

Subject to approval at the May 9, 2012, Board of Works meeting.

City of West Lafayette, Indiana  
Board of Public Works and Safety  
MINUTES

May 1, 2012  
8:30 a.m.  
City Hall Council Chambers

Members present were Jonathan C. Speaker, and Elizabeth Stull. Sana G. Booker and Bradley W. Marley were absent. Mayor Dennis presided.

1. APPROVAL OF MINUTES

a. April 17, 2012, Meeting

Ms. Stull moved to accept the minutes of the April 17, 2012, Board of Works meeting. Mr. Speaker seconded the motion.

The motion was adopted.

2. NEW BUSINESS

a. Request for Quotes: 2012 4WD SUV - WWTU

Wastewater Utility Director Henderson requested the approval of the quote request for a 2012 4WD SUV, with trade-ins. He explained that initially the vehicle will be used by IT Director Newman while his office is at the West Lafayette Wastewater facility.

Ms. Stull asked Director Henderson if he would be trading in all three vehicles. He responded that he hoped to. He further explained the vehicles are in various states of disrepair and it would be prudent to trade them in.

Mr. Speaker moved that the request for quotes for a 2012 4WD SUV be approved. Ms. Stull seconded the motion.

The motion was adopted.

b. Amendment No. 1: Wessler Engineering – West Lafayette Aeration Tank Addition Construction Phase - WWTU

Wastewater Utility Director Henderson explained the amendment to the engineering services agreement with Wessler Engineering (dated March 28, 2011) is to provide construction services, construction administration with Gary Ruston, Bill McGuire as resident project representative, and warranty assistance.

Mayor Dennis asked for further explanation of what is being amended.

Director Henderson clarified that the City is amending the agreement to include paying the various entities for being involved in the construction phase of the project.

Ms. Stull moved that Amendment No. 1 – West Lafayette Aeration Tank Addition Construction Phase be approved. Mr. Speaker seconded the motion.

The motion was adopted.

c. Agreement: Thieneman Construction, Inc. – Aeration Tank Addition - WWTU

Wastewater Utility Director Henderson requested approval of the contract with Thieneman Construction, Inc., in the amount of \$1,257,000, to construct the Aeration Tank addition. He reported that Thieneman Construction, Inc. also had provided the required payment and performance bonds.

Mr. Speaker moved that the agreement with Thieneman Construction, Inc. for the Aeration Tank Addition be approved. Ms. Stull seconded the motion.

City Attorney Burns noted that the contract was in good order.

The motion was adopted.

d. Notice To Proceed: Thieneman Construction, Inc. – Aeration Tank Addition - WWTU

Wastewater Utility Director Henderson requested approval of the Notice to Proceed, dated May 1, 2012. The contract times include a commencement date of May 3, 2012, substantial completion by December 28, 2012 (240 calendar days) and final completion by January 27, 2012 (270 calendar days).

Ms. Stull moved that the Notice to Proceed be approved. Mr. Speaker seconded the motion.

The motion was adopted.

e. Request For Approval: Vehicle Grant - Fire

Fire Chief Heath requested approval of a grant from Firehouse Subs for \$19,407.00. The grant money was used to purchase a 2012 Polaris Ranger 800 Crew Cab 4x4 utility vehicle.

Mr. Speaker asked what the vehicle will be used for.

Fire Chief Heath responded that he would let the new Deputy Fire Chief, Tony Schutter, answer those questions and introduced him to the Board.

Deputy Fire Chief Schutter explained the intended use for the vehicle included safety protection, rescues, medical care, and wild land fires on the trails in the City. There will be a unit on the back for rescues and fires.

Mayor Dennis asked if the vehicle was similar to the one the Police Department has.

Deputy Fire Chief Schutter responded it is the same, except red.

Mayor Dennis asked if the unit on the back is a standardized product and if the department can put out fires with the vehicle.

Deputy Fire Schutter responded that it is a standardized product and the unit holds 70 gallons of water and 5 gallons of foam to put out fires.

Mayor Dennis congratulated the fire department on the acquisition of the new vehicle through a grant.

Mr. Speaker moved that the vehicle grant be approved. Ms. Stull seconded the motion.

The motion was adopted.

f. New Hire: Kyle Moss – Intern - Engineering

Assistant City Engineer Michael Susong requested the hire of Intern Kyle Moss at the rate of \$10.00/hour, effective May 7, 2012. He explained he is a Civil Engineering student, due to graduate from Purdue University in December. Each year the Engineering Department hires two interns for summer work.

Mayor Dennis asked what Mr. Moss will be doing. Mr. Susong responded that he will be inspecting sidewalks and ramps and a variety of other duties.

Ms. Stull moved that the new hire of intern Kyle Moss be approved. Mr. Speaker seconded the motion.

The motion was adopted.

g. Rehire: Adam Clauss – Intern - Engineering

Assistant City Engineer Michael Susong requested the rehire of Intern Adam Clauss at the rate of \$11.00/hour, effective May 7, 2012. He noted the benefit of having a returning intern who already knows the job responsibilities and can help instruct the new intern.

Mr. Speaker moved that the rehire of intern Adam Clauss be approved. Ms. Stull seconded the motion.

The motion was adopted.

h. Acceptance of Bid and Contract: 2012 CDGB Sidewalk Replacement Project - Engineering

Public Works Director Buck requested the approval of the Bid and Contract with Fairfield Contractors, Inc. for the 2012 CDBG Sidewalk Replacement Project. The contract is for \$329,936. He explained that there were five bids received for this project. The low bid was from Artistic Construction Company, Inc. for \$295,355. The Engineering Department was unfamiliar with this company and conducted a background check of their bid documents and previous projects. Unfortunately that turned up some discrepancies on their Bid Form 96, as well as some negative experiences with a project for the City of Lafayette, in which the City of Lafayette had to let them go from the project due to unsatisfactory work. The project in Lafayette was also a CDBG project and there was inadequate paperwork reporting on that project. There are strict requirements for CDBG projects in paper work and documentation. The company was found to be not responsive or responsible. Several reference checks were done and documentation has been provided. Director Buck asked the Board to approve the 2<sup>nd</sup> lowest bidder, Fairfield Contractors, Inc, as the responsive and responsible low bidder. He noted that he had reviewed the bids and documents with the City Attorney.

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City Attorney Burns explained that generally the law requires that the City accept low bids. There are specific situations which allow the Board to bypass the low bid. Those situations are if the bidder is found to be either not responsive (the bidder does not include facts requested in documentation or is not in compliance with requests) or not responsible (not able to perform the work effectively). He said that in this case both of those situations are in place. The most concerning is the Bid Form 96, which has inaccuracies. With regard to being responsible, there is history of unsatisfactory performance on a similar project in Lafayette. He asked the Board to find Artistic Construction, Inc. not responsive or responsible based on the Public Works Director Buck's Memorandum.

Mr. Speaker moved to find Artistic Construction, Inc. not responsive or responsible as low bidder. Ms. Stull seconded the motion.

The motion was adopted.

Mr. Speaker asked if Artistic Construction, Inc. was a local company and if they had done any work for the City in the past. Director Buck responded they were based in Brazil, Indiana, and had not done any work for the City, in his experience.

Ms. Stull asked if the City had responsible bidder rules or an ordinance for responsible bidders. Director Buck responded that there was nothing that specific. He noted, that as Attorney Burns pointed out, the general review process is to review everything and do a background check to make sure that owners who have prior experience working with that bidder or the City's own experience with that bidder has been positive. There is not a set check list or something that has been codified by ordinance or by the Board.

Mr. Speaker noted that in the two years he's been on the Board, this is the first time there has been a finding of not responsive or responsible. He doesn't believe it is a common phenomenon.

Mayor Dennis commented that as public servants we are empowered, and in some cases absolutely obligated, to make a decision that allows us to buy a product that makes the best use of the taxpayers' dollars. Finding someone who doesn't have the reputation for doing quality or compliant work, it is our duty to reject that bid and choose a reputable and compliant company with which to work. He commended the Engineering Department and City Attorney Burns for using the discussion and mechanism they are empowered with to choose a company that will provide the City with quality work.

Public Works Director Buck responded that the Engineering Department definitely does not take the decision-making lightly. The project will involve a lot of homeowners and their property, and they definitely want it to be a successful and quality project.

Mr. Speaker moved that the 2012 CDGB Sidewalk Replacement Project Bid from Fairfield Contractors, Inc. for \$329,936 be accepted. Ms. Stull seconded the motion.

Attorney Burns asked if they had found Fairfield Contractors, Inc. to be responsive and responsible. Director Buck answered that they had.

The motion was adopted.

Director Buck requested the Board approve the contract with Fairfield Contractors, Inc., as well as establishing the contract approval date May 1, 2012, as a Notice To Proceed. He noted that the Notice to Proceed document had not been placed on the agenda as a separate item. He explained that since there had been a few weeks time lapse in the bid review process, both Fairfield Contractors, Inc. and the City are anxious to get started on the project.

Ms. Stull moved to accept the Contract with Fairfield Contractors, Inc for \$329,936 and to award the Notice to Proceed. Mr. Speaker seconded the motion.

The motion was adopted.

i. Elevation: Adam S. Miller to Detective - Police

Police Chief Dombkowski requested the elevation of Adam S. Miller to Detective, effective April 30, 2012 at a bi-weekly rate of \$2,110.12. He explained that the position would be filling an obligation to a local task force and that the position within that task force warranted detective pay.

Ms. Stull moved that the elevation of Adam S. Miller to detective be approved. Mr. Speaker seconded the motion.

The motion was adopted.

j. Elevation: David H. Payne to Patrol Dispatcher - Police

Police Chief Dombkowski requested the elevation of David H. Payne, who has been with the City for one year, from probationary patrol dispatcher to regular patrol dispatcher, effective May 10, 2012 at a bi-weekly rate of \$1,396.93. He noted that the elevation was the only elevation that occurs within that position.

Mr. Speaker moved that the elevation of David H. Payne to patrol dispatcher be approved. Ms. Stull seconded the motion.

The motion was adopted.

k. Acceptance of Quote: 2012 2WD Regular Cab Pick-Up Truck - Street

Street Commissioner Downey requested acceptance of the only quote received for the 2012 2WD Regular Cab Pick-Up Truck. The quote was from DeFouw Chevrolet at a gross total of \$22,585 and a net total after trade in allowance and other discounts of \$13,179. He noted that a previous request for quotes for the same truck had a net total of \$12,977 with three trades. This quote is with only one trade, and is very much in the City's favor.

Ms. Stull moved that the acceptance of quote for a 2012 2WD Regular Cab Pick-Up Truck be approved. Mr. Speaker seconded the motion.

The motion was adopted.

l. Approval of Bid Specifications: Recycling Carts - Street

Street Commissioner Downey asked City Attorney Burns if he was recommending tabling the request for approval of bid specifications at this time. Attorney Burns confirmed he thought that would be prudent, pending further discussion.

Mr. Speaker moved that the recycling cart bid specifications be tabled. Ms. Stull seconded the motion.

The motion was adopted.

m. Acceptance of Quote and Contract: 2012 Operation Releaf Spring Planting – GardenArt - Development

Director of Development Poole requested acceptance of the quote and contract for \$8,700 with GardenArt, for 2012 Operation Releaf Spring Planting. He explained this was for plantings throughout the City, but primarily on Robinson and Rose Streets this year. It is paid for by the West Lafayette Tree Fund and Streetscape. Attorney Burns has reviewed and approved the contract.

Mayor Dennis asked what was being replaced and if it involved ash trees. Director Poole responded that trees were both being replaced and added and he did not know if there were ash trees being replaced.

Ms Stull moved that the 2012 Operation Releaf Spring Planting quote and contract with GardenArt be approved. Mr. Speaker seconded the motion.

The motion was adopted.

n. Acceptance of Quote and Contract: 2012 University Farm Planting Project – GardenArt - Development

Director of Development Poole requested acceptance of the quote and contract with GardenArt for \$26,140 for the 2012 University Farm Planting Project. He noted that this project is 75% funded by a grant from the Wabash River Enhancement Corporation. The rest of the project cost will be funded by a match from the West Lafayette Tree Fund and Streetscape. There are 143 trees being planted in University Farm. He confirmed that City Attorney Burns has reviewed and approved the contract.

Mayor Dennis asked if after the trees are planted the City would be required to maintain them. Director Poole responded that if they are in the right-of-way he believed we would be required to do so.

Mr. Speaker moved that the 2012 University Farm Planting Project quote and contract with GardenArt be approved. Ms. Stull seconded the motion.

The motion was adopted.

o. Claims

i.	AP Docket	\$339,392.65
ii.	AP Docket	\$34,091.74
iii.	AP Docket	\$39,925.67
iv.	AP Docket	\$97,868.96
v.	PR Docket	\$103,916.85
vi.	PR Docket	382,443.10

Questions raised about individual claims by the Board were answered by department heads and Clerk-Treasurer Rhodes.

Ms. Stull moved that the claims be approved. Mr. Speaker seconded the motion.

The motion was adopted.

p. Informational Items

i. Notice of Summer Sewage Rate – WWTU

Wastewater Utility Director Henderson explained that each summer a summer sewage rate is set for June, July, and August, although this year it has been so dry, people have already been coming into the office to borrow the portable flow meters for watering their lawn in order to discount their outdoor watering. The summer sewage rates are calculated based on the average usage during January, February, and March so that during June, July, and August the billing rate is equivalent to the first quarter of the year. The exception to that is if sewer usage is actually lower than the first quarter average. In that case, the actual usage is the rate for billing.

ii. Project Payment List – WWTU

There were no comments.

iii. Legal Budget & Expenditures – Clerk-Treasurer.

There were no comments.

q. Other Items

i. Police Chief Dombkowski said the last week was extremely busy with things wrapping up on Purdue University campus and the Jay Cooperider Memorial 5K Run. Purdue University Graduation is coming up next weekend. There was also a Shredding Event in the City Hall parking lot which collected over 6,000 pounds of documents, with hundreds of people bringing their documents for shredding. The Police Department participated in Purdue University's Alcohol Summit last week. The event was a meeting of all kinds of organizations, discussing alcohol issues on Purdue's campus. He said it was a very informative event and the West Lafayette Police Department will continue to be an integral part of that event every year. As part of the Alcohol Summit, some VIP's were invited to Breakfast Club the past weekend.

Mayor Dennis asked if it went well. Chief Dombkowski said it did and noted that there were the least arrests of any Grand Prix week at Purdue that he ever remembers. There were no major safety incidents, either.

ii. Councilor Hunt shared that she and several others had been invited to observe Breakfast Club. She enjoyed the creativity of costumes and said that Fire Chief Heath had observed as well, and had identified some safety issues with overcrowding at some of the venues. Two bars got very good ratings for safety and checking ID.'s. She also noted that the Historic Block Party event this weekend was very enjoyable and included tours of the renovations of the Historic Fire Station #1. She offered to share pictures taken at the event.

iii. Fire Chief Heath reported a record low total of three runs over Grand Prix weekend, making for a very safe weekend.

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Mayor Dennis inquired as to what is making the difference in low rates of incidents. He asked if it was the City's message getting out, the students getting smarter, the collective collaboration between City and Purdue, or all of the above.

Fire Chief Heath and Police Chief Dombkowski concurred that it was a combination of all those things. Fire Chief Heath noted that Police Chief Dombkowski and his officers did a great job and when they do so it makes things much easier for the Fire Department.

iv. Public Works Director Buck presented a map noting most of the construction projects occurring around town, including City construction, INDOT construction and other projects. He noted that the map will be refined and amended throughout the summer. There is an unprecedented amount of construction projects occurring this summer. There will be several copies of the map distributed to City offices and the Council members. Red lines on the map indicated City of West Lafayette projects, blue lines indicate Indiana-American water projects, significant Purdue University projects are in gold, green lines represent INDOT projects, and a Tippecanoe County project, which is Cumberland Avenue extension, is in light blue. That extension is a new road and really won't be affecting traffic. The 231 corridor currently under construction is familiar to most people. Several water company projects are underway on main arterials including Yeager Road and Salisbury Streets. Those projects are close to wrapping up. There are also smaller projects on Crimson Court, and Bristol Court. Work on Happy Hollow is wrapping up, and a main replacement on Lindberg Road to the east of Indian Trail, all the way to Spinning Wheel Court, is underway.

Also included on the map are City street resurfacing projects, the trail work, and there will be patching work done by the State on North River Road. Water main work will be done at the corner of Yeager Road and Cumberland Avenue as well. The same type of work will be done at Cumberland Avenue and Salisbury Street.

The storm sewer contractor needs to close the intersection of Yeager Road and Anthrop this Wednesday, Thursday, and Friday. Work on the Yeager Road project is progressing nicely. They have coordinated with the CityBus staff and with the school corporation buses.

Efforts are underway to focus on finishing the Cumberland Avenue work before football season begins in August for West Lafayette High School, and hopefully even before the Purdue University students return.

v. Mayor Dennis extended his congratulations and commended Parks Superintendent Payne and his staff for all their wonderful work at several events this past weekend including the Jay Cooperider Memorial 5K Run, the West Lafayette Historic Block Party, and the Morton Spring Dance Recital. He noted all the events were fantastic.

Parks Superintendent Payne said the Morton Spring Dance Recital was the best attended of all the events, and as always, it was excellent. He reported that there was a History Society fundraising event in Tapawingo Park and a New Community School Amazing Race fundraising event in Tapawingo Park. He also announced the annual opening day of West Lafayette Farmer's Market, in Cumberland Park at 3:00 p.m on Wednesday.

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vi. Councilor Burch reminded everyone that Pre-Council meets this Thursday at 4:30 p.m. and Common Council is Monday at 6:30 p.m. in Council Chambers in City Hall. She noted that Friday, May 5th is Cinco de Mayo.

3. ADJOURNMENT

There being no further business to come before the Board, Mr. Speaker moved that the meeting be adjourned, and Mayor Dennis adjourned the meeting.