

BOARD OF PUBLIC WORKS

Date of Meeting: September 8, 2020, at 10:00 a.m. in the Council Chambers

Members Present: Lindman, Groat, Jacobson

Also Present: Wesolowski, Nicksich, Hanson, Steve Opatik – Becher Hoppe

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 August 25, 2020 meeting

Groat moved to approve the minutes of the August 25 meeting. Jacobson seconded and the motion passed.

Open Request for Proposals for Professional Services regarding Stewart Avenue from 48th Avenue to 72nd Avenue

Proposals were received from Ayres, Becher Hopper, Kapur, EMCS, and SEH. The proposals will be evaluated and brought back with a recommendation.

Open Quotations and make recommendation for the purchase of plow blades

A proposal was received from Grays Inc. and two proposals were received from DA McPherson. DA McPherson quoted Built Blades and H & L Mesabi. Hanson will review the components and bring back with a recommendation.

Open Quotations and make recommendation for the rent to purchase of a front end loader and 3 in 1 plow

The following quotations were received and opened:

	<u>Monthly Rental</u>	<u>Purchase Cost</u>
Fabick	\$2,995	\$155,000
McCoy	\$6,800	\$196,800 (Option 1)
McCoy	\$6,200	\$176,000 (Option 2 – machine only)
McCoy	\$2,900	\$176,000 (Option 3 – machine only)
Miller Bradford	\$2,100	\$182,300
Swiderski	\$3,544.62 (24 months)	\$162,000
	(Also included longer term lease options for less.)	

Hanson stated DPW is currently renting a machine from Fabick. Any rental previously paid would go toward the purchase of that machine so he recommends accepting the quotation from Fabick. Lindman asked if we only rent the unit for the months needed and Hanson confirmed.

Lindman said looking at the monthly rental cost and the total cost it seems Fabick is the way to go. He questioned if the plan was to purchase the unit. Hanson indicated the goal is to purchase the machine and there is grant money that would go toward the purchase. There is a need for the unit this winter; however, the 2020 budget has been used. Hanson will talk with Groat to see if there is a way to purchase this year; otherwise DPW will continue to rent and purchase in 2021.

Jacobson moved to approve the purchase from Fabick in the amount of \$155,000. Lindman seconded and the motion passed.

Wausau Fire Station #2 – Site: Sunrise Trucking & Excavating, Pay Estimate #10 (Deferred from the August 18 and August 25, 2020 meetings)

Lindman received an email from Holly with Miron indicating Sunrise has completed the required work. Lindman moved to approve Pay Estimate #10 in the amount of \$24,898.85. Jacobson seconded and the motion passed.

Drinking Water Treatment Facility: Miron Construction, Pay Estimate #1

Lindman indicated this is the first payment for the Drinking Water Treatment Facility project. This was reviewed by Becher Hoppe and payment is recommended. Lindman moved to approve Pay Estimate #1 in the amount of \$1,557,472.37. Groat seconded and the motion passed. This will not get paid until approval is received from the DNR.

Wastewater Treatment Facility Improvement Project: Miron Construction, Pay Estimate #1

Lindman stated the Drinking Water Treatment Facility project included a price breakdown. This pay estimate only includes an invoice. Miron has not prepared a quantity breakdown but according to Donohue the breakdown would match the invoice. Donohue does not have an issue with the amount billing for compared to the work completed. The issue is not having the full payment form from Miron. It is up to the Board if they want to approve the pay estimate with the quantity sheets to be received at a later time. Jacobson asked if that was typical. Lindman has emailed Donohue and representatives from Miron stating it is their responsibility to prepare and submit the required pay request.

Groat noted that a breakdown was received for the Drinking Water project but not for the Wastewater project. Opatik stated he is the project manager on the Drinking Water project and has been involved with the Wastewater project. To clarify, the background information was provided for the Water project. What is missing from both applications is the formal pay request format that includes a schedule of prices, which is an itemized list of every item from every subcontractor. A schedule of prices was not included with the Drinking Water pay request either. However, for the Drinking Water project there were invoices and backup from their subs documenting work. In the case of the Water Treatment facility, he is very confident the amount of work accomplished and completed is much larger than what the request is. For both projects, this is to get money to their subs while they are continuing to compile a formal schedule of prices.

Lindman asked if the contractor has to provide the forms and quantities before the DNR will sign off the pay request. Opatik needs to clarify but believes the DNR just needs the Board's approval. The formal documents will come by the second pay estimate. The contractor wanted to get money to their subs. It is his understanding that the DNR would accept the pay estimate if approved by the Board.

Lindman asked if we will see what was paid in Pay Estimate #1 when the second pay application comes forward. Opatik stated that Miron has assured this. Without formal signatures, Lindman asked how the DNR would sign off and transfer funds. There should be push back onto Miron as they are fully responsible for preparing and submitting pay requests. He is more comfortable with the Drinking Water payment as it included documentation from the subs. The Wastewater pay estimate basically includes a lump sum request for payment.

Groat stated a schedule was provided when disbursement requests are due to the DNR. This is due this Friday and the City would receive payment on the 23rd. Lindman does not have an issue with making payment based upon the work that was done. He wants to make sure it is clean and tracked well from the start of the project. If Opatik is comfortable and feels everything will be broken out with the next pay request, then Lindman is alright with moving forward. Lindman does not want confusion with the tracking of payments.

Based upon information provided from Opatik, Lindman moved to approve Pay Estimate #1 in the amount of \$2,236,451.54 noting that prior to any other payments, quantities and sheets with the full breakdown are to be brought forward. Seconded by Groat. The motion passed 2-1 with Jacobson the dissenting vote.

2020 Bridge Street Bridge Repair Project: Lunda Construction, Pay Estimate #2

Niksich explained the north side of the bridge is completed and the contractor is working on the south side. This request was reviewed and approved by Niksich and Ayres. Lindman moved to approve Pay Estimate #2 in the amount of \$301,226.76. Jacobson seconded and the motion passed.

2020 18th Avenue Relocation Project: Sunrise Trucking & Excavating, Change Order #1

Wesolowski stated a quantity was not included in the contract for concrete sawing. Under the pavement of 17th Avenue, there was concrete pavement that had to be sawed. Wesolowski recommends approval. Lindman moved to approve Change Order #1 in the amount of \$1,023.50. Jacobson seconded and the motion passed.

2020 18th Avenue Relocation Project: Sunrise Trucking & Excavating, Pay Estimate #2

Lindman moved to approve Pay Estimate #2 in the amount of \$63,895.38. Jacobson seconded and the motion passed.

Sturgeon Eddy Road Sanitary Sewer: Haas Sons, Inc., Change Order #4

Lindman had Becher Hoppe rectify the quantities for this project to what was actually installed. The final quantities increase the contract \$23,195.77. Lindman noted there were deducts throughout the project as well. Lindman moved to approve Change Order #4 in the amount of \$23,195.77. Groat seconded and the motion passed.

Sturgeon Eddy Road Sanitary Sewer: Haas Sons, Inc., Final Payment

Work on this project is fully complete. Lindman moved to approve the final payment in the amount of \$86,664.80. Groat seconded and the motion passed.

Thomas Street Siphon Pipeline Crossing: Janke General Contractors, Pay Estimate #5

Wesolowski stated the tie in on the west side is done and the contractor has moved to the east side. Lindman moved to approve Pay Estimate #5 in the amount of \$885,046.64. Groat seconded and the motion passed.

2020 2nd Street Parking Lot Project: Merrill Gravel & Construction Co., Change Order #1

Niksich explained this change order is because some lighting had to be moved for the photometrics to work. This caused a need to change storm sewer routing. Lindman moved to approve Change Order #1 in the amount of \$6,095. Groat seconded and the motion passed.

2020 2nd Street Parking Lot Project: Merrill Gravel & Construction Co., Pay Estimate #1

Niksich said the parking lot has been completed. The pay estimate was reviewed by Niksich and the project inspector. Lindman moved to approve Pay Estimate #1 in the amount of \$81,579.04. Groat seconded and the motion passed.

Discussion and possible action on a contract extension for the Hwy 52 Median Landscape Project

Pember is asking for an extension to October 15, which gives them a total of 67 working days. The contract completion date is September 25 or 60 days. This would give Pember an extension past the deadline date and an additional 7 working days. Per the consultant from Ayres, the last recommended planting date is October 15. Pember hopes to get the project done earlier. However, if they are working that late the planting portion should

be done prior to. Pember did have some delays due to material shortages that were not expected. Given the plantings would be completed before the recommended date, Nicksich recommends approval of the extension. Lindman moved to approve. Jacobson seconded and the motion passed.

Drinking Water Treatment Facility: Miron Construction, Pay Estimate #1 and Wastewater Treatment Facility Improvement Project: Miron Construction, Pay Estimate #1

Groat asked to circle back to the Drinking Water Facility and Wastewater Facility Improvement pay requests. Neither pay estimate included all the detailed information. Historically we have always gotten a per unit report on any disbursement. We typically do not make advance payments and payments are usually based on per unit. The Water pay request did not include a per unit but at least included subcontractor information. The Wastewater request did not include a per unit nor did it include subcontractor documentation. Groat stated it is worrisome if the City Attorney does not approve a \$2 million payment that is going against past practice and is contractual. Groat does not want to make a payment if the City Attorney does not approve.

Jacobson was not comfortable approving with the description provided. Lindman knows the work they are asking for has been done and probably beyond. The DNR ultimately signs off on the payments. The DNR is comfortable with just the invoice but Lindman wants to be able to track each payment. Groat is concerned making a payment when they are very contractual in nature and legal does not feel comfortable making the payment. She doesn't understand why Miron did not provide what they are supposed to. To come up with numbers for an invoice, they should have the information available otherwise they should call it an advance. Groat is not sure what the contract states regarding advances.

Lindman stated this was brought forward because of the deadline for the DNR request. Groat stated of the total request, nearly \$1 million goes to Miron and the rest to their subs. Half of the draw is not going to the subs as was discussed earlier. Discussion followed on scheduling another meeting later in the week to give time to review the contract.

Lindman moved to reconsider Agenda Item 6 and 7. Groat seconded and the motion passed.

Opatik just spoke with Donohue and confirmed the DNR will pay based on Board of Public Works approval. Lindman stated the Board is not comfortable with paying based upon the current information. A meeting will be scheduled for Thursday with Miron to provide quantity breakdowns on the proper forms.

Lindman moved to approve Pay Estimate #1 for the Drinking Water Treatment Facility Project and Pay Estimate #1 for the Wastewater Treatment Facility Improvement Project. Seconded by Groat. Motion failed 0-3.

CLOSED SESSION pursuant to Section 19.85(d), Wis. Stats., for the purpose of considering and deliberating on pre-qualification statements for the 2020 Crack Sealing Project

Motion by Jacobson, second by Lindman to convene in closed session. Motion passed.

RECONVENE MEETING INTO OPEN SESSION for the purpose of acting upon closed session items, if necessary

Motion by Lindman, second by Jacobson to reconvene in open session. Motion passed.

Lindman moved to approve the following bidders for the 2020 Crack Sealing Project:

Fahrner Asphalt Sealers, LLC, Eau Claire
Thunder Road LLC, Genesse

Seconded by Jacobson and the motion passed.

Lindman moved to adjourn the meeting. Seconded by Groat. Meeting adjourned at approximately 10:45 a.m.