



Town of Reading Meeting Minutes

2016-09-22 LAG

Board - Committee - Commission - Council:

Permanent Building Committee

Killam School Building Committee

Date: 2026-05-11

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Session: Open Session

Purpose: General Business

Version: Final

Attendees: **Members - Present:**

John Coote, Chris Haley, Kirk McCormick, Ed Ross, Greg Stepler, Nancy Twomey, and Carla Nazzaro.

Members - Not Present:

Shawn Brandt and Pat Tompkins.

Others Present:

Reading Town Manager Jayne Wellman, Reading Facilities Clerk David Dallaire, Colliers Project Director Mike Carroll, Colliers Project Manager Justin Ferdenzi, LBA Project Manager Jenni Katajamaki, LBA Architect David Harris

Minutes Respectfully Submitted By: Harani Kumaresh

Topics of Discussion:

This meeting was held in-person in the Town Hall Conference Meeting Room and remotely via Zoom.

Call to order:

Chair Carla Nazzaro called the meeting to order at 7:00 pm.

Roll call attendance: John Coote, Chris Haley, Kirk McCormick, Ed Ross, Greg Stepler, Nancy Twomey, and Carla Nazzaro.

Public Comment:

No reports.

Liaison Reports:

No reports.

Review of Current Bid Status and Issues

Mike Carroll and Jayne Wellman provided an update on the current bid status. The original timeline anticipated filed sub bids this week with general contractor bids due approximately one week later. However, several weeks prior, a second-tier bidder (paragraph E sub-bidder) raised a concern regarding what they believed was a proprietary specification related to HVAC controls.

The project team met with town counsel to review the concern and informed the complainant that the specification was intentionally proprietary, as the Killam School Building Committee had reviewed and voted to approve six proprietary specification items at its March meeting. The project team believed the matter was resolved.

However, the day before filed sub bids were due, the Attorney General's (AG) Office Bid Unit contacted the Town and directed that the HVAC work must be rebid. The specific objection was to language in the specifications that stated, "substitutions not accepted." The AG's Office determined that this language created a "chilling effect" on potential bidders, even though a substitution request procedure existed within the bid documents (Division 0, Section 1300).

Jayne noted that the paragraph E sub-bidder had not filed a formal bid protest, but the AG's Bid Unit issued direction to rebid the HVAC portion. Town counsel reviewed the matter and confirmed that the committee's proprietary vote process was proper; the issue was limited to the specific "substitutions not accepted" language.

The project team initially proposed correcting the language through an addendum, which is standard practice. However, the AG's Office rejected this approach, stating that an addendum was not acceptable, and also declined a meeting request from the project team.

Mike Carroll noted that while the AG's specific direction addressed only HVAC, the same "no substitutions" language existed for electrical and potentially other items among the six proprietary specifications. The OPM and Jayne recommended rebidding the entire project rather than just HVAC to avoid potential bid protests on the other proprietary items afterward. This approach would minimize overall schedule impact.

Review Re-bid Timeline:

Mike Carroll presented the proposed rebid timeline:

- Cancel current bid by addendum (completed)
- Submit advertisement to Central Register by May 14, 2026
- Issue letter to all pre-qualified bidders explaining the cancellation and rebid
- Advertisements published and bid documents available through BidDocs on May 20, 2026
- RFIs due by May 28, 2026
- Addenda issued by June 1, 2026
- Filed Sub Bids due June 4, 2026 (two weeks plus one day, accounting for Memorial Day)
- General Contractor Bids due June 11, 2026
- KSBC meeting on June 15, 2026 for recommendation and approval
- Notice to Proceed issued June 16, 2026

The rebid documents will consist of a conformed set incorporating the original bid documents and five previously issued addenda, with clarifications on the six proprietary specification items. The two-week bid period for filed sub bids was deemed sufficient, as the documents have already been on the street and all pre-qualified bidders are familiar with the project.

Mike Carroll noted that the school department's request that the contractor not mobilize to the site until students are out of school remains achievable under this timeline. Physical site mobilization timing is not expected to change. The rebid results in approximately three weeks of lost time for contractor pre-construction activities (paperwork, shop drawings, submittals, and equipment orders).

Discussion on Proprietary Specifications and Substitutions:

The revised specification language will indicate that items such as Honeywell controls are "intended to be proprietary specifications" while referencing the substitution request procedure in Section 1300. Under Massachusetts General Law, even proprietary specifications must allow for substitution requests. Bidders submitting substitution requests must demonstrate that their proposed product is equal to the specified product.

John Coote raised concerns about potential disputes regarding substitution determinations, noting that the process involves judgment calls that could be challenged. Mike Carroll confirmed that the architect serves as the ultimate interpreter of the documents and would review substitution requests in consultation with the district's facilities team. Substitution requests could potentially be brought to the committee for review.

Greg Stepler, noting his familiarity with control systems, cautioned the design team to ensure the specification language is very specific about the functionality and requirements of the control system rather than using boilerplate language. This specificity would better support the proprietary designation if substitution requests were received. David Harris confirmed that this communication had already been sent to the design team.

The committee discussed whether to hold a special KSBC meeting on Friday, June 12 or the regularly scheduled Monday, June 15 meeting. Greg Stepler recommended the Monday meeting to allow the OPM and design team additional time for bid review and leveling. The committee agreed to maintain the June 15 meeting date.

Cancel Current Bid*

On a motion by Nancy Twomey, seconded by Ed Ross, the Killam School Building Committee voted 7-0-0 to cancel the current bid for the J. Warren Killam Elementary School Project.

Roll call vote: John Coote – Yes; Chris Haley – Yes; Kirk McCormick – Yes; Ed Ross – Yes; Greg Stepler – Yes; Nancy Twomey – Yes; Carla Nazzaro – Yes.

Approve Proposed Re-bid Timeline*

On a motion by Nancy Twomey, seconded by Ed Ross, the Killam School Building Committee voted 7-0-0 to approve the proposed rebid timeline as specified in the agenda for the J. Warren Killam Elementary School Project.

Roll call vote: John Coote – Yes; Chris Haley – Yes; Kirk McCormick – Yes; Ed Ross – Yes; Greg Stepler – Yes; Nancy Twomey – Yes; Carla Nazzaro – Yes.

Future Agenda Items & Next Meeting Dates

The next XLT meetings will be held on Monday, May 18th and June 8th. The next KSBC meetings will be held on Thursday, May 21st and Monday, June 15th.

Adjourn*

On a motion by Ed Ross, seconded by Nancy Twomey, the Killam School Building Committee voted 7-0-0 to adjourn the meeting.

Roll call vote: John Coote – Yes; Chris Haley – Yes; Kirk McCormick – Yes; Ed Ross – Yes; Greg Stepler – Yes; Nancy Twomey – Yes; Carla Nazzaro – Yes.