



**City of Neenah
Board of Public Works Agenda
Wednesday, March 27, 2019, 12:00 p.m.
Neenah City Hall
Hauser Room**

NOTICE IS HEREBY GIVEN, pursuant to the requirements of Wis. Stats. Sec. 19.84, that a majority of the Neenah Common Council may be present at this meeting. Common Council members may be present to gather information about a subject over which they have decision-making responsibility. This may constitute a meeting of the Neenah Common Council and must be noticed as such. The Council will not take any formal action at this meeting.

- I. Approval of the minutes of the March 12, 2019 meeting. (Minutes can be found on the City web site)
- II. Appearances.
- III. Unfinished Business.
- IV. New Business.
 - A. Water Department
 - 1. Pay Request No. 2 for Chemical Storage and Feed Modifications to August Winter & Sons in the amount of \$52,820.00.
- IV. Any announcements/questions for the Board.

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Neenah will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance, or reasonable accommodation in participating in this meeting or event due to a disability as defined under the ADA, please call the Clerk's Office (920) 886-6100 or the **City's ADA Coordinator at (920) 886-6106** or e-mail attorney@ci.neenah.wi.us at least 48 hours prior to the scheduled meeting or event to request an accommodation.

**Minutes of the Board of Public Works Meeting
Tuesday, March 12, 2019 – 12:00 p.m.
Hauser Room**

MEMBERS PRESENT: Mayor Kaufert, Director of Finance Easker, Director of Public Works Kaiser, Director of Community Development & Assessment Haese, Aldermen Bates and Hillstrom. City Attorney Godlewski was excused.

ALSO PRESENT: Deputy Clerk Goffard, Water Utility Director Mach and Forrest Bates.

Chairman Kaufert called the meeting to order at 12:04 p.m.

MINUTES: MSC Hillstrom/Kaiser to approve the minutes from the February 26, 2019 Board of Public Works meeting, all voting aye.

APPEARANCES: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Public Works:

Award Contract 1-19 Sewer, Water Main and Street Construction on Caroline Street, Stevens Street and Fifth Street: Dir. Kaiser recommended awarding Contract 1-19 Sewer, Water Main and Street Construction on Caroline Street, Stevens Street and Fifth Street to Carl Bowers & Sons Construction Company, Inc., Kaukauna in the amount of \$1,199,529.00. Nine bids were received on February 6th. Dir. Kaiser stated that they were under budget on everything. The storm water and sewer work money was coming out of the miscellaneous repairs budget. Dir. Kaiser responded to Mayor Kaufert indicating that the contractor was aware that Fifth Street will need to be done before July 4, 2019. The cost of the sewer laterals running to the homes will be paid by the homeowners at 50% of the cost. **MSC Kaiser/Haese, to recommend Council award Contract 1-19 Sewer & Water Main and Street Construction on Caroline Street, Stevens Street and Fifth Street to Carl Bowers & Sons Construction Company, Inc., Kaukauna in the amount of \$1,199,529.00, all voting aye.**

Award Contract 2-19 Sewer, Water Main and Street Construction on Stanley Street, Stanley Court and Thomas Court: Dir. Kaiser recommended awarding Contract 2-19 Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court and Thomas Court to Robert J. Immel Excavating, Inc., Greenville in the amount of \$1,578,470.50. Eight bids were received on February 20, 2019. The bids were for asphalt and concrete. The concrete alternate goes with asphalt in case issues arise during construction. The budget of \$1,760,400 for storm water may be go over budget with the sewer work. There was a carry forward budget for this cost. Ald. Bates mentioned previous work done on Mark Court where the asphalt work was really bad. A pavement geo grid was

needed to stabilize the asphalt. Dir. Kaiser responded to Dir. Easker stating that he would have to check on the availability of workers to do both projects simultaneously. Dir. Kaiser responded to Mayor Kaufert that having one contractor do all projects may be too much work for one contractor. Dir. Haese indicated that it is important for the workers to be treated fairly on the projects. Dir. Mach responded to Ald. Bates stating that for Stanley and Thomas Court there is copper service which is more costly for the water lateral replacements. **MSC Kaiser/Haese to recommend Council award Contract 2-19 Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court and Thomas Court to Robert J. Immel Excavating, Inc., Greenville in the amount of \$1,578,470.50, all voting aye.**

Award Contract 3-19 Epoxy Pavement Marking: Dir. Kaiser recommended awarding Contract 3-19 Epoxy Pavement Marking to Brickline Inc., Madison in the amount of \$54,217.70. Two bids were received on March 6, 2019. Dir. Kaiser stated that Century Fence Company is typically the higher bidder due to the Wisconsin DOT changing the specifications on pavement marking guidelines. The budget was \$45,000 plus a 2018 traffic operating budget carryover to this project. Dir. Kaiser responded to Dir. Easker that the line markings typically last from 4 to 10 years. Engineer Mertens gets a list ready on a yearly basis to re-mark certain areas of Neenah on a rotation schedule. Ald. Bates stated she could let Engineer Mertens know if certain areas need line work done. The Interstate 41 on and off ramps are done by the State of Wisconsin and the roundabout markings are done by the City of Neenah. **MSC Kaiser/Hillstrom to recommend Council award Contract 3-19 Epoxy Pavement Marking to Brickline Inc., Madison in the amount of \$54,217.70, all voting aye.**

MSC Hillstrom/Kaiser to adjourn at 12:26 p.m., all voting aye.

Respectfully Submitted,



Laurie L. Goffard
Deputy Clerk

SECTION 00 62 76
APPLICATION FOR PAYMENT NO. #2

To: City of Neenah
From: August Winter & Sons, Inc.
Contract: Chemical Storage & Feed Mods
Project: 3512-18-01
For work accomplished through the date of: February 28, 2019

| | |
|---|--------------------|
| 1. Original Contract Price: | <u>474,474.00</u> |
| 2. Add (Deduct) by Revised Quantities: | |
| 3. Net change by Change Orders and Written Amendments (+ or -): | <u>74,968.00-</u> |
| 4. Current Contract Price (1 plus 2 plus 3): | <u>399,506.00</u> |
| 5. Total completed and stored to date: | <u>174,100.00</u> |
| 6. Retainage (per Agreement): | |
| <u>5</u> % of completed work: | <u>\$ 8,705.00</u> |
| <u> </u> % of stored material: | <u>\$</u> |
| Total Retainage: | <u>8,705.00</u> |
| 7. Total completed and stored to date less retainage (5 minus 6): | <u>165,395.00</u> |
| 8. Less previous Application for Payments: | <u>112,575.00</u> |
| 9. Due this Application (7 minus 8): | <u>52,820.00</u> |

Record of Previous Payments:

| | |
|--------------------|--------------------|
| 1. <u> </u> | 4. <u> </u> |
| 2. <u> </u> | 5. <u> </u> |
| 3. <u> </u> | 6. <u> </u> |

Sub-Total \$ \$

Accompanying Documentation:

SUBMITTED:

By: Kurt Van Himsen
CONTRACTOR (Authorized Signature)

Date: 2/19/2019

RECOMMENDED:

By: Josh Steffed
ENGINEER (Authorized Signature)

Date: 3/19/19

APPROVED:

By:
OWNER (Authorized Signature)

Date:

APPLICATION FOR PAYMENT

APPLICATION AND CERTIFICATE FOR PAYMENT

Invoice #: 25761

To Owner: City of Neenah
P O Box 426

Project: 57618- City of Neenah

Application No.: 2

Distribution to:
☐ Owner
☐ Architect
☐ Contractor

Neenah, WI 54956

From Contractor: August Winter & Sons, Inc.
2323 N. Roemer Road
Appleton, WI 54912

Period To: 2/28/2019
Project Nos: 3512-18-01

Contract For: Chemical Storage & Feed Mods

Contract Date: 7/17/2018

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract Continuation Sheet is attached.

1. Original Contract Sum \$474,474.00
 2. Net Change By Change Order -\$74,968.00
 3. Contract Sum To Date \$399,506.00
 4. Total Completed and Stored To Date \$174,100.00

5. Retainage:

a. 5.00% of Completed Work \$8,705.00
 b. 0.00% of Stored Material \$0.00

Total Retainage \$8,705.00

6. Total Earned Less Retainage \$165,395.00

7. Less Previous Certificates For Payments \$112,575.00

8. Current Payment Due \$52,820.00

9. Balance To Finish, Plus Retainage \$234,111.00

| CHANGE ORDER SUMMARY | | Additions | Deductions |
|--|--|--------------|-------------|
| Total changes approved in previous months by Owner | | \$0.00 | \$77,653.00 |
| Total Approved this Month | | \$2,685.00 | \$0.00 |
| TOTALS | | \$2,685.00 | \$77,653.00 |
| Net Changes By Change Order | | -\$74,968.00 | |

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief, the work covered by this Application for Payment has been completed in accordance with the Contract Documents. That all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: August Winter & Sons, Inc.

By: Robert E Lee Date: 02/18/2019

State of: Wisconsin

County of: Outagamie
 day of February, 2019

Subscribed and sworn to before me this 18th

Notary Public:

My Commission expires: 5/13/2021

Kathryn M Krapp

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information, and belief, the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 52,820.00

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:

By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

Application and Certification for Payment, containing Contractor's signed certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

Invoice # : 25761

Contract : 57618- City of Neenah

Application No. : 2
Application Date : 02/18/19
To: 02/28/19
Architect's Project No.: 3512-18-01

| A Item No. | B Description of Work | C Scheduled Value | D Work Completed | | F Materials Presently Stored (Not in D or E) | G Total Completed and Stored To Date (D+E+F) | H Balance To Finish (C-G) | I Retainage |
|---------------------|--|----------------------|------------------------------------|----------------------|--|--|---------------------------------|-----------------|
| | | | From Previous Application (D+E) | This Period In Place | | | | |
| 001 | Allowances | 4,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 4,000.00 | 0.00 |
| 002 | FRP storage and day tanks for ferric sulfate | 50,000.00 | 50,000.00 | 0.00 | 0.00 | 50,000.00 | 0.00 | 2,500.00 |
| 003 | Polyethylene storage and day tanks for polymer | 35,000.00 | 35,000.00 | 0.00 | 0.00 | 35,000.00 | 0.00 | 1,750.00 |
| 004 | Double wall polyethylene storage and day tanks for HFS acid | 20,000.00 | 20,000.00 | 0.00 | 0.00 | 20,000.00 | 0.00 | 1,000.00 |
| 005 | Chemical transfer pumps | 2,000.00 | 0.00 | 2,000.00 | 0.00 | 2,000.00 | 0.00 | 100.00 |
| 006 | Perisaltic chemical pumps and accessories | 30,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 30,000.00 | 0.00 |
| 007 | Diaphragm chemical pumps and accessories | 12,000.00 | 12,000.00 | 0.00 | 0.00 | 12,000.00 | 0.00 | 600.00 |
| 008 | Freeze proof emergency eyewash and shower | 4,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 4,000.00 | 0.00 |
| 009 | Emergency eyewash and shower including the mixing valve | 3,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 3,000.00 | 0.00 |
| 010 | Potable hot water and tempered water piping including all va | 5,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 5,000.00 | 0.00 |
| 011 | Chemical supply and feed piping including all required valve | 6,000.00 | 1,500.00 | 1,500.00 | 0.00 | 3,000.00 | 3,000.00 | 150.00 |
| 012 | Painting work in accordance with Spec 09 90 00 | 3,000.00 | 0.00 | 300.00 | 0.00 | 300.00 | 2,700.00 | 15.00 |
| 013 | Provide electrical & instrumentation work for chemical stora | 100,000.00 | 0.00 | 10,000.00 | 0.00 | 10,000.00 | 90,000.00 | 500.00 |
| 014 | Asphalt concrete pavement complete | 26,000.00 | 26,000.00 | 0.00 | 0.00 | 26,000.00 | 0.00 | 1,300.00 |
| 015 | Concrete site work complete | 5,500.00 | 5,500.00 | 0.00 | 0.00 | 5,500.00 | 0.00 | 275.00 |
| 016 | Landscaping Complete | 4,000.00 | 4,000.00 | 0.00 | 0.00 | 4,000.00 | 0.00 | 200.00 |
| 017 | Chain link fence complete | 29,000.00 | 29,000.00 | 0.00 | 0.00 | 29,000.00 | 0.00 | 1,450.00 |
| 018 | Temporary precast concrete barrier complete | 1,000.00 | 1,000.00 | 0.00 | 0.00 | 1,000.00 | 0.00 | 50.00 |
| 019 | All other work for Chemical Storage and feed mods | 134,974.00 | 12,153.00 | 41,800.00 | 0.00 | 53,953.00 | 81,021.00 | 2,697.65 |
| 021 | CO #1 | -77,653.00 | -77,653.00 | 0.00 | 0.00 | -77,653.00 | 0.00 | -3,882.65 |
| 022 | CO #2 | 2,685.00 | 0.00 | 0.00 | 0.00 | 0.00 | 2,685.00 | 0.00 |
| Grand Totals | | 399,506.00 | 118,500.00 | 55,600.00 | 0.00 | 174,100.00 | 225,406.00 | 8,705.00 |

Limited Waiver of Construction Lien

1. Upon receipt of payment, the undersigned hereby waives all rights to or claims for a lien on the land hereafter described, for any and all work, materials, plans and specifications made or furnished for the improvements of said lands, furnished between the date of February 1, 2019 and February 28, 2019 to the extent of \$ 52,820.00 only.

(Describe) Fifty two thousand eight hundred twenty dollars & 00/100**

said improvements being done for City of Neenah, Owner
by August Winter & Sons, Inc., Prime Contractor said lands being situated in
Winnebago County, Wisconsin, and described as Chemical Storage & Feed Mods
(legal description, street address or other clear description).

2. The work done or to be done or materials furnished or to be furnished by the undersigned for said job consists of Plumbing Work
3. The right to assert construction lien rights for work done or materials furnished in excess of said amount or exclusive of stated period on said job is hereby expressly reserved.
4. This waiver furnished is a waiver of lien rights only, and not of any contract rights of the claimant otherwise existing.
5. Notwithstanding Section 779.05, Wisconsin Statutes, if the consideration for this lien waiver consists of an uncertified check or other negotiable instrument, this lien waiver is null and void if such check or other negotiable instrument is dishonored or otherwise not paid when due.

Dated this 19th day of Feb, 2019

AUGUST WINTER & SONS, INC.



Secretary

2323 North Roemer Road, PO BOX 1896
Appleton, WI 54913

UNCONDITIONAL WAIVER AND RELEASE PROGRESS PAYMENT

Job Number: 57618-

Job Name: City of Neenah

The undersigned has been paid and has received a progress payment in the sum of:
\$41,000.00 for labor, service, equipment or material furnished to **August Winter and Sons, Inc.**
on the job of: 57618-

located at: **234 S Park Street**
Neenah, WI 54956

through: 2/4/2019 only, for and in the consideration of the payment amount listed above, the undersigned does hereby waive and release any lien rights to, or claim of liens with respect to and on said above-described premises, and the improvements thereon, on account of labor, services, material, fixtures, apparatus or machinery heretofore furnished by the undersigned to or for the above described premises by virtue of said contract.

NOTICE: THIS DOCUMENT WAIVES RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU, IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID IF YOU HAVE NOT BEEN PAID, USE A CONDITIONAL RELEASE FORM

Dated: 2/14/19

By: Crane Engineering Sales Inc.

Company Name

Signature

Brenda K Carter - Accountant

Please sign and return by mail or fax to:

August Winter & Sons, Inc.

PO Box 1896

Appleton, WI 54912-1896

Email: ar@augustwinter.com

FAX (920)739-4993

For the following Invoices:

Job: 57618-

Invoice: 346758

41,000.00

UNCONDITIONAL WAIVER AND RELEASE PROGRESS PAYMENT

Job Number: 57618-

Job Name: City of Neenah

The undersigned has been paid and has received a progress payment in the sum of:
\$557.28 for labor, service, equipment or material furnished to **August Winter and Sons, Inc.**
on the job of: 57618-

located at: **234 S Park Street**
Neenah, WI 54956

through: 2/4/2019 only, for and in the consideration of the payment amount listed above, the undersigned does hereby waive and release any lien rights to, or claim of liens with respect to and on said above-described premises, and the improvements thereon, on account of labor, services, material, fixtures, apparatus or machinery heretofore furnished by the undersigned to or for the above described premises by virtue of said contract.

NOTICE: THIS DOCUMENT WAIVES RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU, IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID IF YOU HAVE NOT BEEN PAID, USE A CONDITIONAL RELEASE FORM

Dated: 2-13-19

By: Packer Fastener and Supply Inc
Company Name

Signature


Please sign and return by mail or fax to:

August Winter & Sons, Inc.

PO Box 1896

Appleton, WI 54912-1896

Email: ar@augustwinter.com

FAX (920)739-4993

For the following Invoices:

| | | |
|-------------|-----------------|--------|
| Job: 57618- | Invoice: 423201 | 288.87 |
| Job: 57618- | Invoice: 424320 | 268.41 |