

Rosenson, Valerie

From: Dellaselva, Chris
Sent: Sunday, March 24, 2024 9:59 AM
To: Rosenson, Valerie
Cc: Simmons, Caroline; Nguyen, Ngan; Quiñones, Matt; LoBalbo, Katherine; Casolo, Louis; Tramontozzi, Domenic; Larson, Erik; Donoghue, Tracy
Subject: RE: Dimeo-Bismark Contract for Construction Manager as Constructor Services at the New WHHS Project
Attachments: AIA-A133-2019-Westhill HS_2024_0306 (Revised for BOF).pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Valerie,

The Dimeo A133 Construction Manager Agreement was revised at the request of the Board of Finance. Revised version attached for the Board of Representative's consideration/approval. The only change is to Sec. 3.2.1 as follows:

§ 3.2 Guaranteed Maximum Price Proposal

§ 3.2.1 At a time to be mutually agreed upon by the Owner and the Construction Manager, the Construction Manager shall prepare a Guaranteed Maximum Price proposal for the Owner's and Architect's review, and the Owner's acceptance. **The parties acknowledge and agree that the approval of the Stamford Board of Finance is a requirement for the City's acceptance of the Guaranteed Maximum Price proposal.** The Guaranteed Maximum Price in the proposal shall be the sum of the Construction Manager's estimate of the Cost of the Work, the Construction Manager's contingency described in Section 3.2.4, and the Construction Manager's Fee described in Section 6.1.2

Thank you,

Chris Dellaselva
Assistant Corporation Counsel
City of Stamford Office of Legal Affairs
888 Washington Boulevard
P.O. Box 10152
Stamford, CT 06904-2152
(203) 977-5762
Fax: (203) 977-5560

From: Dellaselva, Chris <CDellaselva@StamfordCT.gov>
Sent: Thursday, March 7, 2024 8:40 PM
To: Donoghue, Tracy <TDonoghue@StamfordCT.gov>; Rosenson, Valerie <VRosenson@StamfordCT.gov>
Cc: Simmons, Caroline <CSimmons@StamfordCT.gov>; Nguyen, Ngan <NNguyen@StamfordCT.gov>; Quiñones, Matt <MQuinones@StamfordCT.gov>; LoBalbo, Katherine <KLoBalbo@StamfordCT.gov>; Casolo, Louis <LCasolo@StamfordCT.gov>; Tramontozzi, Domenic <DTramontozzi@StamfordCT.gov>; Larson, Erik <ELarson@StamfordCT.gov>
Subject: Dimeo-Bismark Contract for Construction Manager as Constructor Services at the New WHHS Project

Good evening Tracy and Valerie,

I believe you've both already received the documents that comprise the City's proposed contract with Dimeo-Bismark, A Joint Venture, for construction manager as constructor services at the new Westhill High School project (RFP No. 2024.0122). Please schedule this contract to be taken up for consideration/approval by your respective Boards per M. Quinones' request below. I have CCed the Mayor on this email to assure you both that she is aware and supportive of this contract.

Dimeo-Bismark will provide construction manager (CM) at risk services for the new Westhill High School located at 125 Roxbury Road. The existing Westhill High School will remain occupied for the length of the construction and then demolished upon substantial completion of the new building. The fee for preconstruction phase services shall be a lump sum of \$669,506.95. Pre-construction phase services include, but are not limited to, design document review, cost estimating, value management and reconciliation for three phases of design - Schematic Design, Design Development, and Construction Documents. Other services included in this lump sum are attendance at meetings, coordination with consultants, pre-bidding and bidding, and the development of the Guaranteed Maximum Price (GMP) proposal.

Please note that this contract does not yet include an accepted Guaranteed Maximum Price. A proposed Guaranteed Maximum Price Amendment shall be provided to the City after completion of construction documents and Dimeo-Bismark's public bidding for trade packages. Dimeo-Bismark shall prepare the Guaranteed Maximum Price proposal for the City's and Architect's review, and the City's acceptance. The City and Dimeo-Bismark will execute a GMP Amendment to this contract once the City accepts the GMP proposal and the fee for the Construction Phase will be 1.95% of the Cost of the Work based upon the Construction Budget of \$257,696,058. This contract shall terminate if parties fail to agree upon a Guaranteed Maximum Price.

Please contact Katherine LoBalbo, the City's Director of BOE School Construction, if you have specific questions regarding these services, the associated fees or the new WHHS project in general. You may, of course, contact me at your convenience if I may be of any further assistance to you in this matter.

Thank you,

Chris Dellaselva
Assistant Corporation Counsel
City of Stamford Office of Legal Affairs
888 Washington Boulevard
P.O. Box 10152
Stamford, CT 06904-2152
(203) 977-5762
Fax: (203) 977-5560

From: Quiñones, Matt <MQuinones@StamfordCT.gov>

Sent: Tuesday, March 5, 2024 4:01 PM

To: Donoghue, Tracy <TDonoghue@StamfordCT.gov>

Cc: Frager, Rosemarie <RFrager@StamfordCT.gov>; Rosenson, Valerie <VRosenson@StamfordCT.gov>; Dellaselva, Chris <CDellaselva@StamfordCT.gov>; LoBalbo, Katherine <KLoBalbo@StamfordCT.gov>

Subject: BOF Agenda Submissions

Hi Tracy,

I apologize but we have two items that are late submission to the BOF March agenda. I spoke with Richard, and he approved this submission the language for two proposed contracts is listed below. The proposed contracts for each item will be sent on Thursday, but I wanted to provide you the language for the items.

Valerie, please consider this a submission for the BOR's steering agenda.

Thanks, Matt

- 1- REQUEST FOR APPROVAL OF A CONTRACT BETWEEN THE CITY AND DIMEO - BISMARK, A JOINT VENTURE, AT THE NEW WESTHILL HIGH SCHOOL CONSTRUCTION PROJECT (RFP 2024.0300)** Dimeo-Bismark will provide construction manager (CM) at risk services for the new Westhill High School, located at 125 Roxbury Road. The existing Westhill High School will remain occupied for the length of the construction and be demolished upon substantial completion of the new building. The fee for preconstruction phase services shall be a lump sum of \$669,506.95. The Construction Managers fee for the Construction Phase is 1.95% of the Cost of the Work based upon the Construction Budget of \$257,696,058. This is not a Guaranteed Maximum Price Amendment, the GMP shall be provided after completion of construction documents and CM public bidding for trade packages. The CM shall prepare the Guaranteed Maximum Price proposal for the Owner's and Architect's review, and the Owner's acceptance. Following Owner acceptance of a GMP the Owner and CM shall execute the GMP Amendment. In the event of the parties' failure to agree upon a Guaranteed Maximum Price this agreement shall terminate in accordance with the terms of the contract.

Action Requested: Approval of Contract Attending: Katherine LoBalbo, Director of School Construction

- 2- REQUEST FOR APPROVAL OF A CONTRACT BETWEEN THE CITY AND BVH INTEGRATED SERVICES, INC, A SALAS O'BRIEN COMPANY, AT THE NEW WESTHILL HIGH SCHOOL CONSTRUCTION PROJECT (RFP 2024.0194)** BVH will provide commissioning agent services for the new Westhill High School, located at 125 Roxbury Road. Commissioning involves systematic processes to provide documented confirmation that building systems perform according to the criteria set forth in the design intent and satisfy the owner's operational needs. This is achieved by beginning in the design phase and documenting design intent and continuing through construction, acceptance and the warranty period with actual verification of performance. The commissioning process shall encompass and coordinate the traditionally separate functions of system documentation, equipment startup, control system calibration, testing and balancing, performance testing and training. The existing Westhill High School will remain occupied for the length of the construction and be demolished upon substantial completion of the new building. The fee for these services is a lump sum of \$409,195 and an allowance totaling \$60,000 for additional systems testing during functional testing , peer reviews that require change to a system, and City directed additional services.

Action Requested: Approval of Contract Attending: Katherine LoBalbo, Director of School Construction