

# Portsmouth Middle School Joint Building Committee

## Role and Responsibilities

The Portsmouth Middle School Joint Building Committee (JBC) is responsible for the renovation and expansion of the Portsmouth Middle School on Parrot Avenue and supporting athletic fields at a cost of no more than \$37.5 million. The JBC is created in accordance with New Hampshire State statute RSA 199, which describes the explicit duties of the committee:

“The joint building committee shall have the following duties:

- a) Oversee and decide all matters relating to any construction on school house buildings
- b) Prepare and submit monthly status reports relating to construction progress to the City Council and School Board
- c) Prepare and submit monthly financial reports relating to the total authorized construction budget and expenditures to date to both the City Council and the School Board”

The role of the JBC is limited to decisions related to school building construction and associated athletic fields. Decisions concerning the educational program and city-related matters (such as city street traffic and parking) are the responsibility respectively of the School Board and City Council.

The Committee is made up of 9 voting members and 4 Ex-Officio (non-voting) members, chosen in equal numbers by the City Council and School Board:

### **JBC Members:**

Chris Dwyer, City Council (co-chair)  
Dexter Legg, School Board (co-chair)  
Ernie Carrier, Resident  
Jerry Hejtmanek, City Council  
Mary Ann List, Resident  
Peter Middleton, Resident  
Eric Spear, City Council  
Leslie Stevens, School Board  
Lisa Sweet, School Board

### **Ex-Officio Members:**

John Bohenko, City Manager  
Edward McDonough, Superintendent of Portsmouth Schools  
John Stokel, Portsmouth Middle School Principal  
Steve Bartlett, School Business Administrator

## **JBC Guiding Principles**

The Joint Building Committee will work with the city and project professionals to accomplish the following:

- Deliver a renovated and expanded middle school building and surrounding grounds at Parrot Avenue and associated athletic fields that support Portsmouth Middle School's educational program, and provide flexibility of use, now and in the future
- Result in a "High Performance School"\* that is environmentally sensitive and efficient to operate and maintain
- Provide a healthy physical environment that is conducive to learning and development
- Minimize the impact on students' education during construction so that instructional time, the curriculum, and the supportive environment for all students is maintained
- Ensure the safety of students, staff, visitors and local residents with regard to traffic, parking, security, and environmental concerns during construction and upon project completion during normal school operation
- Maintain an open process with frequent communication with educational professionals, City Council, City officials, students, and the community
- Balance schedule, costs, quality and scope to optimize long term value

\*"High Performance School" is similar to the more familiar LEED (Leadership in Energy and Environmental Design) certified building. High Performance School generally is consistent with U.S. Green Building Council guidelines and results in an additional 3% reimbursement from the State of New Hampshire for approved project costs

# TITLE XV EDUCATION

## CHAPTER 199 SCHOOLHOUSES

### Location and Building

#### Section 199:1

**199:1 Location and Construction by District.** – The district may decide upon the location of its schoolhouses by vote or by a committee appointed for the purpose, provided, however, that all plans, specifications, and the selection of site for any new school buildings for any school district within the state shall be approved by the school board of the district in which it is proposed to construct such a building. The provisions of this section shall apply to all new construction of public school buildings, including those constructed by grant or loans of funds from state, the federal government, or other sources. For the purposes of this chapter, in addition to their usual meanings, the words ""schoolhouse" and ""school building" also mean educational administration building, including school administrative unit facilities.

**Source.** 1845, 224:1. RS 71:1. CS 75:1. GS 80:2. GL 88:2. PS 91:1. 1921, 85, VII:1. PL 122:1. RL 141:1. 1945, 127:1. 1947, 156:10. RSA 199:1. 1967, 449:4. 1979, 459:4, eff. Aug. 24, 1979. 2008, 289:5, eff. Aug. 26, 2008.

#### Section 199:2

**199:2 Location in Cities.** – The school board of cities shall have sole power to select and purchase land for schoolhouse lots. When said board has secured, by vote of the city councils, an adequate appropriation for the purchase of a specified lot at a specific price, said board may make the purchase.

**Source.** 1897, 65:1. 1921, 85, VII:2. PL 122:2. RL 141:2.

#### Section 199:3

##### **199:3 Construction in Cities; Joint Building Committees.** –

I. No schoolhouse shall be erected, altered, remodeled or changed in any city school district unless the plans have been previously submitted to the school board of that district and received its approval.

II. (a) All construction relating to schoolhouses in any city school district shall be done under the direction of a joint building committee which shall be established and chosen in equal numbers by the city council and the school board.

(b) The chairperson of a joint building committee shall be chosen by a majority vote of the committee members.

(c) Any vacancy in the committee membership shall be filled by the respective appointing authority on or before the close of the next regularly scheduled meeting of the appointing authority following the creation of the vacancy.

(d) The joint building committee shall meet monthly and at other times as the chairman deems necessary.

III. The joint building committee shall have the following duties:

(a) Oversee and decide all matters relating to any construction on schoolhouse

buildings.

(b) Prepare and submit monthly status reports relating to construction progress to the city council and the school board.

(c) Prepare and submit monthly financial reports relating to the total authorized construction budget and expenditures to date to both the city council and the school board.

IV. All funds appropriated by the city council for construction of a new schoolhouse shall be administered by the appropriate joint building committee, and those funds shall be disbursed upon authorization of the committee until final acceptance of the schoolhouse by the city council.

**Source.** 1897, 65:2. 1921, 85, VII:3. PL 122:3. RL 141:3. RSA 199:3. 1993, 185:1, eff. Aug. 8, 1993.

## **Section 199:4**

### **199:4 Transfer of Building. –**

I. Upon final completion of the new schoolhouse as determined by the joint building committee, the committee shall vote to accept the building and transfer it to the care and control of the school board.

II. Whenever a schoolhouse shall no longer be needed for public school purposes, the school board shall transfer its care and control to the city.

**Source.** 1897, 65:3. 1921, 85, VII:4. PL 122:4. RL 141:4. RSA 199:4. 1993, 185:2, eff. Aug. 8, 1993.

## **Section 199:4-a**

**199:4-a Final Report; Dissolution of Joint Building Committee. –** Upon vote of the joint building committee to accept the new schoolhouse and to transfer it to the school board, the joint building committee shall remain in existence for the sole purpose of preparing and submitting a final report relating to the schoolhouse construction and related financial matters to the city council and the school board. Any funds appropriated for the schoolhouse construction which have not been expended shall be returned to the control of the municipality, subject to RSA 33:3-a. The joint building committee shall be dissolved upon the return of unexpended funds and submission of the final report.

**Source.** 1993, 185:3, eff. Aug. 8, 1993.

## **Section 199:5**

**199:5 Exception. –** The provisions of RSA 199:2-199:4-a shall not apply to the Union School District of Concord and to the school districts of Keene, Lebanon, and Claremont.

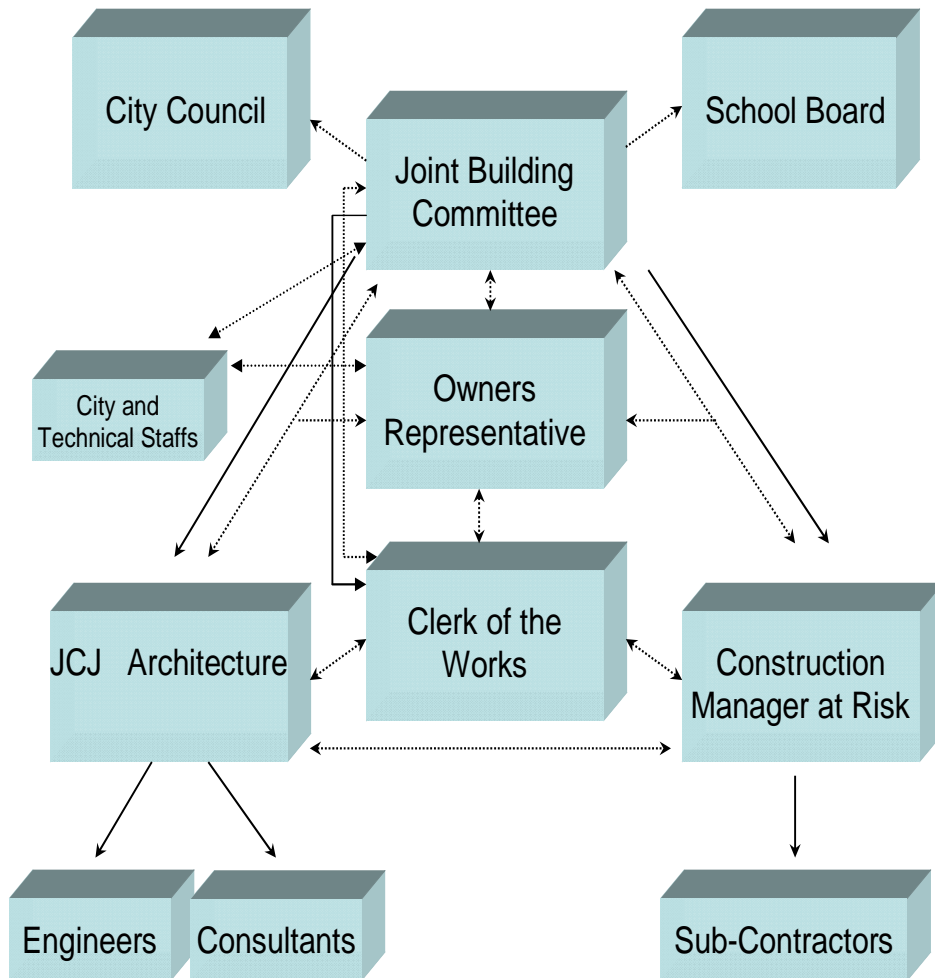
**Source.** 1897, 65:4. 1921, 85, VII:5. PL 122:5. RL 141:5. RSA 199:5. 1993, 185:4, eff. Aug. 8, 1993

## **Section 199:6**

**199:6 Power of Committees. –** No committee shall have power to bind the district beyond the amount of money voted by it, and the district shall not be bound by any act, as a ratification of the doings of such committee, beyond their authority, unless by express vote of the district.

**Source.** GS 80:3. GL 88:3. PS 91:2. 1921, 85, VII:6. PL 122:6. RL 141:6.

# Portsmouth Middle School Joint Building Committee Project Structure



Contract  
→

Communication  
⋯→

**Portsmouth Middle School Joint Building Committee  
Roles and Responsibilities**

<b>Role/Group/Names</b>	<b>Primary Functions</b>	<b>Represents/Reports to</b>	<b>Phases of Involvement</b>
Joint Building Committee	<ul style="list-style-type: none"> <li>• Oversee and decide all matters relating to design and construction and associated athletic fields</li> <li>• Prepare and submit monthly status reports relating to construction progress to the City Council and School Board</li> <li>• Prepare and submit monthly financial reports relating to the total authorized construction budget and expenditures to date to both the City Council and the School Board</li> <li>• Maintain an open process with frequent communication with educational professionals, City Council, City officials, students, and the community</li> <li>• Balance schedule, costs and quality to optimize long term value</li> </ul>	<ul style="list-style-type: none"> <li>• Represents all related school and city programs, policies, statutes and guidelines.</li> <li>• Defers to School Board all decisions concerning education program (e.g. “middle school education specification”)</li> <li>• Defers to City Council all decisions concerning city-related matters (e.g. street traffic, parking)</li> </ul>	All
Architects: JCJ Architecture	<ul style="list-style-type: none"> <li>• Develop schematic drawings</li> <li>• Establish preliminary cost estimates</li> <li>• Develop working drawings and specifications</li> <li>• Contract and manage as required engineering disciplines and other specialists/consultants (e.g. civil, mechanical, structural, geotechnical; traffic)</li> <li>• Create Construction Documents</li> <li>• Assist and advise JBC on contracts and bidding</li> </ul>	Reports to the JBC	All

Role/Group/Names	Primary Functions	Represents/Reports to	Phases of Involvement
	<ul style="list-style-type: none"> <li>• Work with CM, Clerk of the Works and the JBC during construction phases to clarify design questions.</li> </ul>		
Construction Manager at Risk	<ul style="list-style-type: none"> <li>• Advise with JBC and JCJ in schematic design and design development, creating construction documents, establishing construction phasing and scheduling, and estimating costs</li> <li>• Develop for JBC approval a Construction Management Plan (which includes specific plans for student and public safety, construction methodology, material handling, traffic management, and construction noise and air quality)</li> <li>• Negotiate with JBC a Guaranteed Maximum Price for project</li> <li>• Select and contract, with appropriate JBC guidance, building subcontractors</li> <li>• Provide construction leadership, contract management, direction, supervision, coordination and control during construction phases</li> </ul>	Reports to the JBC	Phase 2 through Project Completion
Clerk of the Works  Clerk of the Works	<ul style="list-style-type: none"> <li>• Serves as the owner's (i.e. JBC) on-site representative on a day-to-day basis</li> <li>• Observe and document quality and progress of construction, and communicate any concerns or issues of non conformance to JBC, JCJ and CM as appropriate</li> </ul>	Reports to the JBC	Phase 2 through Project Completion

Role/Group/Names	Primary Functions	Represents/Reports to	Phases of Involvement
	<ul style="list-style-type: none"> <li>• Maintain on site project records, including daily logs of activities, weather, etc.</li> <li>• Observe and document all testing, sampling and local/state/federal inspections and report results to JBC</li> <li>• Review progress of work compared CM schedule</li> <li>• Review field reports from architects and engineers</li> <li>• Monitor and document delivery of all building materials to ensure materials as specified, and proper storage</li> <li>• Monitor and immediately notify CM of any unsafe conditions observed</li> <li>• Evaluate, log and make recommendations on requests for change orders</li> <li>• Review all requests for payment</li> <li>• Maintain a visitors log.</li> <li>• Participate in final inspection and commissioning</li> </ul>		
<p>Owners Representative</p> <p>Steve Bartlett</p>	<ul style="list-style-type: none"> <li>• Acts as liaison between JBC and city staff, school staff and all other project team members.</li> <li>• Provides and coordinates administrative support to the JBC.</li> <li>• Coordinates processing of all change orders and requests for payment.</li> </ul>	<p>Reports to JBC</p>	<p>All</p>

Role/Group/Names	Primary Functions	Represents/Reports to	Phases of Involvement
	<ul style="list-style-type: none"> <li>• Prepare monthly financial reports</li> </ul>		
Commissioning Agent	<ul style="list-style-type: none"> <li>• Provide documented confirmation that a facility fulfills the functional and performance requirements of the building owner, occupants, and operators</li> <li>• Establish and document owner's criteria for system function, performance, and maintainability</li> <li>• Verify and document compliance with these criteria throughout design, construction, start-up, and the initial period of operation at least through the warranty period</li> <li>• Complete operation and maintenance (O&amp;M) manuals</li> <li>• Provide training to building operators</li> </ul>	Reports to JBC	Phase 2 through one year after building occupancy
City Staff (e.g. legal, land use)	<ul style="list-style-type: none"> <li>• Specific technical and advisory support as needed or required by city or state statute</li> </ul>	Coordinates with Owners Representative	All