

PUBLIC WORKS COMMITTEE
DECEMBER 7, 2010
4:10 P.M.

Councilwoman Ladd, Chairman, called the meeting of the Public Works Committee to order with Councilmen Rico, Scott, Benson Berz, Murphy, Gilbert, Robinson and McGary present. City Attorney Michael McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Vickie Haley, Daisy Madison, Dan Johnson, John Bridger, Gary Hilbert, Randy Ray, Fredia Kitchen, Greg Haynes, Dennis Malone, Lee Norris, Mike Patrick, Dickie Hutsell, Paul Page, Steve Leach, John Van Winkle, Madeline Green, Richard Beeland and Jana Lowery.

Chairwoman Ladd noted that we had two other committees to meet and asked that everyone stay focused.

Lee Norris began with **Ordinance 6(a) First Reading** for CNE to close and abandon a right-of-way easement along the south side of 17th St. and adjacent to 1702 Long Street. Mr. Malone noted that we were taking the easement off the lot.

Resolution 7(a) is for the installation of a roof sign to be installed on the Wrigley Corporation's building located at 3002 Jersey Pike, which shall be visible for traffic entering or exiting the Chattanooga Metropolitan Airport. Mr. Malone noted that we talked about this two weeks ago, and there was some discussion about further advertising; that all problems had been resolved. Councilwoman Berz noted that this was in her district. Mr. Hutsell added that additional signage is in accordance with the City Code.

Resolution (b) authorizes a change order, final, relative to Modifications to Summit Landfill Gas Extraction System Additions with SCS Field Services for a decrease of \$24,736, and a revised contract amount of \$269,524 and releasing the remaining contingency amount of \$23,340.

Councilwoman Scott noted that this goes with another contract, requesting that they both be taken at one time.

Mr. Malone noted that it goes with **Resolution (t)** authorizing a change order, final, relative to Investigation of Subsurface Gas Migration at the Summit Landfill with Consolidated Technologies, Inc. for an increase of \$11,300 and a revised contract amount of \$129,500. He explained that these were wells at Summit that we monitor; that the wells had been drilled and all the work done and the rigs taken offsite; after that, upon further checking, several wells turned up "hot", and they had to come back into town.

Councilwoman Scott noted that the job should have lasted 1.5 months, and it went 8 months and questioned how this could be a problem of sub-surface conditions, causing an increase for engineering services? Mr. Patrick responded that it was sub-surface conditions that we had to account for.

Councilman Benson asked if they pulled off before they had drilled enough and now we were having to bear the expense? Mr. Patrick mentioned weather conditions that could affect this, stating that it was the “nature of the beast”.

Councilwoman Scott noted paying CTI \$75,000 and then \$118,000 and the second for \$129,000. She stated that she thought engineering set up the wells in the first place and if they were constructed properly, she did not understand the eight months to get all this done; that it seemed like a long time for just one well. Mr. Malone responded that there were additional wells. Councilwoman Scott stated that the change order says one well was not working.

Mr. Norris stated that they did some drilling and pulled off and then we identified additional wells to be drilled.

Councilman McGary questioned if more drilling was done, did they not use the contingency? Mr. Malone responded that the contingency amount was \$23,000. Councilman McGary asked if they used this and was told “no”; that this was a different contract.

Councilwoman Scott pointed out that we were talking about construction, but the engineering went over. Mr. Malone responded that there were additional things in the field; that he signed the change order.

Resolution © authorized final change order to the Warner Park Combined Sewer Overflow Control Facility with Haren Construction Co. for an increase of \$36,683 and a revised contract amount of \$4,560,885, and releasing the remaining contingency of \$134,715.00. Councilwoman Scott mentioned 300 days, which looked like 2.7 years long. She noted that three items were not part of this and asked if this was pending? Mr. Malone responded that we had claims of additional money, and they got with the City Attorney and came to a zero agreement.

Resolution (e) was a grant for the next phase of the Downtown Riverwalk construction. In an effort to move forward, Chairman Ladd asked if there were any questions and moved on.

Resolutions (g), (h), and (i) were Interlocal Agreements with East Ridge, Hamilton County, and Collegedale for signal controller maintenance services at an hourly rate of \$54.25.

Councilwoman Scott asked Mr. Van Winkle if he could explain the questions she had asked? He stated that he did not get the questions. She stated that she e-mailed them to him. She questioned us providing maintenance services for signal controllers—only after hours—at the rate of \$54.00. She noted that two of the contracts indemnify us and the third does not; that if we are doing a service, without making any money and might be “going in the hole”, why the Interlocal Agreements vary. Mr. Norris stated that to his knowledge, all three were the same. Attorney Bobo stated that the Collegedale one was drafted later, and they planned on making it the same.

Councilwoman Scott noted that this was after hours maintenance work and refers to work on an emergency basis—she asked if it were both? She stated that she could not get a plumber to her house for \$54.00. She wanted to know how we arrived at \$54.00 with all the tools involved and transportation, and she also wanted to know if this was counted overtime?

Mr. Van Winkle responded that this included overtime; that this is not work on the road but in their shop; that these are informal agreements that we had; that it was pointed out that we had no agreements, and they had decided to formalize this; that it was done through the City Attorney’s office and is nothing new. Mr. Norris added that it was an old hand shake agreement.

Councilman Benson stated that he was inclined to agree with Councilwoman Scott; that we should not give them a bargain price, which would enable them to fight metropolitan government; that we have the expertise, and they would have to pay more if they paid a competitive price.

Mr. Norris stated that he would not address metro government, but if the Council would recall, with the Transportation System, we will be forced into some of these agreements with outlying communities; that we might later adopt all at one time; that he had asked John Van Winkle to verify the numbers; that we were getting no profit, but it could be at the Council’s pleasure.

Councilman Murphy stated that RTS was a very important thing, and we would not want to get sideways with East Ridge; that we need the ability to get small vehicles to Ringgold Rd. to clean up freeway messes; that he was sensitive to the money issue, but it was not costing us anything; that it was not an uncalculated number, and we might be going in the right direction.

Mr. Johnson stated that he would suggest these numbers be verified with CFO.

Resolution (n) authorizes a contract for Sanitary Sewer Improvements Old Lee Highway at Apison Pike, to East Tennessee Grading, Inc. in the amount of \$498,898, with a contingency amount of \$49,902 for an amount not to exceed \$548,800.

Resolution (o) authorizes a final change order relative to the River Street Extension-Phase One with Dillard Construction for a decrease of \$64,907.95 and a revised contract amount of \$645,282.58, and releasing the remaining contingency amount of \$69,809.47.

Councilwoman Scott expressed congratulations to Dillard Construction for coming under budget. Councilwoman Robinson expressed thanks for getting this road built, stating that it was a great job. Mr. Malone stated that we would be advertising Phase Two.

Resolution (p) authorizes final change order relative to the Walnut Street Bridge North Viaduct Improvements, with Tower Construction Co., Inc. for an increase of \$98,041.02 and a revised contract amount of \$1,411,456.52, and releasing the remaining contingency amount of \$1,958.98. Councilman Murphy asked who the salvage belonged to? Mr. Malone responded that it was the contractors to move away. Councilwoman Scott asked what the \$98,000 increase was for? Mr. Malone explained that they were supposed to get a bonus for completing ahead of time; however they had to replace all the timbers on the North Viaduct, and we were able to accept this within our contingency. Mr. Norris added that we increased the scope of the job.

Resolution (q) authorized the final change order relative to the Walnut Street Bridge North Viaduct Improvements with Volkert and Associates, Inc. for a decrease of \$33,947.20 and a revised contract amount of \$55,942.80. Mr. Malone explained that we had an inspector on our staff who was idle, and we handled this in-house and saved funds. Councilwoman Scott pointed out that the Resolution is correct but the agenda reflected an "increase". It was noted that the agenda had been changed to reflect "decrease".

Resolution (r) authorizes final change order relative to the Hamill Road Improvements-Highway 153 to Hixson Pike (Phase Two), with Tennessee Dirtworks, LLC for a decrease of \$7,835.60 and a revised contract amount of \$366,264.40, and releasing the remaining contingency amount of \$37,400.

Resolution (s) authorizes final change order relative to the New Eastgate Pump Station No. 1 and Force Main with East Tennessee Grading, Inc. for a decrease of \$7,582.45 and a revised contract amount of \$602,960.75, and releasing the remaining contingency amount of \$59,456.80. Mr. Malone explained that we were dealing with overflows and showed this on a map. He spoke of a portable generator to be used around town and Leland Cypress to be planted all the way around for screening.

It was noted that **Resolution (t)** had already been talked about.

Resolution (u) authorizes final change order relative to the Enterprise South Roadway Extension, Phase 1, with Talley Construction Company, Inc. for a decrease of \$60,190.90 and a revised contract amount of \$1,729,614.26.

Resolution (v) authorizes final change order relative to Enterprise South Roadway Extension, Phase 1B, with East Tennessee Grading, Inc. for a decrease of \$99,612.71 and a revised contract amount of \$1,297,247.81.

Councilwoman Scott noted that one changed three times and went over the original budget. She wanted to know where the days went?

Mr. Malone responded that we were dealing with 6-8 years ago Plan from Barge and Waggoner and also dealing with Volkswagen and the Volkert Traffic Study; that it called for signals or a round-about, and the round-about was more efficient, but we had to dig out more material; that they also asked us to enlarge the detention, and we had to move the drive-way. All this caused the cost to go up in mid year; however there was a decrease in Talley and an increase of \$61,000 in the two projects.

AGENDA ITEMS FOR DECEMBER 14, 2010

Ordinance First Reading (d) is an ordinance for Charter Real Estate for an abandonment, closing and abandoning a portion of the 6000 Block of Hall Road and an adjacent alley. The City is in agreement. Adm. Leach stated that this was out in Ooltewah. Councilman Benson was of the opinion that there were objections.

Ordinance (f) is an abandonment for David McAllister, closing and abandoning part of an unnamed alley located between the 4400 Block of Seneca Ave. and the 1300 Block of West 45th St. Councilman Benson stated that he went out to see this today; that he had originally voted to deny this, but when he got on site today, he saw there was no harm at all. This is in Councilman Rico's district, and he, too, felt it did not hurt anything.

Resolution 7(d) has already been discussed by Daisy Madison.

On motion of Councilwoman Robinson, seconded by Councilwoman Berz, the minutes of the previous meeting were approved as published.

The meeting was adjourned at 4:45 P.M.