

EAST PROVIDENCE SCHOOL DEPARTMENT

School Committee Meeting

East Providence School Department

80 Burnside Avenue

East Providence, Rhode Island 02915

December 18, 2006

Open Session

Mildred Morris, Chair, called the meeting to order at 11:00AM. Four School Committee Members were present: Robert Faria, Eileen Lovett, David Medeiros and Mildred Morris. (Steven Santos was absent). Also present: Dr. Jacqueline Forbes, Superintendent of Schools, Robert Silva, Esq. and Andrew Thomas, Esq.

Awarding of Bid – High School Heating System - Dr. Hilton explained that two companies responded with bids to the request for the design/build process after attending a pre-bid conference and both he and the Director of Buildings and Grounds recommended that the bid be awarded to Automatic Temperature Controls, Inc. in the amount of \$1,334,000. Discussion took place regarding the completion date of October 15, 2007 and any penalty for not completing the work on time. A performance bond is in place according to Dr. Hilton. Dr. Hilton explained that ATC successfully completed work at Waddington School and the Vocational School with no additional

costs and they did a great job. Dr. Forbes thanked Mrs. Morris and Mr. Medeiros for attending the pre-bid conference. Mr. Medeiros requested a list of dates regarding timeline of the project. Dr. Forbes requested that Mr. Barilla present regular updates in order to keep the School Committee well informed as the project moves forward. Mr. Faria suggested that a timeline could be on line to keep students, parents, and the community informed about the project.

Dr. Forbes recommended that the bid be awarded to ATC in the amount of \$1,334,000. A motion was made by Mr. Faria to accept the recommendation of the Superintendent, seconded by Mr. Medeiros. Roll Call vote: Mr. Faria, aye; Mrs. Lovett, aye; Mr. Medeiros, aye; Mrs. Morris, aye.

Dr. Forbes explained that two additional issues needed to be discussed. An underground tank at the high school, which was not part of the bid, had failed pressure testing and may be leaking; it cannot be repaired per Mr. Barilla. DEM was notified as required. Dr. Forbes advised the School Committee that we need to start the process right away to remedy the problem. Mr. Faria asked that the City Manager be kept abreast of this situation.

Discussion took place regarding a change order to the bid for the heating system or if this item needed to go out to bid separately; normally it would go out to bid; however, this appears to be an emergency situation. Mr. Faria suggested that if the company was

already working on school grounds, it would make sense time wise to have them complete the work on the oil tank. Mr. Silva, legal counsel, advised that an emergency could be declared to remove the tank or we could wait to go through the RFP process. Mr. Silva advised that since the School Committee received information after advertising for requests for proposals and this now can be used as an emergency. Mr. Faria would like some statement in writing from DEM that this is an emergency situation; Mrs. Morris agreed. Mr. Faria asked that we get a response by Friday afternoon from the two contractors who bid on the heating system, and obtain an emergency statement from DEM.

Mr. Silva advised that the School Committee can declare an emergency at any time. Dr. Forbes requested that Mr. Barilla get the test results from Trask today. Mr. Souza advised that the high school is not on gas curtailment right now.

Mr. Silva advised that the School Committee can authorize the Superintendent and Dr. Hilton to proceed with whatever needs to be done with this emergency situation; check with DEM in respect to the emergency. If an emergency appears to exist in the eyes of the DEM, the emergency bid procedure can be started; the School Committee's understanding is that this is an emergency. The question for Mr. Silva is: can the bid process be limited to these two companies? It was decided to put the problem to both companies. Dr. Forbes recommended going forward with the emergency nature of the

situation rather than a bid, which would be a more expeditious process and will save time. Discussion took place; Mr. Silva advised that the School Committee needs a finding today that this situation is an emergency.

Dr. Forbes recommended that the School Committee verify an emergency situation contingent on the DEM determination; contact ATC to get their bid as soon as possible, by Friday afternoon at 2:30PM and to move forward under an emergency situation with a change order for ATC. A motion was made by Mr. Medeiros to accept the recommendation of the Superintendent to move forward with an emergency bid award procedure from ATC, seconded by Mr. Faria. Roll call vote: Mr. Faria, aye; Mrs. Lovett, aye; Mr. Medeiros, aye; Mrs. Morris, aye.

Dr. Forbes advised that a diesel fuel tank is out of compliance (old pump to fill buses); DEM advised that paperwork was missing at the High School. Mr. Barilla advised that he is waiting for some paperwork from Fuss and O'Neill to get back in compliance from a few years ago. Dr. Forbes will notify the City about this.

A motion was made by Mr. Medeiros to move to Executive Session in accordance with Section 42-46-5 (a) (1) Personnel, (a) (2) Legal and (a) (8) Student Discipline, seconded by Mr. Faria. Roll call vote: Mr. Faria, aye; Mrs. Lovett, aye; Mr. Medeiros, aye; Mrs. Morris, aye.

The School Committee returned to open session. A motion was made by Mr. Medeiros to seal the minutes of the executive session, seconded by Mrs. Lovett. Vote 4-0. A motion was made by Mr. Medeiros to adjourn at 1:15PM, seconded by Mrs. Lovett. Vote 4-0.

Respectfully submitted,

Patricia A. Iannelli, Administrative Assistant

Eileen Lovett, Clerk of the Committee