



CITY OF WAUWATOSA

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BOARD OF PUBLIC WORKS

Regular Meeting, Tuesday, July 6, 2004 - 8:30 a.m.

PRESENT: Mr. Braier, Finance Dir.; Ms. Ledesma, City Clerk; Mr. Wheaton, Chief Insp.;
Ms. Mulroy, Library Dir. (1st Alt.) -4

EXCUSED: Mr. Kesner, Ms. Welch

ALSO

PRESENT: W. Wehrley, City Eng.; J. Kroll, Spec. Proj. Eng.; T. Wontorek, City Admin.

Mr. Braier in the Chair.

The Chair requested any additions or corrections to the minutes of the previous meeting.

It was moved by Mr. Wheaton, seconded by Ms. Mulroy to accept
the minutes as printed. Ayes: 4

Air Conditioning Unit – 10402 W. Fisher Parkway. The Board reviewed an application by Thomas and Susan Nailen to locate an air conditioning unit within the setback area of the east lot line. The applicants provided a plat of survey showing the proposed location. Richard Nailen was present representing his son. Mr. Wheaton explained the desirability of plantings to screen the unit from the street, which Mr. Nailen indicated could be provided.

It was moved by Mr. Wheaton, seconded by Ms. Ledesma to
approve installation of an air conditioning unit in the requested
location contingent upon appropriate landscape screening. Ayes: 4

Air Conditioning Unit – 8333 Kenyon Avenue. The Board reviewed an application by Lane and Cindy Johnson to locate an air conditioning unit within the setback area of the west lot line. The applicants provided photos of the site, a plat of survey, and a letter of support from the adjacent owner at 8343 Kenyon Avenue. Sufficient existing screening was available.

It was moved by Ms. Mulroy, seconded by Ms. Ledesma to
approve installation of an air conditioning unit in the requested
location. Ayes: 4

Storm Drain Discharge - 1620 Upper Parkway South. The Board reviewed an application by Tim and Cindy Rochman to discharge a storm drain to the east side of their property. Steve McGuire, 2951

N. 91st Street, the general contractor for a new garage being constructed on the east side of the property, explained that all roof conductors around each side of the house tie into one main on the east side that may, in turn, tie into the sanitary sewer. They would like to tie the roof conductors into a catch basin and then run the water out toward some stones to disperse into a creek at the back. He indicated that he has been in contact with the city's plumbing inspector.

Mr. Wehrley reported that die testing done late last week indicated that the existing sewer line is filling up and there might be a partial blockage. There is no storm sewer available in front of the home. He indicated that staff support for the request would be subject to the applicants monitoring and rectifying any erosion on the steep area downstream of the outfall and, further, to checking with the DNR on regulations for construction within 100 feet of the high water mark of Schoonmacher Creek, which may require a DNR "Chapter 30" permit.

It was moved by Mr. Wheaton, seconded by Ms. Ledesma to approve the request subject to submission of a plan to the engineering department for the riprap area and further subject to DNR approval, if required. Ayes: 4

Contract 04-28, Street Lighting and Traffic Signal Replacement, Wauwatosa Village Area-Phase II – Change Order No. 1.

Mr. Kroll, Special Projects Engineer, reported that the change order is for additional work to provide a secondary grounding wire to each new street light. At a cost of \$1.20 per linear foot, this wire will improve safety to the public and to the street lighting system. It was not provided on Phase I work but could possibly be added. This will be the new standard for all metal street light installations.

It was moved by Ms. Mulroy, seconded by Mr. Wheaton to approve the change order. Ayes: 4

Encroachment – 8706 W. North Avenue. The Board reviewed an application by North Shore Bank, 8706 W. North Avenue, to encroach onto city right-of-way with a landscaped area adjacent to Pasadena Boulevard and the alley south of the property. This area contains several large rocks and apparently was established to help prevent damage from delivery trucks for the Sendik's store to the east.

Mr. Wehrley reported that the Director of Public Works had some concerns about snowplows potentially picking up the rocks but has no objection if the rocks and existing driveway edge markers are well maintained each winter.

It was moved by Mr. Wheaton, seconded by Ms. Mulroy to recommend to Council approval of the requested encroachment. Ayes: 4

Contract 04-26, Sanitary Sewer Rehab and Lining Improvements - Plans and Specifications.

The Board reviewed the following:

Board Resolution

WHEREAS, it is the sense of the Board of Public Works of the City of Wauwatosa that it is necessary to make sanitary sewer rehab and lining improvements and work incidental thereto under Contract 04-26 Sanitary Sewer Rehab and Lining Improvements in portions of the following streets in the City of Wauwatosa:

N. 92nd Street
N. 93rd Street
N. 94th Street
N. 95th Street
N. 96th Street
N. 97th Street
N. 98th Street
N. 99th Street
W. Congress Street
W. Grantosa Avenue
W. Palmetto Avenue
W. Marion Street
W. Fiebrantz Avenue
W. Sarasota Place

NOW, THEREFORE, BE IT RESOLVED, By the Board of Public Works of the City of Wauwatosa, Wisconsin as follows:

Section 1. That the plans and specifications and form of contract and bond, together with the contract documents submitted therewith for furnishing all labor, material and equipment for Sanitary Sewer Rehab and Lining Improvements and work incidental thereto, be and the same are hereby approved.

Section 2. The work is intended to be done during the 2004 construction season in the City of Wauwatosa, all in accordance with said plans and specifications.

Section 3. That the work is to be let to the lowest responsible bidder following competitive bidding therefor.

Section 4. That the City Clerk be and she is hereby authorized and instructed to advertise for bids for Contract 04-26 Sanitary Sewer Rehab and Lining Improvements on July 15 and 22; bids are to be opened on July 29, 2004 and work to be completed by October 15, 2004, and to provide in so doing that bids may be submitted with a contract and bond, with sureties, as prescribed by the form furnished, complete with the exception of signatures on the part of the City; and in lieu of the foregoing provision that the bidder may accompany his bid with a certified check equal to five (5) percent of the bid, payable to the city as a guarantee that if his bid is accepted, he will execute and file the proper contract and bond within ten (10) days after the award, all in accordance with the provisions of the Wisconsin Statutes.

Section 5. That the Wage Scale in the contract documents be and the same is hereby accepted.

It was moved by Ms. Mulroy, seconded by Mr. Wheaton to approve the foregoing. Ayes: 4

Contract 04-02A, Sanitary Sewer, Storm Sewer and Water Main Relay, Repair and Extension – Award of Bid. In a memo dated July 6, 2004, the Director of Public Works recommended award of Contract 04-02A to American Sewer Services, Inc., at their bid price of \$959,720.20, this being the only bid. An amount of \$1,063,000 was budgeted, and the engineer's estimate was \$762,200. CDBG funding is available for \$201,255 of the contract amount.

Asked about contractor response, Mr. Wehrley reported that several contractors who pulled plans had picked up large private contracts in the meantime and another contractor had insufficient labor available for this size contract. He attributed the difference between the bid amount and the engineer's estimate to engineering factors such as duct depth that were not known when the project was estimated.

It was moved by Ms. Ledesma, seconded by Ms. Mulroy to recommend to Council award to American Sewer Services, Inc. in the amount of \$959,720.20 –

The Chair suggested that the response would have been better if the contract had been advertised earlier in line with the target the Board had set several years ago. He asked about the ramifications of rejecting the bid and re-advertising. Mr. Wehrley explained that this contract covers utility work preliminary to paving, so both projects would be affected by any delay. It is extremely doubtful that work could be completed if the project had to be rebid. He felt that the bid is a sound one given that this company has historically been the low bidder on at least one contract in recent years.

Vote on the motion, Ayes: 4

Contract 04-02B, Reconstruction of Fully Deteriorated Sewers Using Structural C.I.P.P. Relining Process – Award of Bid. In his memo of July 6, 2004, the Director of Public Works recommended award of Contract 04-02B to Michels Pipeline Construction at their bid price of \$190,473.65, this being the lowest of two bids. An amount of \$195,000 was budgeted, and the engineer's estimate was \$281,000. CDBG funding is available for \$81,413.70 of the contract amount.

It was moved by Mr. Wheaton, seconded by Ms. Ledesma to recommend to Council award of Contract 04-02B to Michels Pipeline Construction in the amount of \$190,473.65. Ayes: 5

Contract 04-07, Asphaltic Concrete Resurfacing – Award of Bid. The Board reviewed a memo from the Director of Public Works recommending award of Contract 04-07 to Payne & Dolan, Inc., at their bid price of \$439,413.15, this being the lowest of three bids. The amount budgeted for this work is \$611,614, and the engineer's estimate was \$500,000.

It was moved by Mr. Wheaton, seconded by Ms. Ledesma to

recommend to Council award of Contract 04-07 to Payne & Dolan, Inc., in the amount of \$611,614. Ayes: 4

Air Conditioning Unit – Briggs & Stratton, 3560 N. 124th Street. The Board reviewed an application by Brian Esswein of Briggs & Stratton to locate an air conditioning unit within the side lot setback. Brian Esswein and Gary Scholl, 3300 N. 124th Street, were present representing Briggs & Stratton.

Mr. Esswein explained that the proposed storage tanks are 8 feet high and the heat exchanger behind them is a little shorter but ends up about a foot higher due to the grade. Some type of coniferous screening will be planted to provide year-round screening. An existing stand of coniferous trees along the street will also provide a buffer.

It was moved by Ms. Mulroy, seconded by Ms. Ledesma to approve installation in the requested area contingent upon provision of appropriate landscape screening. Ayes: 4

Contract 04-08, Red Store Parking Lot – Award of Bid. In a memo dated July 1, 2004, the Director of Public Works recommended award of Contract 04-08 to Payne & Dolan, Inc., at their bid price of \$224,650.08, this being the lowest of two bids.

Ms. Mulroy noted that the City Administrator informed Council members of questions regarding restoration of the Little Red Store, and she was concerned about moving forward on this or any other contract relating to the Little Red Store until there is final resolution on the future of the site.

Mr. Wehrley reported that a portion of this project is for expansion of the parking lot to provide additional Village parking, and it also improves drainage in the area. Some parts of the parking lot are in fair shape and some are less than good. A buffer would be left around the Red Store that would still allow any future plans for expanding or repairing the structure to proceed without disrupting the parking lot except for utilities.

Mr. Wontorek indicated that he felt the Common Council may want to discuss options for the Little Red Store, which include restoring the exterior as an historical building but keeping it locked or proceeding with restoring it for use, which would involve additional costs. Provisions in the plans for underground power and other improvements could be re-examined in order to reduce costs. The only conflict with the parking lot would be possible trenching for utilities that would be needed if the building were restored for occupancy. Asked about the possibility of selling the property, he said that the entire parcel is city property, so a separate parcel would need to be identified. Another option would be moving it elsewhere where utilities are already present. Mr. Wontorek emphasized the need for additional parking in the Village even if nothing is done to the structure. The parking lot would also provide additional parking adjacent to the county bike trail.

It was moved by Ms. Mulroy, seconded by Ms. Ledesma to

recommend to Council award of Contract 04-08 to Payne & Dolan, in the amount of \$224,650.08 based on the current condition of the parking lot and the need to address that independent of any consideration of the future of the Little Red Store. Ayes: 4

Contract 04-22, Citywide Pavement Marking – Award of Bid. The Board reviewed a memo from the Director of Public Works recommending award of Contract 04-22 to Crowley Construction Corporation at their bid price of \$33,834.45, this being the only bid. The budgeted amount is \$39,500, and the engineer's estimate was \$39,500.

Mr. Wehrley reported that the bid price is a little higher than the last time the long lines were done in 2002 but unit prices are lower than in 2000. The Chair indicated that it would be helpful to compare unit prices on bids this contractor may have submitted to other communities. Mr. Wehrley noted that the comparison should be with those communities that use similar paint and quantities.

Ms. Mulroy commented on concerns she has had over the years with the visibility, effectiveness, and durability of pavement markings, particularly those on North Avenue east of Wauwatosa Avenue.

It was moved by Ms. Mulroy, seconded by Mr. Wheaton to recommend to Council award of Contract 04-22 to Crowley Construction Corporation in the amount of \$33,834.45. Ayes: 4

It was moved by Mr. Wheaton, seconded by Ms. Ledesma to request that the Purchasing Manager review the pavement marking matter in terms of prices bid by Crowley Construction in other communities for the same type of product and report back to the Board at the next meeting on July 19th. Ayes: 4

Contract 03-19, Side walk Repair – Final Payment. The Board reviewed the following:

Board Resolution

WHEREAS, the Board of Public Works has accepted the work of Sidewalk Repair in the City of Wauwatosa under Contract 03-19 and the same is ready for final payment,

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Wauwatosa, Wisconsin as follows:

Section 1. That the Sidewalk Repair under Contract 03-19 is hereby accepted.

Section 2. That the proper City officers be and they are hereby authorized and directed to draw and sign a City order in the sum of ten thousand nine hundred sixty-seven dollars and thirty-one cents (\$10,967.31) in favor of Arrow Crete Construction, LLC as the final payment under said contract, upon

receipt of waivers of lien and for labor and materials furnished under said contract, and upon receipt of an affidavit stipulating compliance with wage rate requirements.

It was moved by Mr. Wheaton, seconded by Ms. Mulroy to approve the foregoing. Ayes: 4

Partial Payments and Contract Updates. The Board reviewed the following:

Board Resolution

BE IT RESOLVED, By the Board of Public Works of the City of Wauwatosa, Wisconsin that the proper City Officers be and they are hereby authorized and directed to issue City orders in favor of the contractor listed below in the amount listed in the column headed "Amount" as a partial payment for work completed as indicated on the attached Exhibit pursuant to the terms of the contract noted.

<u>Contractor</u>	<u>Payment No.</u>	<u>Contract No.</u>	<u>Amount</u>
Wisc. Dept. of Transportation	N/A	03-14, N. 124th Street, Ruby to Hampton Avenue	\$ 13,125.28
James Cape & Sons`	2	94-19, Concrete Sidewalk Repair	\$ 40,319.05
Wm. Beaudoin & Sons	1	04-6 Asphaltic Concrete Repaving	\$ 56,904.53
Fahrner Asphalt Sealers	1	04-25 Crack Sealing	\$ 61,214.00
American Sewer Services	2	04-01A San. Sewer, St. Sewer & Water Main Relay, Repair & Ext.	\$268,642.52

It was moved by Mr. Wheaton seconded by Ms. Ledesma to approve the foregoing. Ayes: 4

Mr. Wehrley reported on status of work on Hill Street, 70th Street, Meinecke Avenue, and Blue Mound Road. Also, crack filling is nearing completion, the sidewalk contractor is working on restoration and cleanup, and sealcoating will begin July 19. Village street lighting work, which is just beginning, is scheduled for completion before Tosafest.

Easements – Milwaukee County Research Park. The Board reviewed letters dated June 23 and June 30, 2004, from Jennifer L. Vallier of Godfrey & Kahn, S.C., submitting requests on behalf of Edison Technology Center, LLC relating to property located in the Milwaukee County Research Park that is being developed for GE Healthcare, as follows:

1. Partial Release of Easement relating to abandoned storm sewer facilities – Edison requests execution and recording of the partial release in order to remove an abandoned easement area as an encumbrance on the property.
2. Water Main Easement Agreement – Edison requests execution and recording of an existing water main easement agreement in order to relocate the water main easement on the property.
3. Wisconsin Electric Distribution Easement and Partial Release – Edison requests execution and recording of the easement in order to relocate existing underground electrical lines and release the

encumbrance of prior easements granted to Wisconsin Electric Power Company that will be abandoned in conjunction with relocation of underground electrical lines.

Mr. Wehrley reported that individually the two new easements are technically correct, but staff review indicates that the proposal involves putting a new water main in the same place as the electrical easement, which staff would not support. Ms. Vallier is attempting to contact those who generated the easements and is trying to prepare some revised documents. Mr. Wehrley requested that the Board delay their recommendation on this matter until later today. The Board discussed the possibility of approving the documents in concept subject to later revisions that would address the areas of concern.

The Chair ordered the meeting recessed until 4 p.m.

The meeting recessed at 9:21 p.m. and reconvened at 4:02 p.m. Mr. Braier, Ms. Ledesma, and Ms. Mulroy were present. Mr. Wehrley and Assistant City Attorney Aldana were also present.

Mr. Wehrley reported that National Survey & Engineering brought in revised easement documents this afternoon that revised the Wisconsin Electric Power Company easement. Wisconsin Electric, however, cannot confirm acceptance of the changes due to staff vacations.

Mr. Wehrley confirmed that there are no problems with the partial release of an easement relating to abandoned storm sewer facilities.

It was moved by Ms. Ledesma, seconded by Ms. Mulroy to recommend to Council execution of a partial release of an easement relating to abandoned storm sewer facilities, such release to become effective upon city ownership of the property. Ayes: 3

Ms. Aldana suggested revised language for approval of the water main and electrical easements.

It was moved by Ms. Mulroy, seconded by Ms. Ledesma to recommend to Council that city staff be authorized to execute easement documents once the property is owned by the city subject to review and approval by the city attorney and city engineer as to the specific location of the easements. Ayes: 3

The meeting adjourned at 4:15 p.m.

Secretary to the Board

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