

## BOARD OF PUBLIC WORKS

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Date of Meeting: November 18, 2014, at 11:30 a.m. in the Birch Room.

Members Present: Wesolowski, Jacobson, Groat.

Also Present: Mayor Tipple, Lenz, Mohelnitzky, Knotek, Bauer.

In compliance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and received by the *Wausau Daily Herald* in the proper manner.

### **Approve minutes of the November 4, 2014 meeting**

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Groat moved to approve the minutes of the previous meeting. Jacobson seconded and the motion carried unanimously 3-0.

### **Kaiser Pool Renovation Project – Contracts 1 & 3: Altmann Construction Company, Change Order No. 1, 2, 3 and 4**

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Knotek noted that Change Order No. 1 swaps which contractor is installing the pumps. Therefore this change order results in a deduction of \$34,000 and Change Order No. 1 for Badger Swimpools is an increase of \$34,000. Change Order No. 2 came about when the contractor was excavating for the pool and ran into the former channel of Stinchfield Creek. Junk and heavy organic soils were discovered. Change Order No. 3 is for a holding tank. There is a 4" sewer line in the street and the backwash of 1,500 gallons of water would cause the sewer to back up. Change Order No. 4 is an upcharge for premier color of the split face block for the building. Groat moved to approve Change Order No. 1 for a decrease of \$34,000, Change Order No. 2 in the amount of \$4,608.86, Change Order No. 3 in the amount of \$11,656.69, and Change Order No. 4 in the amount of \$2,016.00. Jacobson seconded and the motion carried unanimously 3-0.

### **Kaiser Pool Renovation Project – Contracts 1 & 3: Altmann Construction Company, Pay Estimate #1**

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Groat questioned if the contractor has finished ¼ of the project and Knotek confirmed. Knotek added if the project continues as planned, the floor and walls of the pool will be poured and the slides will be installed in February. Groat moved to approve Pay Estimate #1 in the amount of \$420,165.05. Jacobson seconded and the motion carried unanimously 3-0.

### **Kaiser Pool Renovation Project – Contract 2: Badger Swimpools, Inc., Change Order No. 1 and 2**

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Knotek stated that Change Order No. 1 is an increase to move the installation of pumps from Altmann's contract to Badger's contract. Change Order No. 2 is an addition of a 3" line in the last part of the pool in case water builds up in the lower part. Knotek feels this is an inexpensive form of insurance. Groat moved to approve Change Order No. 1 in the amount of \$34,000 and Change Order No. 2 in the amount of \$1,200. Jacobson seconded and the motion carried unanimously 3-0.

### **Kaiser Pool Renovation Project – Contract 2: Badger Swimpools, Inc., Pay Estimate #1**

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Knotek stated this is a low pay estimate as the contractor is farther along than 10% at this point. Groat moved to approve Pay Estimate #1 in the amount of \$82,218.80. Jacobson seconded and the motion carried unanimously 3-0.

**Review and make recommendation on Proposal to Provide Assistance for Preparation and Submittal of Two Brownfields Cleanup Grant Applications to US EPA as part of the Fiscal Year 2015 Grant Competition**

Lenz explained that Stantec is proposing to apply for two new grants similar to the grants the City has received in the past regarding the Riverfront project. The grants would be for more remediation that was discovered along the riverbank. A fee would be charged only if Stantec is successful in obtaining the grants. Jacobson questioned the number of grant applications. Lenz stated there are two, one for the former McDevco property and the other for the former post office property. Jacobson asked if the amount seemed reasonable for the grant applications. Lenz replied the City has worked with Stantec on three other grants and believes the charge is the same. He added that Stantec has background information and the application process should go smoothly. Wesolowski feels it is good that a fee is only charged if successful in obtaining the grants and Stantec has been successful in the past. Groat agreed and added that Stantec has special qualifications because of the other grants. Groat moved to approve the proposal from Stantec to provide assistance for preparation and submittal of two Brownfields Cleanup Grant applications to US EPA as part of the Fiscal Year 2015 Grant Competition. Jacobson seconded and the motion carried unanimously 3-0.

**Pay Request from Stantec: Professional Services from May 31 through October 24, 2014; WDNR Ready for Reuse Grant Project; 1010 North 1<sup>st</sup> Street site**

Lenz explained this pay request includes soil excavation, disposal, sampling and groundwater monitoring. There is approximately half of the contract remaining. Jacobson mentioned that in one area of the cover letter it notes the time frame of May 31 through October 24. In another area it notes March 22 through October 24. Lenz will check the dates to insure the billing is correct. Groat moved to approve the pay request in the amount of \$3,872.86. Jacobson seconded and the motion carried unanimously 3-0.

**Pay Request from Stantec: Professional Services from July 19 through October 31, 2014; US EPA Brownfields Cleanup Grant Project, Former Hammerblow Site at 920-1000 1<sup>st</sup> Street**

Lenz stated an EPA grant was received for cleanup of the area along the riverfront. This pay request includes work done on the bi-modal trail and the larger Hammerblow property. This request is for \$48,341.17 and would leave approximately \$49,000 in the contract. Groat moved to approve the pay request in the amount of \$48,341.17. Jacobson seconded and the motion carried unanimously 3-0.

**2014 Street Construction Project "C": PGA, Inc., Pay Estimate #4**

Wesolowski stated after this pay estimate, approximately \$600,000 remains in the contract and there is still quite a bit of work remaining to be completed. This contract includes Kent Street, Curling Way, McClellan Street and Scott Street. Mayor Tipple stated he has received phone calls from Tom Johansen, a resident on McClellan Street. Mr. Johansen, Jon Havel, and other residents are concerned about this project. Mohelnitzky added that plowing Scott Street and McClellan Street has become an issue and the new curb may get damaged. 10<sup>th</sup> Street is a salt route and a bus route. At this intersection there is a drop off, which may cause damage to equipment. Jacobson questioned if the extension granted for the project expired on November 14<sup>th</sup> and noted that the contractor assured the committee that the work would be finished before the extension date. Jacobson asked about the number of bad weather days. Wesolowski indicated the contract will have to come back to the Board of Public Works for another extension and discussion regarding possible liquidated damages. Groat is hesitant to approve the pay request. She stated that Curling Way was a difficult situation as the City was part of the issue. However, the City was not to blame for delays on Scott Street or McClellan Street. Wesolowski stated that Scott Street sat with binder for a month. Mayor Tipple stated Mr. Johansen called last week indicating the neighborhood will be submitting a petition stating there

are no excuses for the delays. The contractor only worked three days a week and never worked on Fridays. The petition will also ask for relief for the hardships that were caused. Groat added that extra administrative time and extra DPW time to plow is expensive. Mohelnitzky stated that DPW spent extra time removing snow on McClellan Street and Curling Way to try to get the contractor to get paving done. Jacobson questioned how much longer it will take for the contractor to complete the project. Wesolowski replied the project will not be completed until spring. Mohelnitzky noted that in a typical year, paving is done up until Thanksgiving. Wesolowski agreed it is not a typical year and noted that the DOT is still paving on Highway K. Wesolowski added that there were no excuses for Scott Street. The contractor has been working on McClellan Street to try to get it done. The contractor is still pouring concrete at his risk knowing that if it cracks they will have to replace it. The contractor submitted a schedule of work at the preconstruction meeting with a completion date in November even though the contract spelled out completion in October. Kent Street and Curling Way are alright, but Scott Street and McClellan Street should have been done three months ago. Groat questioned the maximum penalty per the contract. Wesolowski replied \$1,000 a day. Mohelnitzky stated that blacktop typically does not happen until the frost is out of the ground. Groat questioned if the ground is already frozen. Mohelnitzky confirmed and stated in the street frost is about a foot deep. Jacobson moved to table the pay request until the next Board of Public Works meeting. Groat seconded and the motion carried unanimously 3-0.

**CLOSED SESSION pursuant to Section 19.85(1)(g), Wis. Stats., for the purpose of deliberating on claims**

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Motion by Groat, second by Jacobson to convene in Closed Session. Motion carried unanimously 3-0.

After deliberating in closed session on two claims, Jacobson moved to reconvene back into Open Session. Groat seconded and the motion carried unanimously. Jacobson moved to deny the claim submitted by Zocher and approve the claim submitted by Her in the amount of \$17,500 based upon the recommendation from CVMIC. Seconded by Wesolowski and the motion carried unanimously 3-0.