

Good morning Chris.

A few questions and concerns I hope you can answer. I'm numbering them for ease of reference.

1. Who receives the email that is sent to the SBC email address?", or did I miss it in the previous responses you sent?

Luke Murray, Deputy Town Manager for the Town of SK, receives these emails and forwards them along to the project team and SBC leadership. With that said, we encourage you and others to email skschoolproject@gmail.com – this email is monitored daily.

2. The following representation has been and is on the project website:

PLEASE NOTE: All e-mail, written, and other public is placed on the agenda at normal SBC meetings to ensure the committee is aware of community concerns and can discuss relevant topics. All communication will be formally accepted and placed on file. Should the SBC decide to further direct staff, the project's OPM, or the project's consultant relative to the correspondence, they may do so at the meeting.

I don't know which SBC meetings are "normal". I looked for the list of the SBC's 2024 meetings on the Secretary of State website but could not find it. In any case, my emails did not appear on the December or January agendas, or the March agenda, which leads me to ask why are communications from the community not being placed on the agendas? If the SBC has decided it does not want to put communications on the agenda, when did that happen?

To date, and to the best of my knowledge, the only questions we have received have been from you and Greg Sweet. These questions will be placed on the project website in their entirety in the Documents Library Section, and also placed in the FAQ section as necessary.

The SBC will be addressing your questions and our responses at the March 21st SBC meeting. I believe Greg Sweet's questions will be addressed at the Town Council meeting on the 18th.

3. I heard you mention at the March 7th meeting that you would be getting attorney recommendations for the SBC. Why isn't this service being put out to RFQ? While I'm aware that legal services do not have to be publicly bid, the SBC made it abundantly clear at the town council meeting on Feb 12th that it is engaged in this town's politics. When it comes to legal counsel, SK taxpayers need the best, not the most politically connected attorney or attorney best known to you or your company. As an attorney with decades of experience in complex industrial, commercial, municipal, quasi-municipal and public/private construction projects in numerous states, I think a non-public process to find a project attorney is the last thing SK needs. I also notice school districts all over RI routinely publicly advertise their RFQs in the Providence Journal, has the SBC done that?

The SBC will be soliciting for two separate attorneys, with differing scopes. The first solicitation is to advise the Committee on participation within a Project Labor Agreement (PLA) with Union trades on the High School Replacement Project. This scope of work is very limited, and highly specialized. In order to provide the most value to the Town of South Kingstown, it is imperative that the SBC engage with Counsel that has direct experience with PLA's in Rhode Island, direct experience working with the 6-8 Construction Managers capable of performing this work, and possesses a thorough understanding of how to carefully navigate the political landscape cooccurring with very large, public municipal

infrastructure contracts. As such, the highly specialized nature of the work to be performed is not conducive to a public solicitation process, where the Town of South Kingstown could potentially be locked into a solicitation process that fails to produce qualified applicants. Further, in the last 20 years, the Town of South Kingstown has not pursued a project as large as to merit a Project Labor Agreement. The Owner's Project Manager, LeftField, has years of experience working on projects subject to Project Labor Agreements in the State of Rhode Island.

Further, with the current amount of public-school work being moved forward this year, Counsel with this experience is highly sought after and as a result, do not need to pursue new work. As mentioned above, there is a concern that a public procurement would not entice the most qualified legal firms with direct experience negotiating PLA's. This would be especially true if firms are required to navigate through a lengthy public procurement process for what is, in effect with concerns to the Legal Industry, a very small fee (less than \$20,000.00).

The second solicitation will be for legal counsel to the High School Replacement project, with a more expansive scope of work. This procurement lends itself far better to the public procurement process as outlined in your question and will be discussed by the SBC.

Each School District has a different process for advertising their public solicitations. In South Kingstown, that process is to advertise in the local paper (the Independent) and to post the solicitation to an online platform (bidnet) used by the State of Rhode Island, its departments, and by a majority of municipalities in the State. Bidnet allows any firm to access the bid documents for free and casts a very wide network, as users do not need to have a separate Customer Relationship Management Software which scans local papers for advertisements, or in our case, reads the Providence Journal every day.

4. Can you provide me with a list of the SBC members who are not residents of SK and tell me what RIDE required position the school athletic director is filling? I note that the athletic director's name still does not appear on the project website as a member of the SBC.

Thank you for bringing that to our attention – that will be fixed by the SBC meeting on the 21st.

The School Athletic Director fulfills the "A member who has knowledge of the educational mission and function of the facility". As a career South Kingstown School Department Employee, Terrence Lynch is not only well versed with the history and traditions of South Kingstown but is one of the longest tenured employees in the District. Prior to becoming Athletic Director, Terrence performed multiple roles within the School Department. In addition, Terrence often provides the role of substitute administrator when school principals (at all levels) are out on short term leave.

To the best of my knowledge, only three members of the SBC are not South Kingstown residents: Chip McGair, Lucas Murray, and Brian Silvia. These three members all perform specific roles on the SBC as is required by RIDE's construction regulations, pursuant to RI General Law concerning the formation of School Building Committees, and/or pursuant to the Town Charter of South Kingstown. These three positions are 'Representative of the Town Council' (Town Charter); 'Local budget official or member of the local finance committee' (RIDE Regs); and 'School Principal from the subject school' (RIDE Regs). All other members of the SBC are residents of South Kingstown.