

# BOARD OF PUBLIC WORKS

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Date of Meeting: January 16, 2018, at 1:30 p.m. in the Birch Room.

Members Present: Lindman, Groat, Jacobson

Also Present: Wesolowski, Gehin, Stratz, Plaisance, Petit, Semrow  
Dave Schumitsch, Merrill Gravel & Construction Co.

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 January 10, 2018 meeting**

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Lindman moved to approve the minutes of the previous meeting. Groat seconded and the motion passed.

## **Open Request for Proposals for the rehabilitation of 1215 Prospect Avenue and 115 South 6<sup>th</sup> Avenue**

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The following proposals were received and opened:

	<u>1215 Prospect</u>	<u>115 S. 6<sup>th</sup> Ave</u>
Finnegan Construction	\$126,266	no bid
Knutson Construction	\$162,327	\$173,915

The proposals will be reviewed with a recommendation brought back to a future meeting.

## **Discussion and possible action on liquidated damages for 2017 Street Construction Project C, Plaza Drive from North 28<sup>th</sup> Avenue to Pine Ridge Boulevard**

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Wesolowski stated the bids for the Plaza Drive project were opened in May. This was a later bid because of the funding. The contract was awarded on May 23 and signed by the contractor on May 30. The project could begin any time after the contracts were signed and had to be completed with 45 days or by October 20. The City signed the contracts on June 14. The contractor elected to start the project on August 14. With the two month delay, there were still enough days for completion by October 20.

Petit stated the contractor started on August 14. The project consisted of two phases. The first phase was completed and paved on September 25. The second phase began the next day. The base course was completed on October 6. Due to the rain that occurred over that weekend, it was decided that the base course was too wet to pave. On October 16 the contractor removed half of the base course and brought in new. It again rained on October 23. The base course was again removed and put back down. Binder was placed on October 26. It was recommended that once binder was placed to leave it for two weeks to see how it would hold up. After the two week period it was decided to hold off on final paving until spring.

Wesolowski explained the October 20 completion date was not met due to extenuating circumstances with rain. The contractor, Haas, has requested a contract extension until June 1, 2018 to finish the surface course. By the looks of the roadway, the contractor will be tearing out the existing binder. The contractor will have some significant costs with the replacement of the first course of binder. The contractor did not have any off days and will incur costs to remove the binder and place new base course.

Groat questioned if this was typical. Petit replied no and explained that this was caused by the soils underneath the base course. Water went through the base course and held moisture. Two times the contractor removed base course but there was more rain. This is the first time Petit has incurred this in construction. Wesolowski added that Plaza Drive sits in a sag. Water ran to the sag and sat there. The area will be inspected in the spring and AET

will assess it. The contractor has not asked for extra for them to replace the base course and has not asked for extra for the asphalt at this point. Groat questioned the function of the storm sewer. Wesolowski indicated the storm sewer sits in the base line but the base course sits below that.

Groat moved to extend the contract to June 1, 2018 recognizing the efforts of the contractor and the challenges of the site. Lindman seconded and the motion passed.

### **Discussion and possible action on liquidated damages for 2017 Street Construction Project D, 13<sup>th</sup> Street from East Wausau Avenue to Nina Avenue**

Gehin stated this project was awarded May 30. The project was challenging because of the grade of the roadway and slope. The contracts were signed on June 12. Work started on July 5, roughly three weeks after the contracts were signed. There were four rain days and a number of days when Merrill Gravel & Construction was not on the project. In total the contractor was not on site for 23 working days. The project did not meet the completion date of October 20. The project was completed 20 days over. This contract did not include a number of working days. Staff has set completion dates by the end of October because of an experience in 2014 where a project did not get finished.

Semrow noted that compliments were received during the project. Schumitsch and his crew helped property owners with driveways and kept access at all time.

Schumitsch explained that a number of days not worked were due to the testing process. He indicated watermain was installed on August 16 and testing was not completed until August 29. They were 20 days over on the job, but a number of those days they were delayed because of an accordion effect. There were significant problems getting tests on this job. They could not get tests passed without rechlorinating the lines. He stated there were days they were not on site as they were committed to certain projects on certain dates. He added that the watermain manufacturer failed to make delivery in July which cost four to five days. Because of the October 20 completion date they started after the 4<sup>th</sup> of July and thought they had ample time to complete the project. They did get the project completed in November before the weather turned.

Groat questioned if rock was encountered. Schumitsch said the rock quantity was not extensive on this project. Groat asked if Merrill Gravel worked on other projects in the City. Schumitsch indicated they primarily worked on Rib Mountain Drive.

Jacobson questioned if there have been problems with Merrill Gravel in the past. Lindman stated Chicago Avenue was completed late and liquidated damages were imposed. Lindman asked if the bacteria testing on the watermain was something the City did. Semrow indicated they worked together. Merrill Gravel flushed and Semrow took the tests. He added that it is sometimes hard to get bacteria tests right away when the weather is warm. There were failed tests and two good tests in a row are needed. Lindman asked the number of sections tested to which Semrow replied two total. Schumitsch indicated there was more of a problem with the first round. During the second round there was other work that could be done while waiting for the tests to be completed.

Gehin stated there are a number of Council members that have expressed concern with Merrill Gravel not meeting contract completion dates and have questioned if they should be allowed to bid on projects. Gehin expressed how important it is to make contract completion dates as it has a ripple effect with getting out assessments and inspectors availability for other projects. Groat questioned what Semrow did on days when Merrill Gravel was not on site. Semrow indicated he worked on other projects.

Jacobson stated Merrill Gravel has had prior liquidated damages but at least started the project earlier than Project C and the project was completed. Jacobson asked if staff had a recommendation. Gehin feels damages should be imposed but thought the amount should be left up to the committee. Lindman stated the contractor was 20 working days past the completion date and there were four rain days. He questioned if the issues with safe tests would have caused approximately 5 days of delay. Semrow stated five days would be fair when considering safe tests combined with pressure tests. Schumitsch stated if pressure tests failed because of a leak it would be an at

fault situation and not incidental to construction. They did not have to fix any fittings. There was air in the line and they went through extra measures to get it blown off.

Lindman moved to take the 20 working days past the completion date, minus four rain days, minus a full work week because of problems with pressure tests and bacteria to come to 11 days for liquidated damages at \$1,000 day for a total of \$11,000. Groat seconded and the motion passed.

Schumitsch was expecting damages and indicated the second half of the project went well. However, they lost too much time in the first half. He apologized and hopes to work with the City in the future.

**Pay Request from AECOM: Professional services through December 29, 2017; Thomas Street Construction Related Services**

Lindman moved to approve the pay request in the amount of \$4,767.45. Jacobson seconded and the motion passed.

**Pay Request from AECOM: Professional services through December 8, 2017; Thomas Street Phase II Design**

Lindman stated AECOM is working towards 60% design plans. Lindman moved to approve the pay request in the amount of \$16,336.94. Jacobson seconded and the motion passed.

**Pay Request from Becher Hoppe: Professional services to December 31, 2017; Water Treatment Facility Assets**

Lindman moved to approve the pay request in the amount of \$13,429.48. Groat seconded and the motion passed.

**Pay Request from Becher Hoppe: Professional services to December 31, 2017; Wausau Business Campus Expansion**

Lindman stated this invoice bills out 100% of the water tower, which is currently under construction. Lindman moved to approve the pay request in the amount of \$3,198.80. Groat seconded and the motion passed.

**Pay Request from Becher Hoppe: Professional services to December 31, 2017; South Primary Digester**

Lindman stated this is for the ongoing design for the South Primary Digester. Lindman moved to approve the pay request in the amount of \$630. Groat seconded and the motion passed.

**Pay Request from Becher Hoppe: Professional services to December 31, 2017; Construction Services for the Wausau Business Campus**

Lindman explained this is for construction services for work in the Business Campus. Lindman moved to approve the pay request in the amount of \$6,471.06. Groat seconded and the motion passed.

**Pay Request from Becher Hoppe: Professional services to December 31, 2017; 2017 East Riverfront Project**

Wesolowski indicated this is for Bella's time on as built plans. Lindman moved to approve the pay request in the amount of \$5,705. Jacobson seconded and the motion passed.

**Pay Request from Ayres: Professional services to December 16, 2017; Frantz Riverfront Development**

Wesolowski stated Ayres is working on the roadway, sewer, water, and storm sewer design for the extension of Fulton Street. This invoice brings the contract to 50%. Groat moved to approve the pay request in the amount of \$9,300. Lindman seconded and the motion passed.

**Pay Request from AET: Construction Materials Testing, 2017 Street Construction Project D**

Lindman moved to approve the pay request in the amount of \$250.05. Groat seconded and the motion passed.

**Pay Request from REI: Professional Services to December 31, 2017; Environmental Project at 310 Plumer Street**

Lindman moved to approve the pay request in the amount of \$26,125.16. Jacobson seconded and the motion passed.

**Pay Requests from WisDOT: South 1<sup>st</sup> Avenue and Townline Road**

Wesolowski explained these invoices are for DOT oversight on 1<sup>st</sup> Avenue and Townline Road. As we continue to move towards construction we will continue to see invoices. Jacobson questioned if the invoices seemed reasonable as they do not include much detail. Wesolowski stated these projects have STP Urban funding and as part of that the City is responsible for an estimated percentage of oversight. Wesolowski recommends approval. Jacobson moved to approve the invoice for South 1<sup>st</sup> Avenue in the amount of \$2,036.61 and the invoice for Townline Road in the amount of \$1,454.43. Groat seconded and the motion passed.

**2017 Business Campus Expansion: Kruczek Construction, Inc., Pay Estimate #2**

Wesolowski said this pay estimate was reviewed by the project inspector. Approval is recommended. Lindman moved to approve Pay Estimate #2 in the amount of \$738,973.83. Groat seconded and the motion passed.

**2017 Pavement Marking Project: Century Fence Company, Pay Estimate #2**

Wesolowski explained this estimate brings the quantities up to date and he recommends approval. He added that there should be one final pay application forthcoming as this project has been completed. Lindman moved to approve Pay Estimate #2 in the amount of \$3,549.55. Jacobson seconded and the motion passed.

**Discussion and possible action on extending the contract completion date for the 2017 Parking Ramps Repair Project**

Wesolowski indicated that Paragon Restoration did not get this work done this fall as they were asked to do extra work. Extending the contract does not hamper or put anyone out, or cost extra money. Lindman moved to approve extending the contract completion date to June 1, 2018. Groat seconded and the motion passed.

**Bituminous Concrete Paving License: Fahrner Asphalt Sealers, LLC and American Asphalt of Wisconsin**

Jacobson moved to approve the license of Fahrner Asphalt Sealers, LLC and American Asphalt of Wisconsin. Lindman seconded and the motion passed.

**Make recommendation on proposals received for soil borings for 2018 Projects**

Gehin sent out RFP's for soil borings for this year's project. The RFP'S were sent to three geotech firms. Proposals were received from AET and ECS Midwest. AET submitted a proposal for \$4,485 and ECS for \$6,800. Staff recommends accepting the proposal from AET. Jacobson moved to accept the proposal submitted by AET in the amount of \$4,485. Groat seconded and the motion passed.

Jacobson moved to adjourn the meeting. Groat seconded. Meeting adjourned at approximately 2:15 p.m.