider any ex officio members.

On a motion made by T. Alder and seconded by D. Gomez, it was voted to make the following assignments:

Site Development

BG Shanklin

L. Brousseau-Lebreux

M. Manning

D. MacGregor

On a motion made by T. Allder and seconded by D. MacGregor, it was voted to make the following assignments

Public Outreach

R. Mushen

M. Rapp

B. Borden

T. Allder

M. Manning

On a motion made by T. Allder and seconded by M. Harrington, it was voted to make the following assignments:

Finance

B. Gauthier

H. Devine

M. Harrington

M. Harrington suggested an Architectural Subcommittee. On a motion made by T. Allder and seconded by D. MacGregor, it was voted to make the following assignments:

Architectural

T. Arkins

J. Talbot

R. Racette

M. Harrington

B. Borden

The Superintendent moved that the Architectural Subcommittee not consider any specifications or any other procedures that would involve an architectural firm that will not bring an educational facility planner to the table. He said we are either going to get this with an architect or hire one separately. So if we are going to hire an architect, let's hire one that will bring this component to the table as part of their service.

This motion was seconded by D. MacGregor and then discussed. T. Arkins said he doesn't disagree, but as no other subcommittees have been similarly restricted at this point, he opposes the motion on the grounds that it is premature and unnecessary. J. Talbot said that service is essential, but whether it is done in-house by an architectural firm or subcontracted should be up for discussion. The motion was approved. However, there was subsequent confusion over whether the vote was premature since discussion was ongoing. M. Shapiro, who had voted in favor of the Superintendent's motion, made a motion to reconsider the motion, and it was seconded by B. Borden. Discussion followed. M. Harrington said it is clear we need an architect to make a detailed schematic design before we submit anything to RIDE. The architecture subcommittee will consider how an architect will be hired, how many will be interviewed, what the cost will be, etc. Ultimately, the motion to reconsider the motion was voted

on and passed, although not unanimously.

The Superintendent explained that the purpose of his motion was to provide a little guidance to this subcommittee so they would not come back not having considered hiring an educational consultant as part of the package. He said we need someone who can lead us through this complicated process. This committee has decided to refocus by looking at new talent, and his intent is to guide the charge of this subcommittee so that it considers this critical element.

T. Arkins said again that he doesn't disagree, but he just thinks it is premature. The Superintendent's motion was voted on again and passed, although not unanimously.

The next meeting was set for January 6, 2010.

On a motion made by T. Alder and seconded by M. Shapiro, it was voted to adjourn.

Respectfully submitted by M. Manning, Secretary

Appendix A: School Construction Application Process Flow Chart

Appendix B: November 19, 2009 Letter from RIDE - Stage I Approval

Appendix C: Summary of Financing Options for New School Construction

Appendix D: November 30, 2009 Letter from RI HPHC