



CITY OF WAUWATOSA
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BOARD OF PUBLIC WORKS

Regular Meeting – Monday, August 31, 2009 – 9:00 a.m.

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

ALSO W. Wehrley, City Eng.; P. Pyne, Civil Eng.; Chief D. Redman, Deputy Chief W. Rice,
PRESENT: Fire Dept.; J. Bembenek, Purch. Mgr.; K. Hurst, Traffic & Maint. Supv.; J. Wojcehowicz,
Water Supt.

Mr. Kesner in the Chair called the meeting to order at 9:00 a.m.

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

Moved by Mr. Wheaton, seconded by Ms. Ledesma to accept the minutes as printed. Ayes: 5

Request for Exception to Code Requirements for Driveway Approach – 1209 N. 118th Street. Craig Busche, 1209 N. 118th Street, outlined his request for an exception to code requirements relating to his drive approach. He extended one side of the approach to accommodate two full-size vehicles and eliminate the mud and dirt dragged onto the drive and street when parking on Lannon stone. He would not have room for a two-car garage without getting a variance. He does not want the flare widened, as required, because it would make his driveway more accessible to drivers who use it as a turn-around point. He was also concerned about having adequate room to store snow between his and his neighbor's driveway. He acknowledged that he did not get a permit for the work and that the contractor does not have a Wauwatosa concrete license. Although Diggers' Hotline was not notified, he noted that he dug much deeper without problems when putting in the former sand and stone. He said he has backed over the concrete curb any number of times without a problem. Mr. Busche displayed photos of drive approaches in his neighborhood between Watertown Plank Road and North Avenue that he believes do not meet the City's driveway flare requirements.

Mr. Pyne reported that the situation came to the City's attention through an engineering staff member who was in the area when the work was underway. He knew there was no permit and observed that the flare did not meet standards. Mr. Pyne recommended that the Board deny an exception to the Code and require removal of the concrete or installation of the proper flare and curb opening.

Ms. Welch was concerned that not requiring a permit would set a precedent. She said she is also reluctant to encourage paving of front yards for parking. With this alignment, in time the curb will be damaged from driving over it. The critical issue, she felt, is how to enforce the requirement fairly. Mr. Braier commented that the standards for a neighborhood help attract people to those areas. He was uncertain, however, about singling out a particular property if there are many other noncompliant properties.

In response to questions, Mr. Pyne estimated a cost of perhaps \$1,000 to correct the problem. Mr. Wehrley was uncertain of how soon this street would be repaved but noted that property owners would be assessed for any drive approach costs plus engineering and overhead.

The Chair raised the possibility of cutting the piece of concrete toward the flare at the curb, making it somewhat more conforming to others in the area. Whenever the street is repaved, though, a full-width flare would be required.

Mr. Busche theorized that most of his neighbors with similar driveways probably obtained permits, but the inspection process apparently failed to assure compliance with requirements. Ms. Welch responded that there is no evidence to support any conclusion on how other non-compliant driveways came about.

Moved by Mr. Wheaton, seconded by Ms. Welch to hold this matter to the next meeting. Ayes: 5

The Chair asked Mr. Busche to provide a list of the other non-compliant properties that he cited, and he asked Mr. Wehrley to look into the paving schedule.

Contract 09-21 Harmonee Bridge Rehabilitation and Painting – Rejection of Bid. Mr. Wehrley, City Engineer, reported that Mill Coatings, Inc., submitted the only bid on Contract 09-21 in the amount of \$1,340,636.00, which considerably exceeds available funds. Based upon advice of the City's consultant, staff recommends rejecting the bid and rebidding the project at a future time. Normal annual maintenance procedures and an issue raised by the consultant regarding temporary protection of wires would be addressed in the meantime.

Moved by Mr. Wheaton, seconded by Ms. Ledesma to recommend to Council denial of the bid on Contract 09-21. Ayes: 5

Contract 09-03 Sanitary Sewer and Storm Sewer Relay, Repair, Extension and Relining (N. 86th, W. Wright Streets) – Award of Bid. The Board reviewed a memo from the Dir. of Public Works recommending award of Contract 09-03 to Rawson Contractors, Inc., at their bid price of \$249,243.20, the lowest of seven bids. The contract covers work associated with the paving program.

Moved by Ms. Ledesma, seconded by Mr. Wheaton to recommend to Council award of Contract 09-03 to Rawson Contractors, Inc., at their bid price of \$249,243.20. Ayes: 5

Contract 09-20 Pavement Repair (Watertown Plank Road; North, Wauwatosa, Harwood Avenues) – Award of Bid. The Board reviewed a memo from the City Engineer recommending award of Contract 09-20 to Capitol Pavers, Inc., at their bid price of \$30,032.00, the lowest of four bids. The project is funded by the water utility but exceeds their available budget. Award would be contingent upon execution of a change order removing two repair locations on Harwood Avenue, thereby deducting \$10,033 from the contract amount.

Moved by Mr. Wheaton, seconded by Ms. Welch to recommend to Council award of Contract 09-03 to Capitol Pavers, Inc., in the amount of \$30,032.0 contingent upon execution of a change order deducting \$10,333.00 from the contract. Ayes: 5

Contract 09-2 Intersection Modifications at 68th and State Streets – Award of Bid. The Board reviewed a memo from the City Engineer recommending award of Contract 09-2 to Zenith Tech, Inc., at

their bid price of \$1,125,512.75, this being the only bid. Mr. Wehrley reported that the project is primarily TIF-funded with a portion covered by a Wisconsin Department of Transportation grant. As well as work in the intersection, the work includes the railroad crossing, turning lanes, safety improvements, and bridge repairs.

Moved by Ms. Ledesma, seconded by Mr. Wheaton to recommend to Council award of Contract 09-2 to Zenith Tech, Inc., at their bid price of \$1,125,512.75. Ayes: 5

Prequalification of Board-Up Contractors. Mr. Bembenek, Purchasing Manager, reported on two quotes received for board-up services to be performed on an as-needed basis for minor and emergency property security work at an estimated cost of \$8,000 or less. He requested authorization to retain the two contractors, Sidello Property Service, and Aetna Moving & Storage, for use on an as-needed basis over a period of three years based on price, convenience, and availability.

Moved by Mr. Wheaton, seconded by Ms. Welch to recommend to Council pre-qualification of two board-up service contractors to perform minor and emergency security work over a three-year period based on price, convenience, and availability. Ayes: 5

Surplus Equipment. Mr. Hurst, Fleet Superintendent, reported that the following equipment is surplus, having been replaced by new equipment that is now in service. It is ready to be disposed of through the Milwaukee County auction.

T-27 1933 Ford L8000 dump truck
W-07 1996 Ford F-Super Duty utility truck
U-31 1995 Monroe salt spreader

Moved by Ms. Ledesma, seconded by Ms. Welch to declare the listed equipment surplus for disposal in a manner most advantageous to the City. Ayes: 5

Water Pumpage Report. The water pumpage report for July 2009 was reviewed. July pumpage of 189,912,000 gallons exceeded the 2008 level for July and is close to the three-year average for the month. The Chair ordered the report placed on file.

Contract 09-76 Hart Park Athletic Field Improvements – Change Orders #5 and 6.

Jacqueline Herington of Graef, the Hart Park project consultant, reported that change order #5 to Contract 09-76 relates to changes previously approved under change order #1. It covers added track surface, asphalt pavement, rework of subgrade, additional concrete curb around the sand pits, additional pea gravel and drainpipe for the sand pits, two additional take-off boards, and adequate goalposts for sports beyond football. Change order #6 represents a deduction from the allowance for the press box and bleachers to reflect the actual cost.

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.

Payment

| <u>Contractor</u> | <u>No.</u> | <u>Contract No.</u> | <u>Amount</u> |
|--------------------------|----------------|---|---------------|
| Triad Construction, Inc. | Change Order 5 | 09-76 Hart Park Athletic Field Improvements | \$11,436.43 |
| Triad Construction, Inc. | Change Order 6 | 09-76 Hart Park Athletic Field Improvements | (\$17,900.00) |

Moved by Ms. Welch, seconded by Mr. Wheaton to approve the foregoing. Ayes: 5

Partial Payment – Contract 09-76 Hart Park Athletic Field Improvements. Jacqueline Herington of Graef, the project consultant, reported that the Hart Park field turf, west bleachers, press box, and tennis courts have been completed and are now in use. Final completion is pending on the east bleacher complex, track surface installation, landscaping, and fencing. Track surface work will begin within the next two weeks.

Mr. Braier noted that the field has not been available for some Thursday football events and asked about penalties in place to offset any lost revenue. Ms. Herington said that completing the track surface will take 28 days; their final completion date is set at October 8. The items still to be completed were not included in the liquidated damages clause, which is tied to construction activities, not field activities. They can accommodate Friday night games and some, but not all, Thursday games. Ms. Herington indicated that she would follow up to see if anything more can be done regarding Thursday activities.

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|--------------------------|--------------------|---|----------------|
| Triad Construction, Inc. | 6 | 09-76 Hart Park Athletic Field Improvements | \$1,048,639.95 |

Moved by Ms. Welch, seconded by Ms. Ledesma to approve the foregoing. Ayes: 5

Contract 09-75 Fire Station – Partial Payments. The Board reviewed two partial payment requests submitted by Zimmerman Architectural Studios, Inc. on behalf of J. P. Cullen & Sons, Inc. Chief Redman reported that the spreadsheet contains an error in the calculation of tax savings on owner purchases, but it does not affect the subject payments and will be corrected on future requests.

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|---------------------------|--------------------|--|---------------|
| J. P. Cullen & Sons, Inc. | 1 | 09-75 Fire Station #1 and Administrative Offices | \$297,746.15 |

J. P. Cullen & Sons, Inc. 2 09-75 Fire Station #1 and Administrative Offices \$277,194.80

Moved by Mr. Wheaton, seconded by Ms. Welch to approve the foregoing. Ayes: 5

Partial Payments and Contract Updates. Mr. Wehrley reported that water main work on Wauwatosa Avenue will be completed this week. He also updated the status of Auburn Avenue water main work, the sidewalk and traffic signal projects, and work on Blue Mound Road between Hwy. 45 and Blue Mound Road.

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|--|--------------------|---|---------------|
| C.W. Purpero, Inc. | 1 | 09-01 Sanitary Sewer Repair and Relining and Water Main Relay | \$176,827.80 |
| Terra Engineering Construction Corp. | 1 | 09-04B Reconstruction of Fully Deteriorated Sewers Using a Structural C.I.P.P. Relining Process | \$ 57,682.80 |
| C.W. Purpero, Inc. | 1 | 09-04A Sanitary Sewer, Storm Sewer and Water Main Relay, Repair and Extension | \$162,942.62 |
| Fahrner Asphalt Sealers, Inc. | 2 | Aggregate Sealcoating | \$ 18,056.08 |
| Snorek Construction, Inc. | 2 | 09-19 Concrete Sidewalk Repair | \$ 239,353.63 |
| D.C. Burbach, Inc. | 5 | 08-7 Street Repaving | \$ 22,199.48 |
| Outdoor Lighting Construction Co. Inc. | 3 | 08-13 Traffic Signal Improvements | \$ 38,558.78 |

Moved by Mr. Wheaton, seconded by Ms. Ledesma to approve the foregoing. Ayes: 5

The meeting adjourned at 9:40 a.m.

Secretary to the Board

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