

Public Building Commission

Purpose/Authority:

Town Charter –

Section 8-11-1. Public Building Commission. Members. There shall be a Public Building Commission composed of seven (7) electors of the town, not more than four (4) of whom shall be of the same political party, all to serve for terms of five (5) years each. In the month of January of each year the Council shall appoint an elector to fill each expired term. Each member shall hold office until a successor is appointed and qualified.

Section 8-11-2. Public Building Commission. Duties. It shall be the duty of the Public Building Commission to develop preliminary plans and cost estimates and supervise the construction of, addition to, or alteration of any building approved by the Council, based upon a statement of need, including specified requirements and specifications. Plans and estimates should include, where necessary, site improvement and other appurtenances, together with any equipment and furnishings.

Section 8-11-3. Public Building Commission. Preliminary Approval. (a) Should any board, commission or municipal department determine that the town needs require the construction of, addition to, or alteration of a building, then said Board, Commission or Department should submit a statement of need to the Manager for consideration to the Council. Upon receipt of such a statement of need the Manager shall place it on the Council agenda. Said requesting Board should appear at any Council meeting wherein said statement of need appears as an agenda item and testify in support of said statement. The Council, after review of the statement of need, may approve said statement. (b) In the event the Council approves the statement of need, the Council shall forward said statement to the Public Building Commission within five (5) business days. The Public Building Commission shall secure cost estimates which may include interviewing architects for development of preliminary plans and project construction budget. The Public Building Commission shall forward said cost estimates together with a request for appropriation to develop preliminary plans and estimates, to the Manager for placement on Council agenda. (c) In the event the Council approves said appropriation request, the Public Building Commission may thereafter select and engage, and in the name of the town, enter into contracts following RFP process for all professional services including but not limited to architects, landscape architects, engineers and clerk of the works for appropriate services, in all cases subject to appropriations as set forth herein. Said architect shall thereafter prepare preliminary plans and project construction budget.

Section 8-11-4. Public Building Commission. Review and Cost Estimate. (a) Upon completion of the preliminary plans and development of a project construction budget, the Public Building Commission shall promptly forward such to the board, commission or municipal department which created the statement of need for review and a finding of substantial compliance with said statement of need. (b) In the event the board, commission or municipal department which created the statement of need finds the

preliminary plans and cost estimates to be in substantial compliance with said statement, they shall forward same to the Manager for placement on the Council agenda to secure funds for final plans, specifications, architectural fees and construction cost. (c) The original statement of need shall not be changed without Council approval. Any change in a statement of need, or any increased costs which are not reflected in the original statement of need must be resubmitted by the board, commission or department which created said statement to the Manager for placement on the Council agenda. Any such change must be approved by the Council.

Section 8-11-5. Public Building Commission. Project Appropriation. In the event the project appropriation is approved by a majority vote of the Council, the architect shall then prepare final plans and submit same to the Public Building Commission for approval, and thereafter to the board, commission or department which created the statement of need for approval. The Public Building Commission shall then invite sealed bids for construction of the project, giving thirty (30) days public notice thereof by publication at least twice in a newspaper having a circulation in the town and region, and shall let the contract to the lowest responsible bidder thereon, as evidenced by documentation of past performances and personal knowledge. If it shall determine that it shall be in the best interest of the town to do so, it may, reject any or all such bids or proposals. All said sealed bids or proposals shall be opened publicly. Notwithstanding any other provisions of this Section or Section 8-11-4 of this Charter, the Manager with Council approval is authorized to either seek bids first or appropriate funds first on any capital project after development of plans.

Section 8-11-6. Public Building Commission. Contracts. No bid can be accepted if it does not fall within the approved appropriation. If no bid falls within the approved appropriation or is accepted under the procedures set forth in Section 8-11-5 of this Chapter, then all bids shall be rejected and the statement of need shall be returned to the requesting agency for revision and resubmission to the Public Building Commission. If a bid falls within said appropriation and is accepted by said Commission under the aforesaid procedures, said Commission shall seek advice of Corporation Counsel to review proposed contracts, bonds and insurance before entering into contracts with the selected bidder for the construction of the project.

Section 8-11-7. Public Building Commission. Monthly Reports. The Public Building Commission, in conjunction with the Finance Director, shall submit a written report at least monthly to the Manager and Council. Said monthly report shall include total project cost, total contracts approved and let, total expenditures made on each contract to date, and all additions to or deletions from each contract. No contract shall be entered into by the Public Building Commission or any agent thereof that exceed the project construction budget without written approval of the Council, and no transfers of surplus from one project construction budget item to another shall be made without Council approval.

Section 8-11-8. Public Building Commission. Action by Council. The Council shall act within thirty (30) days of initially considering any agenda item concerning matters set forth in Section 8-11 of this Charter.

Section 8-11-9. Public Building Commission. Validity of Bond Authorization Determined Solely By Reference to Section 6-10-6 of this Charter. Borrowing by the town shall be authorized solely in accordance with ordinance process incorporated into Section 6-10-6 and borrowing authorized and obligations issued in accordance therewith shall constitute valid authorizations and obligations binding upon the town in accordance with their terms, notwithstanding the failure to comply with the provisions of this Section 8-11.