

## REPORT OF THE FINANCE COMMITTEE

DECEMBER 1, 2005

A meeting of the Finance Committee was held on Thursday, December 1, 2005 at 7:00 p.m. in the Aldermanic Chamber.

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Mayor Bernard A. Streeter presided.

Members of the Committee present: Alderman-at-Large David Rootovich, Vice-Chair  
Alderman-at-Large David W. Deane (arrived at 7:02 p.m.)  
Alderman Robert A. Dion  
Alderman Kathryn D. Vitale  
Alderman Robert Shaw

Members not in Attendance: Alderman-at-Large James R. Tollner

Also in Attendance: Michael Mansfield, Assistant Chief, Nashua Fire Rescue  
Paul Newman, Manager, Urban Programs  
Steve Dookran, City Engineer  
Carol Anderson, Chief Financial Officer/Comptroller  
Jay Minkarah, Director, Economic Development

## COMMUNICATIONS

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From: Janice A. Tremblay, C.P.M., Purchasing Manager  
Re: Amendment #3 To Engineering Services Contract for  
Daniel Webster Highway Roadway and Signal Improvements

**MOTION BY ALDERMAN SHAW TO ACCEPT, PLACE ON FILE AND APPROVE  
AMENDMENT #3 IN THE TOTAL AMOUNT OF \$66,700. FUNDS ARE AVAILABLE IN ACCT.  
#772-3720  
MOTION CARRIED**

From: Janice A. Tremblay, C.P.M., Purchasing Manager  
Re: Change Order #2 To Sewerage Works Improvements,

Ledge Street Area Project, Contract No. 007

**MOTION BY ALDERMAN SHAW TO ACCEPT, PLACE ON FILE AND APPROVE CHANGE ORDER #2 IN THE AMOUNT OF \$6,000. SOURCE OF FUNDING IS ACCT. #792-01310-3796  
MOTION CARRIED**

From: Janice A. Tremblay, C.P.M., Purchasing Manager  
Re: Purchase of Pierce Arrow XT Pumper Requested by  
Nashua Fire Rescue

**MOTION BY ALDERMAN SHAW TO ACCEPT, PLACE ON FILE AND AWARD THE CONTRACT TO PIERCE MANUFACTURING, INC. IN THE AMOUNT OF \$377,625. FUNDS ARE AVAILABLE IN ACCT. #599-68065-9861 (\$119,464.14); 532-68065-6701 (\$200,000); 532-64094-6701 (\$29,160.86); 532-64192-6701 (\$19,000); 532-64080-6701 (\$10,000)**

ON THE QUESTION

Alderman Vitale

This pump is going to go in the Conant Road fire station is that correct? How many of those do we have? Are they all the same kind?

Michael Mansfield

They are all the same kind. All of our front line fire apparatus is from Pierce Manufacturing company. We have six engines and three are arrowized currently. We also have three spare pieces of apparatus as well that are all Pierce Manufacturing.

Mayor Streeter

Why don't you explain the 12-year plan that you have relative to replacement Chief?

Michael Mansfield

A little bit of history on our replacement plan – back several years ago we had a replacement plan. Due to the fact that we had such an increase in responses and so forth and looking at the wear and tear of the apparatus and the increase in preventative maintenance and the maintenance overall, we had to look at the replacement plan and do pretty much an overhaul. Where we are at right now is we replaced a piece of pumper apparatus every 12 years and aerial apparatus every 15. This one is replacing a 1993 Pierce Arrow fire pumper that is currently housed at the Conant Road fire station.

Alderman Shaw

What will happen with the engine that we are retiring?

Michael Mansfield

We are currently looking at several options Alderman Shaw. One of the options obviously is to attempt to trade it in. Preliminarily when we looked at that option some of the folks that wanted to come in, the brokers that came in and took a look at the apparatus, are not offering us what we feel is fair market value for that piece of apparatus or the other two spares that we have currently. We're looking at alternatives to try to get as much out of the apparatus as we possibly can. It could be private sale or some other options that we might possibly end up doing as well.

Alderman Shaw

Would we be looking not to keep this one as a spare?

Michael Mansfield

What we would probably do is retire one of the older units, engine 7 or 8, and move this into one of those slots.

Alderman Shaw

Thank you.

Alderman Vitale

If we would in fact be able to sell this one does that money go back into the account.

Michael Mansfield

I am lead to believe the money would go back into the general fund.

Alderman Deane

The piece of equipment, engine 6, that you are talking about would replace engine 7 or 8 is that what you said Chief?

Michael Mansfield

Yes. It creates somewhat of a dominoes affect Alderman Deane. Obviously the older spare piece of apparatus would be the one that we would be looking to retire and get rid of, and as I stated earlier looking at several options. This would rotate into that dominoe affect and that

rotation process.

Alderman Deane

Why haven't engine 7 or 8 been retired already?

Michael Mansfield

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As we replace the front line engines we have been able to keep a couple of spare pieces of apparatus as is required by Standard and ISO and so forth in the event that one of these front line pieces of apparatus happens to go down we have something that is fully equipped ready to put right into service immediately in the event that happens.

Alderman Deane

We are talking \$377,625 for this truck. When I look at your funding mechanisms here, your line items, this has not appeared in front of the CERF Committee?

Michael Mansfield

I am under the impression that it does not have to appear in front of the CERF committee  
Alderman Deane.

Alderman Deane

Because of the likeness language?

Michael Mansfield

That is correct.

Alderman Deane

How bad is this piece of equipment now that you want to replace?

Michael Mansfield

I can give you some statistical information on that. Currently the truck has 93,685 miles as of today. It also has 7,760 hours on that. In the fleet maintenance industry if you were to look at the 7,760 hours that are on this truck they equate that to each hour being the equivalent of 35 road miles – we have somewhere in the vicinity of 271,600 miles on the motor of this truck. It is getting to the point where it is going to be quite tired to be a front line piece. It could probably serve a purpose of a backline piece, but certainly it is getting tired. There is a great potential

that if this piece of apparatus does not get replaced we are going to be looking to absorb somewhere in the vicinity of \$30,000 to \$35,000 in repairs and maintenance and upkeep just to keep it on the road as a front line piece.

Alderman Deane

So if you took the \$35,000 what would you get for that a new engine? You said it would be around \$35,000 to keep it as a front line piece.

Michael Mansfield

Thereabouts.

Alderman Deane

When you look at the \$200,000 plus the \$119,000 that is in CERF and then out of your other operating budgets you are taking \$29,000 from fire apparatus equipment and miscellaneous equipment and emergency fire rescue equipment – those lines there total about \$60,000 or so – I understand the process with the 12 year replacement plan that you speak of, but I think in the recent past the citizens have spoken loud and clear about the way things have been going. I think spending close to \$400,000 on a fire truck right now it just isn't the time to be doing it. I think we have to kind of regroup as a city and look back, and it appears to me outside of your CERF allocation there are funds that have been identified in the lower three lines items that Alderman Shaw had read that would allow you to go through the vehicle and revamp it in case something did happen to it.

I can't support spending this kind of money on a fire truck at this present time.

Michael Mansfield

The \$35,000 Alderman Deane would probably just get us by right now. With unforeseen mechanical issues and so forth obviously the cost could go up even further than that. The reason why we have utilized the bottom three line items to do this was to be able to save and able to purchase the truck outright prior to it being produced so that we could save roughly between \$15,000 and \$16,000, and we are also trying to prevent a cost increase that is going to occur in the entire apparatus manufacturing world to the tune of between 7-10%. That coupled with the \$15,000, and we will say it does go up 10% that would be an additional \$37,000 in savings that we are going to realize with the purchase of this vehicle and paying for it completely up front.

There is quite a bit of equipment on the truck. There is quite a bit of rescue equipment that goes on the truck, and we feel we are drawing from the correct line items to be able to do this.

Alderman Deane

You are going to realize \$37,000 in savings, but we have to spend \$377,000 to realize that.

Michael Mansfield

Again we are trying to stay within the master plan that has been adopted by the city and has been in place for quite some time. We are trying to do this knowing that FY '07 is not going to get any easier for the City of Nashua. Looking at our master plan, next year in FY '07 we have two additional pumpers that are scheduled to be replaced as well. We are trying to do this and front load this knowing that there could be some fiscal issues in FY '07.

Alderman Deane

But in the long run it would be cheaper for us to take the existing equipment we own and invest money into revamping it compared to – if the average vehicle goes for \$400,000 we are looking at spending \$1.2 million between this vehicle and two others next year – in two budget cycles we will be spending \$1.2 million in vehicle replacement whereas if we looked at and put money aside to go through and revamp these pieces of equipment at say at even \$70,000 to \$80,000 each – I think we really have to revisit this replacement schedule and ...

Michael Mansfield

To answer your comments Alderman Deane, it is the administration's feelings and historically we have proven that if we continue to push these things off year after year after year, which may become the case, we continue to absorb some astronomical maintenance cost with these vehicles as not only proven with Nashua Fire Rescue, but also has been proven with the Department of Public Works and the other divisions as well. We have been in that situation before and we are trying again to try to not get into that position today.

Alderman Rootovich

Just so I understand what we are doing – this vehicle is supposed to replace vehicle 6 at Conant Road correct?

Michael Mansfield

Correct engine 6.

Alderman Rootovich

And vehicle 6 will then become a spare vehicle?

Michael Mansfield

It very well could be depending upon what we find out later on down the road with it.

Alderman Rootovich

It is your intention to sell your oldest engine now, but you don't know what you are going to do with this one in terms of whether it will be a spare vehicle or not.

Michael Mansfield

Correct.

Alderman Rootovich

Can I ask with respect to the fleet – if I am wrong please correct me. My understanding is you have six active engines; you have two pumpers and three spare engines right now.

Michael Mansfield

Currently on the front line we have six engines, three aerial companies. On the back line for backup, and currently they are all being used right now because we have two pumps and an aerial ladder out of service due to mechanical failure, we have two pumps in reserve and we have an aerial ladder in reserve. To maintain our ISO status Class II rating we are required to have this backup spare apparatus in the event that we have apparatus go down for any type of situation.

Alderman Rootovich

With respect to the questions that Alderman Deane had with the last line items, the fire apparatus equipment, miscellaneous equipment, and emergency rescue equipment, were those line items in you budget this year for the replacement of the equipment that goes on that engine or was that earmarked for something else?

Michael Mansfield

Typically in the last three purchases we have purchased new equipment to go on these pieces of apparatus because the equipment that has been utilized on the older piece of apparatus is getting tired and old as well and in many instances not as serviceable as it probably should be.

Alderman Rootovich

I assume the equipment we are talking about are hoses?

Michael Mansfield

Hose, appliances, lights, fans, electrical support equipment, generation equipment, medical equipment the whole nine yards.

Alderman Rootovich

And that is typical to replace with an engine?

Michael Mansfield

That is typical yes.

Alderman Rootovich

Every year on your line item you have a significant amount of money in there for hose replacement.

Michael Mansfield

Correct.

Alderman Rootovich

I have asked several times what is that money for and I have been told to replace our hoses on the older trucks. You have a line item to replace hoses, but now you are saying you are going to have money in replacement when you replace the truck.

Michael Mansfield

The hose line item that we have to replace hose is for exactly that to replace hose that have been in service for probably anywhere between 12-25 years. We are required again by standards to test our hose on an annual basis. If we happen to burst 15-30 pieces of hose on an annual basis it doesn't take much to start eating up that entire line item as is the case with this as well.

Alderman Rootovich

Thank you.

Alderman Dion

How old is this pumper that you want to replace?

Michael Mansfield

It is a 1993 Alderman Dion.

Alderman Rootovich

Is that engine 6 currently the one you want to sell?

Michael Mansfield

Thank you.

Mayor Streeter

Are we ready for the question?

*A Viva Voce Roll Call was requested, which resulted as follows:*

Yea: Mayor Streeter, Alderman Vitale, Alderman Shaw

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Nay: Alderman Rootovich, Alderman Deane, Alderman Dion

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**MOTION FAILED**

**MOTION BY ALDERMAN SHAW TO HOLD IN COMMITTEE**

ON THE QUESTION

Alderman Rootovich

I would appreciate, as Alderman Deane requested, to look at that 12-year plan. It may not change my mind, but I am not familiar with the last one that I saw that there was a 12 year. If you would be so kind as to provide that to the Finance Committee I would really appreciate looking at that in terms of what your vehicle replacement schedule is.

Mayor Streeter

The motion is to hold.

**MOTION CARRIED**

From: Janice A. Tremblay, C.P.M., Purchasing Manager

Re: Contract Award for Architectural Services Related To  
11 Riverside Street Renovations

**MOTION BY ALDERMAN SHAW TO ACCEPT, PLACE ON FILE AND AWARD THE CONTRACT TO PMR ARCHITECTS IN AN AMOUNT NOT TO EXCEED \$79,049. SOURCE**

**OF FUNDING IS ACCTS. #374-07250-7222-7105 (\$71,931.27) AND 374-08033-7222-7220 (\$6,117.73)**

ON THE QUESTION

Alderman Deane

I had a question on the scope of work and what these people are doing.

Paul Newman

This of course is related to the redevelopment of 11 Riverside Street for use by Nashua Transit, Division of Public Works, and Nashua Police Department. The work is actually be segregated into two different pieces one of which will be the refitting of the existing building currently Storage Computer is operating out of there, and then the other contract which would come before Finance possibly next meeting, but more likely the first meeting in January would be engineering architectural contract for design of the new bus maintenance and garaging facility on the same site. This addresses the fit up of the existing building, to adapt the existing offices in there to fit up some space that is currently light manufacturing space for transit offices, and to partition off the various functional areas of these three departments so that each has its own secured operating area. It is full architectural services from basically the programming is done and of course much of the initial investigation was done as part of the feasibility study that was performed last spring and summer. This would take it to construction bid documents and would also include construction administration representing the city.

Alderman Deane

I guess what I just heard you say was this does not include any part of the bus garage construction at all? Is that correct?

Paul Newman

That is correct.

Alderman Deane

Why do we need to spend \$78,000 to dice up a building into three sections? When we looked at this facility I was of the understanding that it was basically in move in condition and we had to do a little painting and perhaps run some phone lines and things of that nature. What is the need to spend \$78,000 on architectural services for the facility?

Paul Newman

This is as per the estimate that we presented since that feasibility study was completed and cost estimates that were contained therein. It hasn't changed from that time. It represents about 10% of the estimated construction cost that was developed in that feasibility study. Architectural services tend to be somewhat more I should say different circumstances than designing a new building so you might hope that it were 8% instead of 10%, but when you have an existing building you have to determine the condition of all of the existing facilities, determine how to adapt them to the proposed use as opposed to a new building where you are just starting with a blank sheet of paper. Nevertheless the end product is a very economical space for the city.

When we presented this to the Budget Review Committee and the Infrastructure Committee the cost per square foot was very well compared to certainly new construction. The major expense in the design would be fitting up the area that was unimproved in the building for transit. There is enough existing office space for the Division of Public Works Engineering Administration. Steve Dookran is here tonight also. He was part of the team that evaluated the proposals for architectural services. A good deal of this will be associated with the fit up of the space that is currently just manufacturing area for offices, administration of transit. The Division of Public Works fit up there is principally mechanical, HVAC, electrical to make sure everything is up to code and so forth and to update the bathrooms particularly to ADA standards.

Then there are shared costs as I said between the different agencies in terms of demising the space off and roof work.

Mayor Streeter

Steve did you want to add anything to that?

Steve Dookran

Yes. There is one thing that Paul probably didn't mention and that is for the Police Department's use the walls need to be strengthened and that has to be validated by a structural engineer.

Alderman Deane

Steve didn't that building have to be seismic rated or something in order for the Police Department to utilize it for other purposes?

Paul Newman

We investigated whether the building might be able to accommodate the special purpose vehicles of the police department, and in that event it would have had to have been adapted to current seismic standards because of the special purpose vehicles are not grand fathered because it hasn't been used for that sort of purpose. Ultimately it was concluded that it wasn't feasible to do that. I should say also that the architectural and engineering services are in the budget and always have been in the budget. This proposed contract, which is a not to exceed

and we expect that it will actually cost rather less than the not to exceed and that contract for design of a new building are both well within the budget that has been presented through this whole process. It was contemplated and something we knew we would have to do. In order to get building permits one has to have complete plans and documents in order to bid it out especially to federal regulations you have to have complete plans and documents.

There will be some in kind work that perhaps Steve Dookran can speak to. Whatever the Division of Public Works can do they certainly will do, which could reduce the cost, but ultimately we are headed toward a situation where the lease ends on Ledge Street in May and anything that can be done to get them in there will save the city from further rent costs.

This is very critical time wise not to that extent – we are asking the architect and his consultants to get a bid package together by February 1<sup>st</sup>, which by the time the contract is executed will be just about a month and a half, which is very quick turnaround. They said they can do it.

Alderman Deane

What is Thompson's Consultants doing for \$29,000?

Paul Newman

That is the HVAC work, which is a substantial part of this.

Alderman Deane

I take it that is only design work?

Paul Newman

It is design work. Again that is also a not to exceed figure.

Alderman Deane

We are paying somebody \$1,200 a roofing consultant to go up and tell us whether we need a roof or not?

Paul Newman

That would be to core the roof and based on the architect's experience it cost right around that figure on another project that they have done.

Alderman Deane

Bewel who had an insert in our packet was the structural engineer? What do we anticipate

spending on the Public Works side of it?

Paul Newman

The Public Works element of the rehab is estimated at \$208,000, and the design part of it would be \$16,672. Then of course there is the police element. There are allocations to the three operations; transit, police, and DPW.

Alderman Deane

How elaborate is this new design by PMR going to be of the interior fit up of the building? Is there going to be any exterior changes such as moving windows and doors and things of that nature?

Steve Dookran

None is anticipated. I believe there may be some modifications on the transit side for the entrance making sure that is completely ADA compliant. In regards to the DPW side there wouldn't be any external work.

Alderman Deane

I am a little perplexed at some of this. I thought the building was basically in move in condition. When we spoke about it I knew there were some retrofit that had to be done, and it was talked about. Granted Mr. Newman gave us a cut sheet on it, but it looked like the offices – some of the fit ups inside could have been done relatively easy and the balance of the HVAC system could have been done, but now we are launching into spending near \$30,000 for entitled Entire HVAC redesign, which is probably going to mean all of that is going to have to be torn out and replaced – a good portion of it in order to balance whatever the fit up is going to be inside. I am a little disappointed. Thank you Mayor.

Paul Newman

Certainly everything is going to be kept to whatever is essentially needed to occupy the space, and actually that figure I gave you of \$208,000 included site work as well and roof replacement so again the interior fit up we are looking at a contract construction cost of up to \$100,000...

Mayor Streeter

I believe that was the figure that was discussed several times and that was the figure that Public Works agreed that they could do it for.

Paul Newman

In fact it actually was reduced from the original estimate based on the in kind work that Public Works could perform.

Mayor Streeter

Right.

Alderman Deane

Inside or out?

Paul Newman

Inside. They will also be doing – maybe Mr. Dookran will speak to that – will be performing site work.

Alderman Deane

I understood the site work. The interior though from the way I understood it was just some small fit up work and some painting that had to be done. Now we are told it will be in excess of \$100,000 to do that.

Mayor Streeter

I think Alderman Deane if you review the testimony that the figure of \$100,000 was used by Director Seymour as an all encompassing figure to...

Alderman Deane

Do you have that document in front of you Mayor?

Mayor Streeter

I don't but I remember the discussion and I remember that figure.

Alderman Deane

Can you fill me in on a little more of that on what the details of that \$1000,000?

Mayor Streeter

Steve were you at those meetings? I know Rick was there when he was discussing the retrofit of the inside and he said he could do it for about \$100,000.

Paul Newman

That is the figure that has been carried since the study was completed back in July and in all of the presentations to the Budget Review Committee and Infrastructure.

Mayor Streeter

Right.

Alderman Rootovich

Concerning the language of the contract – I notice you have a lot of sections crossed out; budget requirements, dispute resolution, arbitration – is there any reason why that was crossed out? Which party decided to have that crossed out? To me that is critical language in any contract.

Paul Newman

Those are all the recommendations of the Legal Department principally and Risk Management. They find the standard AIA contract – they have dealt with that many times as I understand, and these are typical deletions that they recommend.

Alderman Rootovich

Compared to some of the other contracts I haven't seen that language crossed out. You say it is typical, but I haven't seen that in other contracts – primarily school construction buildings whether renovations or new construction that type of language is usually in there especially with dispute resolutions.

Paul Newman

In an AIA contract?

Alderman Rootovich

Call it whatever you want AIA, ABC, XYZ my point is that it is language if there were issues on either side that could be resolved. I don't know if it is in every contract, but I notice it is not in this one so it caught my attention.

Alderman Dion

I had two questions. One of them was the question that Alderman Rootovich just asked. I was a little concerned when I was scanning through the contract and saw all this language that was struck out of the contract. I was wondering why and some of them were the architect will not be

responsible for checking the work of the contractor or the sub-contractor and items of that nature. Anyway the answer has been given that it is the Legal Department that chose to strike that language out. I don't know why. I have no reason why. In fact I wish they wouldn't have.

The other question is this – in the paragraph in the correspondence the first paragraph states that Board of Public Works must be ready for occupancy by May of 2006. Well I understand that due to their lease agreement that they have to get out of the Ledge Street offices. I understand all of that, but with the hiring or not hiring of an architect have anything to do with reducing the chance of getting in that building by May? In other words where does the architect come in and help the Board of Public Works to move their furniture and desks, etc. into that building?

Paul Newman

Well certainly they could possibly under some duress occupy the space ineffectively and probably in some I am not quite sure how – and then do construction later, but it certainly would be disruptive to I would say the staff. There are certain offices and the interior bank of offices that will be needed to house their personnel that are currently divided into two offices half of which opens off to space that will ultimately be use by the police department – half of which opens off the main central corridor. Those have to be altered so that the middle partition is eliminated, the back door closed off, and a demising security wall separating off the police functions has to be done. The bathrooms do not meet ADA standards. Segregating of HVAC so that each department can bear its own fair share of the cost within the building would have to be done at some point also just to make sure that it can be zoned appropriately for the new uses of it.

It would be I think an extreme hardship on them to occupy that space while all of the work was going on.

Steve Dookran

I would echo everything Paul has said. We certainly do not want to occupy the space as a public office without ADA compliant bathrooms neither do we want to have HVAC that is not zoned out properly and have the cost of say heating the entire building on you when you are occupying 30% or so or whatever the space is – that wouldn't be prudent spending.

Alderman Dion

Well that really doesn't answer my question. My question is Steve can you move your department in there without having an architect tell you where to put you equipment, furniture, or wall or bathroom – what does he have to do with that?

Steve Dookran

I guess the answer to that Alderman Dion has to do with what the architect is going to do for us.

He is going to be designing the upgrading of the bathrooms and of the HVAC system. You certainly don't want to move any of those things undersigned and built properly. He has to give us the directions and the plans to do this work.

Alderman Dion

That is not a good enough answer. You are an engineer. You can figure it out yourself. You don't need an architect to tell you how to put up a wall or to update a bathroom. Do you?

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Steve Dookran

It does take some planning. It does take some work. Certainly we can do some of it in house, but certainly not all of it.

Paul Newman

I believe in order to get a building permit for these things you have to have an architect put a stamp on it.

Alderman Dion

With all of the stricken language in the contract maybe you can't put a stamp on it. I don't like some of that stricken language in the contract at all.

Paul Newman

I expect our Legal Department was recommending all of those as in the best interest of the city. Several that were stricken were because they referred to other AIA documents that are not integrated in this contract. That was a fairly straightforward recommendation from them. The other ones on like I say I had occasion from time to time to understand their recommendation that the city not be made subject to arbitration – they have advised me and others not a clause that they recommend the city be exposed to. I think that pretty much sums it up.

Mayor Streeter

If we chose not to go this route we are opening ourselves up to any more problems number one and if we don't act on this there is a potential that we could go into June and perhaps even further and then incur further lease costs if they will grant us the extension of the lease is that correct?

Paul Newman

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I am not firsthand familiar with the lease, but that is what I understand that it ends in May.

Steve Dookran

Right now the lease ends in May and if we were to extend the lease I believe the commitment would have to be for another full year at that location.

Mayor Streeter

Which we certainly wouldn't want to do. Did you have any further questions Alderman Rootovich?

Alderman Rootovich

Again I understand what Mr. Newman is saying with respect to Legal Counsel crossing it out, but I would strongly encourage my colleagues to look at the specific language that has been crossed out. It just concerns me.

Alderman Deane

The one thing about the AIA document it is a boilerplate contract that is set up to do a large scope of work around – it involves certain parameters of certain jobs. There is certain language, perhaps others don't agree with it that has no reflection on any of what this firm would be hired to do. I know that this document has been around for years and years and every once in a great while they will amend it. This is the 1997 edition. This one is fairly new. There were years where these were used. I have some faith in the Legal Department. I think it would have been a little cleaner if they had submitted this to us with some of these items just stricken right out to begin with if they didn't comply with the contract agreement they were looking for and the responsibilities of the architectural firm that was to be hired itself.

Another question I have is I was of the understanding that the owners of that building on Ledge Street were willing to do a monthly lease with us and that we could extend that. Has that since changed?

Mayor Streeter

The agreement was that if we extended it to May that was the extent. Now we haven't I don't believe we have talked to the owner about extending it further than that. Remember he did give us the option of doing that because he wanted to get it on the market again. I think he did us a great favor in allowing us to extend because remember that it was a year versus whatever 6 months or so. He really did give us a pretty good deal.

Alderman Deane

Thank you.

Mayor Streeter

Are there any further questions?

**MOTION CARRIED**

**MOTION BY ALDERMAN SHAW THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR THE INTRODUCTION OF A COMMUNICATION RECEIVED AFTER THE AGENDA WAS PREPARED**

**MOTION CARRIED**

From: Janice Tremblay, C.P.M., Purchasing Manager

Re: Revised Request Related to Change Order #1 to Pilot  
Construction Contract for Nashua Riverwalk Project

**MOTION BY ALDERMAN SHAW TO ACCEPT AND PLACE ON FILE**

ON THE QUESTION

Alderman Deane

By doing that are we approving this Change Order?

Alderman Shaw

No. The original motion is still held in committee.

Alderman Deane

That wasn't included with our packet though correct it was prior?

Alderman Shaw

Right it was from the previous meeting.

Alderman Deane

Thank you.

**MOTION CARRIED**

HELD IN COMMITTEE

**MOTION BY ALDERMAN SHAW TO TAKE FROM THE TABLE THE COMMUNICATION FROM JANICE TREMBLAY REGARDING CHANGE ORDER #1 TO PILOT CONSTRUCTION CONTRACT FOR NASHUA RIVERWALK PROJECT**

## **MOTION CARRIED**

From: Janice A. Tremblay, C.P.M., Purchasing Manager  
Re: Change Order #1 to Pilot Construction Contract for  
Nashua Riverwalk Project

## **MOTION BY ALDERMAN SHAW TO ACCEPT, PLACE ON FILE AND APPROVE CHANGE ORDER #1 FOR A REDUCTION OF \$2,949.00, WHICH REVISES THE CONTRACT SUM TO \$861,471.**

### ON THE QUESTION

#### Mayor Streeter

Mr. Minkarah I know that you have communicated to the Finance Committee in the last week or so, but would you bring everybody up to date on what the meaning of this change order is.

#### Jay Minkarah

I think as you are all aware I was here at the last meeting requesting approval of a change order to increase the contract amount for Pilot Construction in the amount of \$21,440 and that was for the purpose of covering fixed costs for a four week period when they were unable to work therefore extending the contract period due to the difficulties in moving a utility pole. We were re-designing the riverwalk structure around that. At that time I also indicated that we may be benefiting from a credit due to concrete work that would not be necessary for Pilot to undertake. We didn't have confirmation of that at that time, but I believe that would net around \$25,000.

Since that time we have received confirmation through H.L. Turner, our engineering consultants on the project that we will benefit from the credit for that concrete work. When that is considered alongside some granite block work that we had also anticipated that Pilot would undertake, and of course assuming that we do cover the \$21,440 previously requested in Pilot's fixed costs, that would result in a net reduction in the overall contract amount of \$2,949.

I would certainly be happy to go into further detail if anyone would like me to.

#### Alderman Deane

Mr. Minkarah we are looking at about a \$28,000 cost savings is that what you said?

#### Jay Minkarah

I was thinking about \$24,000 or \$25,000.

Alderman Deane

And then we are paying out – that is the savings in the concrete work right?

Jay Minkarah

The net savings in the concrete work – we would be paying out \$21,440 to Pilot – that is covering the four-week period of fixed costs that we had previously requested giving us a net of \$2,949.

Alderman Deane

We saved \$24,000 on the concrete work, but we lost \$21,440 for the four weeks that they were down because of the utility pole?

Jay Minkarah

Yes.

Alderman Deane

For a net savings of \$2,949.

Jay Minkarah

Yes.

Alderman Deane

Thank you.

Mayor Streeter

Are there any further questions?

**MOTION CARRIED**

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WARRANT

**MOTION BY ALDERMAN SHAW TO APPROVE WARRANT #10 IN THE TOTAL AMOUNT OF**

**\$10,078,498.86 OF WHICH \$2,845,480.17 ARE ACCOUNTS PAYABLE, \$4,782,242.58 ARE PAYROLL AMOUNTS, \$8,852.86 ARE PREPAY AMOUNTS AND \$2,441,923.25 ARE WIRE TRANSFERS**

## **MOTION CARRIED**

### DISCUSSION

Carol Anderson informed the committee that in going through the bond process on 11 Riverside Street a letter came back from bond council indicating 1 item that still needs to be completed. There should be a formal vote taken by the Public Works Commissioners. They are reviewing the minutes to see if the intent indicated in the minutes could be construed as a formal vote. If not at the next Board of Public Works Commissioners a vote will be taken, and after that, a vote by the Board of Aldermen on December 13<sup>th</sup> may be required just to confirm that vote.

Alderman Deane questioned how we were doing with the School Superintendent's contract – whether everything had been ironed out. The response was that a few items are still outstanding. When asked if any of that has been paid to date, Mrs. Anderson responded “Not completely no I think there are two items or three items that we are still working on.” The Finance Committee will be informed prior to the monies being released.

Alderman Deane questioned a comment made in the newspaper with regard to the Nashua Pride coming in to request a further reduction in their concession agreement. Mayor Streeter responded it was his belief that was an incorrect statement and that there is a stipulation already in the language that if they go to a short season that the concession agreement is reduced.

## ADJOURNMENT

**MOTION BY ALDERMAN DION TO ADJOURN  
MOTION CARRIED**

The Finance Committee meeting was adjourned at 7:52 p.m.

Alderman Kathryn D. Vitale  
Committee Clerk, Pro Tem