



CITY OF WAUWATOSA  
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### **BOARD OF PUBLIC WORKS**

Regular Meeting – Monday, March 2, 2009 – 8:30 a.m.

PRESENT: Mr. Kesner, City Atty.; Ms. Ledesma, City Clerk; Ms. Welch, Community Dev. Dir.; Mr. Wheaton, Chief Bldg. Official -4

EXCUSED: Mr. Braier

ALSO PRESENT: W. Kappel, Dir. of Public Works; W. Wehrley, City Eng.; J. Kroll, Spec. Proj. Eng.; J. Bembenek, Purch. Mgr.; J. Wojcehowicz, Water Supt.; Chief D. Redman, Deputy Chief W. Rice, Fire Dept.; J. Archambo, City Admin.; Mayor Didier

Mr. Kesner in the Chair called the meeting to order at 8:30 a.m.

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

Moved by Mr. Wheaton, seconded by Ms. Welch to accept the minutes as printed. Ayes: 4

**Encroachment for Outdoor Seating – Le Reve, 7610 Harwood Avenue.** The Board reviewed a request by Andrew Schneider, Le Reve Patisserie & Café, 7610 Harwood Avenue, to encroach on public right-of-way with outdoor seating. Mr. Schneider explained that to enhance the café's visibility, he would like to place 24-inch café tables and simple benches seating about 12 people outside their building and the adjacent business, Oro Di Oliva, 7606 Harwood Avenue. The building's owner and adjacent tenant support this plan. The seating would use about 3 feet of the 10-foot sidewalk width.

The Board viewed a drawing prepared by the community development intern showing rough surface measurements taken on site. Ms. Welch expressed concern about the available space, particularly in relation to a pinch point between the outdoor seating and a tree that is only about 7 ½ feet from the front of the building. The Chair recalled that there was a requirement to inset the front door when this building was renovated to address concerns about it opening onto the sidewalk. Mr. Schneider confirmed that the door is inset and has not been a problem. He said that accessibility is a goal that they would keep in mind.

Moved by Mr. Wheaton, seconded by Ms. Ledesma to recommend to Council approval of the encroachment subject to execution of a standard encroachment agreement and further subject to review to ensure that there is adequate clearance on the sidewalk –

The Chair suggested that some type of marking on the sidewalk would designate the proper placement of the tables and benches and ensure they do not drift outward. Ms. Welch suggested that using benches with side tables for placement of food might take up less space. Mr. Schneider felt that the small café tables with seating on just one side would maximize the space without being intrusive.

Vote on the motion, Ayes: 4

**Purchase of Ready Mix Concrete.** The Board reviewed a memo from the Purchasing Manager reporting bids for ready-mix concrete for a two-year period beginning with the 2009 spring/summer repair season. The five bidders were Meyer Material Company, Central Ready Mix, Sonag Ready Mix, Schmitz Ready Mix, and New Berlin Ready Mix. Meyer Material Company is the lowest bidder except for less than full quantities.

Moved by Ms. Welch, seconded by Mr. Wheaton to recommend approval of the five vendors for use on an as-needed basis based on price, convenience, and availability. Ayes: 4

**Preventative Maintenance Contract for Boilers and HVAC Systems.** The Board reviewed a memo from the Special Projects Engineer and Purchasing Manager reporting on bids for boiler and HVAC preventative maintenance services. Mr. Bembenek recommended holding this matter to the next meeting to allow for further study on including both the police station and municipal complex.

Moved by Ms. Welch, seconded by Ms. Ledesma to hold this matter to the next meeting. Ayes: 4

**Contract 09-75, Fire Station #1 – Plans and Specifications.** Chief Redman reported that the bid period for Contract 09-75 would be March 5-26 under the target dates established for fire station #1 construction. Although they are not the complete construction documents, Zimmerman Architectural Studios submitted plans late last week for staff review and comment.

Mr. Wehrley stated a concern with the lack of detail on support of the existing station during construction given its proximity to the new building. More detail would lead to bids that are more competitive on that aspect of construction, he felt. He has made notations on the plans regarding other concerns.

Conrad Ettmeyer, Harwood Engineering, responded that since submitting the documents last week they have located the line of the existing building on the foundation plan and have developed details that cover the required underpinning. After the new station is built, the existing building will be demolished and the ramp into the parking area below will be completed.

Mr. Wheaton said that he has discussed a few minor operational issues with the Chief and has found no overall code compliance issues. He was concerned, however, with approving plans and specifications without seeing complete construction drawings.

Ms. Welch also was dissatisfied with staff review time and the lack of final plans. She mentioned concerns with support for the existing building, possible undermining of a neighboring garage during demolition of the existing building, and the level of sustainability measures incorporated. She noted that some of the major sustainability items are listed as options and there are provisions for measures that are seemingly the opposite of sustainable. She commented on the possibility of losing control of costs if some unknown options end up being handled through change orders.

The Chair noted that the Common Council saw sustainability and "green" measures as important, and they are becoming increasingly so. They were also concerned about the sustainability portion of the initial demolition of the properties, which is included in the specs along with site preparation.

John Sabinash, Zimmerman Architectural Studios, said that he has been working with engineering staff on demolition criteria, which will be finalized and incorporated this week, probably using WasteCap specs.

Since the provisions will also affect the construction side, it will be a comprehensive approach dealing with construction waste management and will be more sustainable.

Mr. Wojcehowicz reported that there should not be any issues from the standpoint of the water utility. He was in contact with Chief Redman last week and information was relayed to Harwood and Zimmerman.

Discussion ensued regarding bid items listed as alternates. The Chair favored simply requesting unit prices without any alternate designations, noting that there would still be an opportunity to adjust what is included and make exceptions. Mr. Wehrley agreed that listing all items as part of the base bid and then considering deductions would make the bidding process clearer.

The Board reviewed the plans and specs/bidding timeline and discussed how to proceed. Jack Blume, Zimmerman Architectural Studios, indicated that those plans with a higher level of detail would be available by Thursday, March 5th, which is scheduled to be the start of the bidding period.

Moved by Mr. Wheaton, seconded by Ms. Welch to hold this matter to a special meeting at 8:30 a.m. on March 5, 2009, with the understanding that the consultants will work with staff in the interim so that details are addressed and information is available for review in advance of the special meeting. Ayes: 4

**Contract 07-37 Retaining Wall Replacement Blanchard Street Water Works Facility – Change Order #2 and Final Payment.** Mr. Kroll, Special Projects Engineer, reported that the work under Contract 07-37 was completed late last year and the contract is ready for final payment in the amount of \$961.00. Change Order #2 covers the need to remove concrete material in order to install pilings and also covers removal of barbed wire from the fence, which was requested by neighborhood residents. The final contract amount is \$186,671.06, including change orders. The amount budgeted was \$160,000, and the contract award amount was \$182,281.00.

Moved by Mr. Wheaton, seconded by Ms. Welch to approve Change Order #2 and recommend to Council approval of final payment. Ayes: 4

**Contract 09-18 Aggregate Sealcoating – 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 sealcoat W. Derby Ave., W. Courtland Ave., W. Glendale Ave., W. Ruby Ave., N. 110th St., N. Delco Ave., N. Parkside Ct., W. Marion St., W. Hope Ave., Webster Ct., W. Fiebrantz Ave., N. 111th Street, Raymir Cir., Raymir Pl., W. York Pl., York Ct., W. Melvina St., W. Feerick Pl., W. Vienna Ave., W. Highwood Ave., W. Nash St., Sunset Ave., N. 101st St., W. Park Ridge Ave., N. 102nd St., W. Hillside Ave., W. Stewart Ave., W. Woodward Ave., N. 107th St., W. Keefe Ave., W. Townsend St., N. Menomonee River Pkwy., N. Knoll Ter., N. 104th St., N. 105th St., N. 106th St., N. Knoll Blvd., N. 107th St., W. Concord Ave., W. Auer Ave., and W. Argonne Dr. in the City of Wauwatosa and work incidental thereto under Contract 09-18 Aggregate Sealcoating;

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 aggregate sealcoating and work incidental thereto be and the same are hereby approved.

Section 2. That the work is intended to be done during the 2009 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 09-18 Aggregate Sealcoating on March 12th and 19th, 2009, bids are to be opened on March 26th, 2009 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 the 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 provision of the Wisconsin Statutes.

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

Moved by Ms. Ledesma, seconded by Ms. Welch to approve the foregoing. Ayes: 4

**Annual Report of the Board of Public Works.** Mr. Kappel reported that in the final version of the annual report he has removed a few solid waste section items that are no longer relevant under the current system. There is also an addendum from the Building and Safety Division. Ms. Welch noted that the addendum is part of a much more extensive report from the Building and Safety Division that is available for review to anyone who so desires.

Moved by Mr. Wheaton, seconded by Ms. Welch to recommend to Council that the report be accepted and placed on file. Ayes: 4

**Contract Updates.** There were no 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 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> |
|-------------------|--------------------|--------------------------------|---------------|
| J & A Pohl, Inc.  | 3                  | 08-08 Parking Lot Improvements | \$2,030.50    |

Moved by Ms. Welch, seconded by Ms. Ledesma to approve the foregoing. Ayes: 4

The meeting adjourned at 9:03 a.m..

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Secretary to the Board