Design Build/Construction Management Review Board
Meeting Minutes
August 17, 2006
DGS Training Room, 9:30 a.m.

Present: Paul Proto, Chairman
Ahmed Hassan
Carolyn Langelotti
Sam Daniel
William Loughridge
Rich Sliwoski, Ex Officio
Steve Owens, Office of Attorney General
Patrick McDonough, DGS/BCOM
Rhonda Bishton, DGS/DEB

Next meeting: TBA

I. Call to Order

The meeting was called to order at 10:18 a.m. by Chairman Paul Proto, a quorum was present.

II. City of Poquoson Schools – Request for use of Construction Management Contract for new Poquoson Elementary School – 10:30 a.m.

The City of Poquoson submitted a request to the Board for use of Construction Management Contracting for construction of a new Elementary School in the city. The City followed established City procurement rules for securing an architect through a traditional RFP process. Three firms were interviewed and VMDO Architects of Charlottesville, Virginia was selected as the architect for the project. The documents are in pre-construction phase, with construction documents nearly complete. The City then went forward with advertising, through traditional newspaper processes, using a Request for Qualifications (RFQ) process and using Louisa County Schools as a model for their search for a contractor. They received only two responses from interested contractors. W. M. Jordan and M. B. Kahn. Both firms were interviewed and made site visits.

The City of Poquoson's School Board adopted and approved a Resolution for Procedures Governing the Selection, Evaluation and Award of the Construction Management Contract for construction of the new Poquoson Elementary School at their regular meeting on August 15, 2006. This Resolution was submitted with the package from City of Poquoson Schools.

Poquoson School Board has entered into an Agreement with W. M. Jordan for the construction of the new Elementary School. They have not entered into a contract as the construction documents are not complete and a Guaranteed Maximum Price (GMP) has not been reached. There have also been no fees paid to W. M. Jordan to date, and the pre-construction processes allow the City to choose another contractor if negotiations for a GMP with W. M. Jordan are not successful.

Questions from the Board

A question was asked regarding pre-construction fees and if those fees are part of the construction fee in the Contract? The City responded that the pre-construction fees are not part of the 5% fee of the construction contract. The City also mentioned that the cost of work plus a fee and GMP are the basis of the contract. Any cost savings would be recognized by the City. It was suggested by the Board that an "open book" process be used for the project to keep a review of the costs.

Another question was asked regarding the General Conditions of the Contract and whether project management costs are part of General Conditions or part of the 5% fee and what would the contingency number be made up of? The City responded that W. M. Jordan has asked for "unforeseen conditions" and "miscommunication between subs from one scope to another" be considered as part of the contingency. Jordan's requested amount of contingency is 3%.

There being no further questions, the Chairman called for a motion for approval of the request by the City of Poquoson to enter into a Construction Management Contract for construction of the new Poquoson Elementary School. The motion was made by Mr. Hassan and seconded by Mr. Loughridge. The Chairman called for a vote, all were in favor and the motion was approved.

There being no further business before the Board the Chairman adjourned the meeting at 11:15 a.m.

These minutes respectfully submitted by: Rhonda M. Bishton
Executive Administrative Assistant
Division of Engineering & Buildings

Approval: Paul N. Proto, Chairman