



CITY OF WAUWATOSA
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BOARD OF PUBLIC WORKS

Special Meeting – Thursday, March 12, 2009 – 10:00 a.m.

PRESENT: Mr. Braier, Finance Dir.; Mr. Kesner, City Atty.; Ms. Ledesma, City Clerk; Ms. Welch, Community Dev. Dir.; Mr. Wheaton, Chief Insp. -5

ALSO

PRESENT: W. Wehrley, City Eng.

Mr. Kesner in the Chair called the meeting to order at 10:00 a.m.

Contract 09-76 Hart Park Athletic Field Improvements – Plans and Specifications. Mr. Wehrley reported that this contract includes the football field, track, bleachers, utilities, lighting, tennis courts, sound system, and other related work, and requires completion within a very tight time frame. Plans were prepared by consultants Graef USA, Inc., 125 S. 84th Street, Milwaukee.

Asked about the Board of Parks and Forestry's involvement in the plans and specifications, Jacqueline Herington, Graef USA, Inc., reported that she has been working with Ken Walbrant, Parks and Forestry Superintendent, on a weekly basis, and he has been the point of communication to the Parks Board. She met with Mr. Walbrant and Bill Kappel, Director of Public Works, every Tuesday morning for the past five weeks during the construction document phase. The Chair suggested forwarding any Board of Public Works action to the Parks Board with a request for comments during the bid period.

In response to a question regarding the time frame and potential penalties, Joe Pepitone, Graef USA, Inc., said that there is a specific dollar amount in liquidated damages for time beyond the specified completion date. The plan requires having the football field, home bleachers, and tennis courts ready for the fall season. August 14 is the substantial completion date for that work. The first field rental is August 28. The completion date for the remainder of the site including landscaping and visitor bleachers is October 1.

The Chair asked about coordination with the Muellner building flood control project. Mr. Wehrley reported that staff has been in ongoing discussions with FEMA regarding floodplain elevations for that project. It is very likely that the athletic field improvements will be well underway before the flood control project begins. Ms. Herington said that the ideal scenario would be beginning both projects at relatively the same time, but the plans and specifications provide alternate designs should that not occur.

There was brief discussion of the expedited schedule and current economic climate. Mr. Pepitone felt that proceeding now is better than waiting until next year. He was confident that the bidding timeline is sufficient and anticipated good participation and bids.

Returning to the question of liquidated damages, Mr. Braier noted that an amount of \$500 per day is specified. Should there be a problem, the City would be foregoing rentals and the school district and other users would have to find alternate facilities. He felt that damages should equal if not exceed those amounts; the City as well as the school district should be made whole. He suggested establishing a second tier of damages beginning at the start of actual facility rentals on August 28. Upon further discussion, a rate of \$1,000 per day beginning August 28 was determined to be appropriate.

Mr. Wheaton questioned compliance with a handicapped accessibility requirements. Mr. Pepitone explained measures relating to bleacher access including ramps and access route grades. He noted that the project's scope does not include changes to existing bathroom facilities.

Board Resolution

WHEREAS, It is the sense of the Board of Public Works of the City of Wauwatosa that it is necessary to make improvements to the Hart Park Athletic Field and work incidental thereto under Contract 09-76 Hart Park Athletic Field Improvements;

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 Hart Park Athletic Field Improvements and work incidental thereto, be and the same are hereby approved.

Section 2. That the work is intended to begin 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 09-76 on March 19 and 26, 2009, bids are to be opened on April 2, 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.

Moved by Ms. Welch, seconded by Ms. Ledesma to approve the foregoing contingent upon the addition of a second level of liquidated damages of \$1,000 per day beginning August 28 for work on which substantial completion is required by August 14.
Ayes: 5

The meeting adjourned at 10:28 a.m.

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Secretary to the Board