

SPECIAL COMMITTEE OF THE WHOLE MINUTES

August 31, 2010

The Special Committee of the Whole meeting was held on August 31, 2010, at North Royalton City Hall, 13834 Ridge Road. The meeting was called to order at 6:35 p.m.

PRESENT: Committee Members: Vince Gentile, Dan Kasaris, Gary Petrusky, Larry Antoskiewicz, John Nickell, Don Willey, Paul Marnecheck; Administration: Mayor Robert Stefanik, Law Director Tom Kelly, Finance Director Karen Fegan, Assistant Prosecutor Donna Vozar, Legislative Services Director Laura Haller; Other: Bruce Noll, Jody Shy, Gary Guzy, Rick Parker, Holly Grambort, Scott Burton, Steve Nock, Tai Vayinin.

APPROVAL OF MINUTES

Moved by Mr. Willey, seconded by Mr. Kasaris to **approve the May 25, 2010 Special Meeting minutes.**

Yeas: 7. Nays: 0. **Motion carried.**

UNFINISHED BUSINESS

1. Operating agreement with the YMCA

No update

2. Purchase agreement for the Avalon property

No update

3. Architect selection procedure discussion

Mr. Gentile told the audience that the purpose of the meeting this evening is to discuss the Construction Manager and Architect. He asked Mr. Jordan to discuss the status and the process.

Mr. Jordan stated that subsequent to the last meeting the city has entered into a Construction Agency Agreement and an Operating Agreement and closed on the purchase of the Avalon Center. He said under the Construction Agency Agreement the Construction Manager and the Architect were to be recommended by the Construction Agent which in this case is the YMCA. Mr. Jordan said the city conducted an RFQ for both the Construction Manager and the Architect which the YMCA furnished to the city for their review before it went out. He said in response to the RFQ the city received 13 responses for the architectural services. He said of these 13, five of these firms were interviewed. Mr. Jordan said these were hour long interviews and a scoring system was done prior to the interview and after the interview. He said the firm that was chosen was Brandstetter Carroll. Mr. Jordan stated that the five finalists were all qualified companies with great reputations in the community.

Mr. Jordan said the selection process for the Construction Manager was the same process as that of the architectural firm. He said there was an error in the email he sent out as Higley was in the top 5 and it was not listed in the email, however the firm that was chosen was Panzica.

Mr. Jordan asked the owner's representative to talk a little bit about the process and the respective companies and why they were recommended. He said he would also like a representative from the YMCA to talk about these two companies.

Scott Burton of Bowen & Associates said that once the YMCA had the list down to five firms, it was a difficult decision. He said each architectural firm exhibited design acumen, experience with this type of building, etc. He said the scoring sheet that the YMCA used was just a way to validate the process. Mr. Burton said the scoring sheets addressed the criteria that they were interested in the most, including capabilities of the firm and what they would bring to the table as far as being part of the team. He said it was a difficult decision in both cases but at the end of the day it came down to the consensus of the interview team for both the Construction Manager and the Architect.

Mr. Gentile said as a public entity the city is obligated to choose the best of the lowest. He said we will need to see what the numbers were and if they can come down. He said he would like to see this information attached to the final draft of the legislation. Mr. Burton said they are prepared to do that.

Gary Guzy from the YMCA stated that there were two distinguishing factors in choosing the architectural firm. He said Brandstetter Carroll has internal pool design experience and they have a very good background in redesigning an existing space. Mr. Guzy said that as far as the Construction Manager firm is concerned, any one of them could have done the work but what made Panzica stand out is their ability to resolve issues that arise. Mr. Burton said that the distinguishing factor for him as far as the architectural firm is concerned is that Brandstetter Carroll came to the interview with an actual design for this job as opposed to other companies who came in and told them what they were planning to do. Mr. Burton said as far as the Construction Manager is concerned, there is a very strict budget for this project and he felt that Panzica would be able to observe the budget for this project. He said Panzica also came to the table with value engineering ideas.

Mr. Gentile asked if any of the architects were able to put a preliminary estimate on the project. Mr. Burton said all of the architectural firms came to the table and said the budget was achievable. He said he does not believe that any of the firms gave a cost analysis.

Rick Parker from Brandstetter Carroll said his firm is an architectural firm which has a history of municipal work and recreational facilities, including several YMCA projects throughout the Midwest. Mr. Parker said he is relatively new to the firm, but his prior experience includes several years of experience working with the YMCA and said he feels very comfortable working with the YMCA on this project.

Steve Nock from Panzica Construction said he has been with this family owned business for 26 years. Mr. Nock said he will be overseeing this project and will work closely with Dan Sexton, Panzica's Senior Estimator. He said Mr. Sexton is a number cruncher and will keep the job on task. Mr. Nock said he appreciates the project and he is looking forward to starting.

Mr. Gentile asked if Council has any questions for the Architect or the Construction Manager. No one on Council had any questions.

Mr. Jordan stated that Brandstetter Carroll brought a preliminary design with them to the meeting. He referenced the hospital portion of the project and said this is a part of the project that is still being negotiated with Parma Hospital. He said this would be a 7,000 square foot addition to the YMCA. Mr. Guzy said currently the attorneys are working through the details of the agreement and he said they are 90 percent sure that the hospital will be part of this project. Mr. Guzy said the 7,000 square feet will include exam rooms, a physical therapy area and also a therapy pool. Mr. Guzy said he is hopeful that within the next 15-25 days they will have approval on this phase of the project.

Mr. Antoskiewicz asked if the 47,000 square foot facility includes the 7,000 square feet for the hospital. Mr. Guzy said that does include the hospital. Mr. Antoskiewicz asked if the Parma Hospital portion of this facility is included in the work for the Construction Manager and Architect. Mr. Guzy said yes.

Mr. Willey asked who would be doing the design work for the hospital portion of the YMCA. Mr. Guzy said this is not typical hospital space. This portion of the facility will be high end office space with exam rooms and offices. He said the same firm will do the design work.

Mr. Petrusky asked if the rumors are true that Parma Hospital is merging with the Cleveland Clinic or University Hospitals by the end of the year, how would this affect the project. Mr. Guzy said it would not affect the project at all. He said they would still have to honor the lease.

Mr. Jordan asked Mr. Guzy to discuss the other components of the facility. Mr. Guzy displayed a diagram of the facility and explained each component. He said the front of the building will be the fitness area which is about 5,400 square feet. He said there will also be a child watch area which will be approximately 1,000 square feet. Mr. Guzy said there will be a playground which will be 1,000 feet, a six lane competitive pool which is about 7,000 square feet of the facility, a group exercise room which is

about 1,800 square feet, a cycle/spin room and a multi-purpose room, both of these approximately 900 square feet each, and a basketball court or large gym. He said the administrative offices will be approximately 1,200 square feet. Mr. Guzy also pointed out where the hospital portion of the facility would be located.

Mr. Jordan said the preliminary plan specifications are due today. He said the schematic design is due on October 15th. He said they will need Council's authorization by that date. Mr. Jordan said prior to October 15th he would like to request a meeting with the Committee of the Whole to provide an update on the schematic design. He said from October 15th until February of 2011, the Architect and Construction Manger will be doing construction drawings and working on bidding documents. He said in February it will come back to Council for the authority to issue bonds and have an actual dollar amount on the cost of the building.

Mr. Gentile asked Mr. Parker if he is prepared to write in an alternate for two extra lanes in the pool. He said there has been a large outcry in the community to have an eight lane pool. Mr. Parker said he can do that.

Mr. Gentile said Council was planning to make a recommendation on the agreements, but since they only have these agreements in draft form they cannot do that. He said he is hopeful that they will have the finalized agreements by the September 8th Council meeting so they can take action on the agreements at that time.

Mr. Gentile asked Mr. Jordan if the schematics will be ready by the next Committee of the Whole meeting which will take place on September 14th. Mr. Jordan said he will present what he is able to present on that date. Mr. Kasaris asked Mr. Kelly what the timeframe is on getting the final agreements. Mr. Kelly said based on the information he was given this afternoon, he is hopeful they will be ready by Friday. Mr. Guzy said he will push to get the agreements to Council as soon as possible. Mr. Gentile said the agreements should be pretty much boiler plate agreements. He asked Mr. Kelly if he can attach the Excel forms to the legislation for Mrs. Haller and if he can also forward his question on to Ms. Benjamin and Mr. Dobrowski so he can get a formal opinion from them and get that information back to Council so that they can move forward with this on September 8th.

Mr. Jordan said the Architect and Construction Manager are concerned because they have been working on the design work for this facility but a recommendation has not yet been made to hire them for this project. Mr. Jordan said he was under the impression that this committee would make a recommendation this evening for approval by Council. Mr. Gentile said he feels it is too much to ask his colleagues to vote on an agreement that is not in its final draft form. He said if the committee has a final agreement on September 8th, Council on the floor can remove it from this committee and take action at that time. Mr. Gentile said the city officers were not involved in this agreement and he said he wants to make sure that the due diligence of the Ohio Revised Code was followed since this is a municipal construction project. He said Council has a due diligence to the taxpayer. Mr. Gentile said he feels if we get all of the information together he does not see why Council would not be willing to move forward although he said he cannot speak for everyone.

Mr. Nickell said based on the preliminary information he has, he is pleased with the presentation and the selection process.

Mr. Jordan asked Mr. Kelly if there are any major terms that are substantive over and above the draft that was furnished to Council. Mr. Kelly indicated that there are not. Mr. Jordan said the draft that has been provided is substantively the agreement that has been used. Mr. Kelly said these are substantively the agreements, but he cannot guarantee that there will not be changes to this agreement prior to Friday or Monday.

Mr. Willey and Mr. Antoskiewicz both stated that they do not have a problem with the draft and as long as there are not any major changes, they do not feel this will be a problem.

Mr. Gentile asked Mr. Kelly if Council can do a formal consensus roll call to get a formal consensus. Mr. Kelly said he feels this would be very encouraging to the Architect and Construction Manager. Mr. Gentile asked Mr. Kelly if he will give the wording to vote on.

Mr. Kelly asked if it is the consensus of Council that the documents currently under review and in preparation will suffice to meet their concerns for the engagement of the Construction Manager and Architect. All Council members were in favor.

Mr. Marnecheck asked the Construction Manager and the Architect if they are troubled by the timetable. Mr. Nock said he is comfortable with the timetable. He said he has worked with Brandstetter Carroll before and said they are a great firm. Mr. Parker from the Brandstetter Carroll said they are all working together towards a common goal and as long as they keep that in mind, it will all work out.

Mr. Nickell told the audience said that this Council is made up of members who all have different ideas and everyone has their specialty, but said they are a productive Council and know when things have to be done. He said they may ask a lot of questions but they do get the job done.

Mr. Gentile told the Architect and Construction Manager that once they are on board they have some requirements that will need to be in the bid documents. He said Mr. Schmitzer, our City Engineer, can help get that information together for them.

4. Construction Manager selection discussion

Discussed above.

5. Facility proposed functions

Discussed above.

6. Facility proposed capacity(s)

Discussed above.

Milestone Dates:

a. Architect assignment

Discussed above

b. Construction Manager assignment

Discussed above

c. Borrowing of public funds

Dates in Agreement

d. Proposed bid date

Dates in Agreement

e. ORC Compliance for municipal construction projects

Dates in Agreement

NEW BUSINESS

1. No New Business

ADJOURNMENT

Moved by Mr. Antoskiewicz, seconded by Mr. Kasaris **to adjourn the meeting.** Yeas: 3. Nays: 0. **Motion carried.** Meeting adjourned at 7:21 p.m.