

MINUTES OF JANUARY 4, 2021, SPECIAL MEETING  
BENZIE SHORES DISTRICT LIBRARY BOARD

The Zoom meeting was called to order at 2:00 PM by Jon Armstrong.

Present: Trustees, Jon Armstrong (Frankfort), Ginny Freeman (Blaine Twp), Jim Larsen (Watervale), Pam Radabaugh (Lake Twp), and Jennie Schmitt (Watervale), and Jon Hawley (Frankfort); Library Director, Stacy Pasche (BSDL); Ann Dilcher, Quinn Evans architect.

Absent: Trustee, Brian Johnson.

Approval of Agenda: Motion by \_\_\_\_\_ / \_\_\_\_\_ to approve the agenda as written. Motion carried, unanimous.

Public Input: None

Business: A132-2019 Contract Review with Ann Dilcher - Ann Dilcher reviewed the contract items of particular concern:

1. item 1.1.3 \$805,200.00
2. 1.1.4.2 project commencement Jan. 6, 2021, confirm this includes interior work
3. 1.1.4.3 substantial completion date June 30, 2021 for the addition and July 30, 2021 for the remodel of existing building. Discussion about pushing this earlier to May to make sure we are in by July 4th, the beginning of our "summertime" period. Even with these dates we would be under construction for the "summer."
4. 6.1.7 Liquidated damages - N/A Ann explained this is generally used when the owner (BSDL) would be losing money if project was not completed on time. If we used this we run the risk of creating an adversarial relationship with the contract manager and also the risk of the pressure leading to poor performance (e.g. hastily done paint job).
5. Change Orders can change timing and cost and have to be signed off by contractor, owner, and architect.
6. It would be nice if interior completion could be May, because of our need for summer public use. Brad needs to understand our priorities, and he may also be looking at the interior work as a place where we could cut costs if necessary at the end of the project.
7. Retainage - usually this means holding back 5-10% when we pay bills and the final amount would be paid when everything is completely done.
8. 11.1.8 Jon Hawley questioned "materially delayed through no fault of Construction Manager, the Owner shall pay Construction Manager ....." Ann gave examples.
9. Is there flexibility with Brad to use different contractors for interior work in the existing library than the ones who do the interior work in the addition? Discuss with Brad.

It is very clear that a meeting with Brad is the next step. Stacy will set up a meeting with him and two members of the building committee (Jennie Schmitt and Jim Larson).

Then Ann Dilcher will rework the contract and the board can act on it at the regular board meeting on January 18th.

Meeting adjourned at 3:01 PM.

Respectfully submitted,

Ginny Freeman, Secretary