

**PUBLIC WORKS AND SAFETY COMMITTEE**

March 30, 2016

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Members Present:

Connole, Berg, Hatlelid, Jantzer, Lehner, Schuler, Shomento

Members Absent:

None

Others Present:

City Clerk, City Manager, Assistant City Attorney, City Assessor, Finance Director, City Comptroller, HR Director, City Engineer, Assistant City Engineer, Chief Resilience Officer, Building Official, Fire Chief, Police Chief, Captain White, Public Works Director, Assistant Public Works Director, Auditorium/Recreation Director, Public Information Officer, Alderman Olson, Alderman Seymour, Josh Wolsky, Shannon Straight, Jill Schramm

To the Honorable Mayor and All Aldermen:

Following are the recommendations of the **Public Works and Safety Committee** meeting called to order at 4:15 p.m. on March 30, 2016:

- 1. The City Council award the bid to Acme Tools for a Magnum Pump in the amount of \$35,617 for the Water and Sewer Department. (4190 & WS0047)**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

- 2. The City Council award the bid to Clean Harbors Environmental for the 2016-2017 contract for the household hazardous waste collection. (4191)**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

- 3. The City Council award the bid for 2016 Water Main Replacement to Post Construction, Inc. in the amount of \$686,845. (4162)**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

- 4. The City Council approve the plans and specifications for the Puppy Dog Sewer Phase VI; authorize City staff to advertise this project; and adopt a resolution authorizing the use of water and sewer utility bonds. (3020.5)**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

- 5. The City Council authorize the Public Works Director to negotiate a contract for design and bidding of the Wastewater Treatment Facility hydraulic improvements; authorize the Mayor to sign the contract on the City's behalf; and adopt a resolution authorizing the use of water and sewer utility bonds. (4202)**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

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**6. The City Council concur with the low bid received from Dakota Fence Company of Fargo for the NDDOT Retroreflective Signing Improvements and authorize the Mayor and City staff to sign the agreement and related documents. (4172)**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

**7. The City Council award the bid for Paving District 496 Phase 1 to Excavating, Inc. of Minot in the amount of \$719,756.06 and authorize the Mayor to sign the agreement. (4092)**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

**8. The City Council approve the language change to Chapter 12, Section 12.28 and 12.30 of the City of Minot Code of Ordinances.**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

**9. The City Council place and pass the following ordinances on second reading:**

- a. Ordinance No. 5060 – Amend the 2016 Annual Budget- Flood Control Capital Expenditures- 110 4th Ave NW**
- b. Ordinance No. 5061 – Amend the 2016 Annual Budget- Special Revenue Fund**
- c. Ordinance No. 5062 – Amend the 2016 Annual Budget- Microfilm Reader**
- d. Ordinance No. 5063 – Amend the 2016 Annual Budget- MAYSA Arena Rink #3**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

**10. The City Council ratify the application by the Minot Police Department SWAT Team and authorize acceptance if awarded, the North Dakota Department of Emergency Services (NDDDES) FY 2016 State Homeland Security Program (SHSP) Regional Response Team Grant.**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

**11. The City Council authorize the Mayor to sign the letter of intent for Ward County’s and the City of Minot’s Multi Hazard Mitigation Plan Update.**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

**12. The City Council authorize the City Engineer to negotiate a contract with a consulting firm for overall guidance and assistance on planning issues and further authorize the Mayor to sign any necessary documents.**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried unanimously.

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**13. The City Council approve the plans and specifications for the 2016 Nuisance Abatement and authorize a call for bids. (4198)**

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The above motion by Alderman Hatlelid, seconded by Alderman Lehner, and carried unanimously.

Alderman Shomento asked if it is unusual that the engineer’s estimate of the project is \$38,238 but the budgeted amount is \$500,000. The City Engineer stated, they never know how much work will be involved when they plan the budget. Since the flood in 2011, the amount spent on nuisance abatement has decreased every year. The City estimates quantities and gets bids from contractors then the previous year’s budget is used to predict what might be needed.

Alderman Schuler asked if the costs are charged back to the property to which the Finance Director responded by saying, the costs are paid up front by the City and are then charged through special assessments.

**14. The City Council award phase 2 of the Downtown Infrastructure Improvements to Keller Paving and Landscaping contingent on federal government agency approvals and authorize the Mayor to sign the necessary documents to award the contract. (3608, 3630, 4073)**

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Alderman Hatlelid moved the Committee recommend the City Council award phase 2 of the Downtown Infrastructure Improvements to Keller Paving and Landscaping contingent on federal government agency approvals and authorize the Mayor to sign the necessary documents to award the contract. Motion seconded by Alderman Lehner.

Alderman Shomento requested the City Engineer explain some of the concerns from Houston Engineering regarding the bid from Keller Paving & Landscaping, Inc. The City Engineer explained, the bid from Keller Paving was approximately 28% below the engineer’s estimate. When comparing their bid with the other bidders it appears the differences in costs primarily stem from a lower percentage in the mobilization category, concrete street paving, structural soil tree planting base, and concrete sidewalk. City staff spoke with Justin Thurn of Keller Paving, to address some of their concerns. He acknowledged they may have missed the structural soil tree planting but did not want to withdraw their bid.

Alderman Lehner stated his biggest concern is the possibility of not completing the project on time. Upon questioning by Alderman Shomento, The City Engineer stated there are milestone completion dates throughout the project. If specific sections are not completed on time, due to controllable factors, then the contractor will be charged \$2,500 per day until the section is finished.

The City Manager stated, city staff has learned from issues encountered during phase 1 last year and will have staff assigned to oversee the project on a daily basis.

The City Engineer said he would be on site every day, as well as a representative from Houston Engineering and an intern. There will also be weekly construction meetings and if the contractor is underperforming, there are provisions in the contract to address it.

Alderman Schuler asked about the process for change orders and if the bid may be so low because they plan on adding change orders later. The City Engineer explained that any costs that arise out of the scope of the bid will be discussed and go through the approval process. Any cost outlined in their bid must be adhered to.

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Upon questioning by Alderman Jantzer, the City Engineer stated they have provided a bid bond and will provide a full performance bond and payment bond with their contract.

Alderman Berg brought up concerns about being forced to delay the project until next year if the bid is not accepted. The City Engineer stated, due to the restrictions of some of the funding sources for this project, it would require the City to start the bidding process from the beginning, including, extending grants, advertising, and accepting new bids, which would push it into next construction season.

Upon questioning by Alderman Connole, the City Engineer stated, bids have come in anywhere from 22% to 30% under their estimates this year due to a downturn in construction and unpredictable, lower prices for materials.

Alderman Schuler asked if it is concerning that Keller Paving was the only bidder not to provide a list of suppliers, to which Kevin Martin, of Houston Engineering responded by saying, it is typically considered an irregularity but is not as worrisome as if they were missing a list of subcontractors.

Whereupon a vote was taken on the above motion by Alderman Hatlelid, seconded by Alderman Lehner, and carried unanimously.

### **15. The City Council adopt the report for the City Hall Retaining Wall and authorize Staff to budget for this project in a future capital improvements plan. (4088)**

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The above motion by Alderman Lehner, seconded by Alderman Jantzer, and carried by the following roll call vote: ayes: Berg, Connole, Hatlelid, Jantzer, Lehner, Schuler. nays: Shomento.

Colin Moran, of KLJ, the lead structural engineer for the project, presented the report on the City Hall Retaining Wall. He explained there are five walls on the site with wall number two representing the largest and most deteriorated section. It is composed of a grouted rock slope and the grout is detaching but the soil underneath is stable. He described two options for replacing the walls, the first being soldier pile walls, which is a top down construction and doesn't require excavation. They would also install a precast concrete covering that could be designed with any colors the City chooses. The second is to install large block walls, a resistant material that could be made into two tiers for a more aesthetic, but also more expensive, look. The benefits to replacing the walls include, additional parking, better stormwater drainage and a new lighting system. He explained, there is no imminent danger so the project can be delayed but if it is pursued, he recommends starting with wall number two, then wall one and then completing the rest of the walls in any order.

Upon questioning by Alderman Shomento, the City Engineer replied there are not currently any funding sources in place since the project does not need to be done immediately.

Alderman Jantzer stated, the deterioration of the wall was observed about two years ago and money was allocated in the budget for the research study presented today but has not gotten any further in the funding process.

### **16. Other Business**

Kim Connole, of 3000 11<sup>th</sup> St NW came before the Committee with some questions. He asked about a charge on his water bill for stormwater management when his company just paid to install stormwater services. The Finance Director explained there is a stormwater development fee included in every property's water bill and is based on the square footage of the property. Alderman Connole asked what the fee is used for, to which the Finance Director

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replied by saying, it is used to pay for stormwater districts. She elaborated, half of the stormwater districts are charged to special assessments and the other half is paid from that fee.

Mr. Connole then stated he received a bill for fire alarms from Security Plus but was never made aware the alarm system had changed companies. Chief Olson explained that the Police Department dispatchers were monitoring alarm systems which was a distraction from their regular duties and resulted in hundreds of false calls. The company was contacted to remove their panel and SRT replaced the wiring. Security Plus is now monitoring their own alarms which may be why Mr. Connole noticed a change in his bill. Alderman Schuler asked if commercial properties are permitted more than one annual false alarm for free, to which the Police Chief replied by saying, they are not and will be charged after the first false alarm.

There being no further business, the Public Works and Safety Committee meeting was adjourned at 5:08 p.m.

Respectfully Submitted,  
Kelly Matalka,  
City Clerk