

Re: MVC/MVRHS - Warranty Information

T E Hopkins <ewellhopkins@mac.com>

Wed 7/29/2020 11:05 AM

To: Chris Huntress <chris@huntressassociates.com>

Cc: Alex Elvin <elvin@mvcommission.org>; Adam Turner <turner@mvcommission.org>; Anne Kitchell <akitchell@horsleywitten.com>; Oak Bluffs Planning Board <planningboard@oakbluffsma.gov>; Oak Bluffs Planning Board <planningboard@oakbluffsma.gov>; Kimberly Kirk <kkirk.smi@gmail.com>

Hi, Chris

Excellent. Surely you always advocate for the very best warranties for all your clients. It would definitely be helpful to review those other examples from your previous projects.

Give us something other than criterion to review at this point.

I'm at my desk most of the day, feel free to call if that would help. Let's not overload each other's inboxes.

Ewell

508.560.7227

Sent from my iPhone

On Jul 29, 2020, at 10:43 AM, Chris Huntress <chris@huntressassociates.com> wrote:

Ewell, thanks for the quick reply. You are correct that established, or standard manufacturers warranties, do not provide a criterion of understanding that should be related to the MVRHS project. We have found in the past that standard manufacturer's warranties, much like the one you have posted on facebook, often favor the manufacturer and not the owner. It is for this reason that MGL allows the designer of record to create specific criteria that may be different, or stronger, and that is in favor of the owner. Specifically, Section 01 78 36 WARRANTIES, para 1.02(4) states..."*The manufacturer's standard warranty forms may not comply with the requirements of the Contract Documents. Special warranty terms, conditions, and requirements are often specified and required.*"

The criteria we have outlined in the specifications is specific to your project and includes measures for third-party independent testing of PFAS materials, cradle-to-cradle certifications and guarantees for end of life recycling. I would consider these all "special warranty terms" that would fall well outside the standard manufacturers language that you could expect to receive at this time. So to answer your question below, yes, you should be expecting personalized warranties for the synthetic turf system at MVRHS. We typically, as per MGL requirements, can not submit this request to manufacturers until the project is out for public bid. At that time I would require that manufacturer's submit their warranties for pre-approval prior to bids being submitted so we can pre-qualify those warranties and

the intended synthetic turf products during the public bid process. I understand your request for a specific manufacturer's warranty, but we are constrained a bit by MGL and the public bids laws. I would suggest that we work together to review the warranty criteria outlined in the specifications as that is what will ultimately guide the language in the warranties specific to your project. Once we understand and agree on the warranty criteria, than we could look at how best to ensure that the MVC and OBPB feels protected in the public bid process.

Thanks, and please feel free to reach out with any further questions. You can always reach me directly on my cell at 978.758.6290

Chris
Christian C. Huntress, RLA
President

HUNTRESS Sports
17 Tewksbury Street
Andover, MA 01810
c: 978.758.6290
p. 978.470.8882
f. 978.470.8890

www.huntressassociates.com
www.sportsfieldaerials.com

From: T E Hopkins <ewellhopkins@mac.com>
Sent: Wednesday, July 29, 2020 10:14 AM
To: Chris Huntress <chris@huntressassociates.com>
Cc: Alex Elvin <elvin@mvcommission.org>; Adam Turner <turner@mvcommission.org>; Anne Kitchell <akitchell@horsleywitten.com>; planningboard@oakbluffsma.gov; Oak Bluffs Planning Board <planningboard@oakbluffsma.gov>; Kimberly Kirk <kkirk.smi@gmail.com>
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Yes, Chris
Your points are very clear.

Am I to believe that established warranties don't provide a criterion of understanding which we should consider?

Should we be expecting personalize warranties?

If our research is limited, please give me a couple of established warranty agreements we can review.

Ewell

Sent from my iPhone

On Jul 29, 2020, at 9:57 AM, Chris Huntress <chris@huntressassociates.com> wrote:

Mr. Hopkins, I would reiterate that the warranties you reviewed were not part of our submission and would not be acceptable under our specifications. In public construction projects following state mandated bid laws (MGL Chapter 30 Section 39M) The designer is required to provide written specifications that bidders would then be required to meet in order to be allowed to submit their products as equal. I have shared those specifications with you so you can see the criteria we intend to use in our public bid process as it relates to warranty. Should you have specific questions about the criteria in our specification please let me know and I would be happy to address them.

Sincerely,

Chris
Christian C. Huntress, RLA
President

HUNTRESS Sports
17 Tewksbury Street
Andover, MA 01810
c: 978.758.6290
p. 978.470.8882
f. 978.470.8890

www.huntressassociates.com
www.sportsfielddaerials.com

From: T E Hopkins <ewellhopkins@mac.com>
Sent: Wednesday, July 29, 2020 9:48 AM
To: Alex Elvin <elvin@mvcommission.org>; Adam Turner <turner@mvcommission.org>; Anne Kitchell <akitchell@horsleywitten.com>; planningboard@oakbluffsma.gov
Cc: Oak Bluffs Planning Board <planningboard@oakbluffsma.gov>; Chris Huntress <chris@huntressassociates.com>; Kimberly Kirk <kkirk.smi@gmail.com>
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Hi, Anne and Alex

This is all well and good. But this is not an example of a manufacturer's warranty.

What the Oak Bluffs Planning Board reviewed were examples of actual warranties not expectations.

Is it the position of the applicant that manufactures have agreed to these specifications? If so, I would like us to review those actual agreements.

There is nothing here other than expectations.

This is not to say, these expectations/specifications are acceptable.

Ewell
chairperson - Oak Bluffs Planning Board.

Sent from my iPhone

On Jul 29, 2020, at 8:55 AM, Oak Bluffs Planning Board
<planningboard@oakbluffsma.gov> wrote:

I will post.

From: Chris Huntress <chris@huntressassociates.com>
Sent: Tuesday, July 28, 2020 4:36 PM
To: Alex Elvin <elvin@mvcommission.org>; Lucy Morrison
<morrison@mvcommission.org>
Cc: Oak Bluffs Planning Board <planningboard@oakbluffsma.gov>;
Matthew D'Andrea <mdandrea@mvyps.org>; Richard Smith
<rsmith@mvyps.org>; Kimberly Kirk <kkirk.smi@gmail.com>;
JSullivan@chacompanies.com <JSullivan@chacompanies.com>
Subject: MVC/MVRHS - Warranty Information

Alex & Lucy, attached you will find a memo addressing Warranty specifications as they relates to the infill synthetic turf system proposed at MVRHS.

We are providing this information at the request of the Oak Bluffs Planning Board. Please let me know if you have any questions.

Thanks

Chris
Christian C. Huntress, RLA
President

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f. 978.470.8890

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<HAI-MVRHS-MVC TurfWarranty 072820.pdf>