

CITY OF CHARLEVOIX

210 STATE ST. CHARLEVOIX, MICH. 49720

PUBLIC NOTICE
SPECIAL MEETING
CITY OF CHARLEVOIX CITY COUNCIL

Mayor Gabe Campbell has called a Special Meeting for **Tuesday, March 31, 2015 at 5:30 p.m.** The meeting will be held in the Council Chamber at City Hall, 210 State Street, Charlevoix, Michigan.

The primary purpose of the meeting is Consideration to Approve the Water Main Upgrade on West Hurlbut and to receive an Update/Discussion on EMS Pay increases.

A handwritten signature in cursive script that reads "Patti Spencley".

Patti Spencley, Deputy City Clerk

3/27/2015
4:00 p.m.

AGENDA
CITY OF CHARLEVOIX CITY COUNCIL SPECIAL MEETING

Tuesday, March 31, 2015 – 5:30 p.m.
210 State Street, City Hall, City Council Chambers, Charlevoix, MI

- I. Invocation (Pledge of Allegiance)**
- II. Roll Call of Members Present**
- III. Inquiry Regarding Possible Conflicts of Interest**
- IV. Miscellaneous Business**
 - A. Consideration to Approve the Water Main Upgrade on West Hurlbut
 - B. Update/Discussion on EMS Pay Increases
- V. Audience - Non-agenda Input (written requests take precedent)**
- VI. Adjourn**

PG 1-7
PG 8

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one weeks' notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250.

Posted March 27, 2015 4:00 p.m.

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Consideration to approve the water main upgrade on W. Hurlbut

DATE: March 31, 2015

PRESENTED BY: Pat Elliott

ATTACHMENTS: Team Elmer's and MDC Proposals
Memo from City Treasurer Kelly McGinn

BACKGROUND INFORMATION: Due to the extremely cold weather this winter and the associated frost depths there is a large section of water main on W. Hurlbut that has frozen and is now broken. The existing main is a four inch, cast iron pipe and is only buried between 3.5' and 4' deep. The age of the pipe is estimated to be approximately 90 years old. Due to the buildup that naturally happens on pipe of this material and age there is approximately the equivalent flow that you would get out of a 2.5" pipe that is new. In all, there is approximately 200' of main that has frozen and is now broke.

We have two options to consider regarding the repair/replacement of this main line. One would be to install new 4", PVC pipe at the current depth throughout the 200 foot section, backfill and install an asphalt patch over the disturbed areas. The downside to this approach is that we would still have an undersized main line and at either end we would still have the 90 year old cast iron pipe feeding the center section. Another issue with this approach is that we would still be within the frost zone and would run the risk of this mainline freezing up in future years. If this line did freeze up again we would be spending additional money to repair/replace the sections that were broken. This could be considered more of a band aid approach to the real issue at hand.

The second option, which would be a long term solution, would be to upgrade the entire water main (approximately 410') with 12" ductile iron (DI) pipe. The ductile iron pipe would be buried 6.5'-7' deep, all nine services would be replaced with copper and buried deeper. We would also install one fire hydrant in the center of the block. The complete road upgrade for the 100 block of Hurlbut is scheduled to be completed in 2019. By completing the water main portion of the work now we would only have the sanitary and the storm to complete in 2019. The benefits to this approach are that the 12" line would complete a major loop in our water

system consistent with our long term plan. This would also give the City much better fire flows and fire protection. By completing this upgrade we would virtually eliminate the potential of this main line from freezing up in future years. This is also a long term approach and this line would not have to be replaced or upgraded for many, many decades. The life span for DI pipe is a minimum of 80 years.

Staff has met with both MDC Contracting and Team Elmer's to get competitive pricing. Team Elmer's was the low bidder for this project with an estimated cost not to exceed \$73,190.00 and MDC has priced the project at \$73,700.00. Taking into consideration the "Local Bidders Preference Policy", which states that if a project of this size is within 3% of the low bid the City may award the local bidder the project. That being said, staff is recommending we award the contract to MDC Contracting. We have worked with MDC on numerous projects in past years and feel they are more than qualified to complete this project. MDC has stated that they could commence construction within three working days. The actual start date will be determined by when the City receives the permit through the DEQ.

RECOMMENDATION: It is staff's recommendation that we enter into an agreement with MDC Contracting, L.L.C. for a not to exceed price of \$73,700.00 and authorize them to commence work as soon as possible.

PROPOSAL

MDC Contracting, L.L.C.
05481 U.S. 31 SOUTH
CHARLEVOIX, MI 49720
PHONE 231-547-6595 FAX 231-547-9171

<u>SUBMITTED TO</u> City Of Charlevoix	<u>PHONE</u>	<u>FAX</u>	<u>DATE</u> 3/27/15
<u>STREET</u> 210 State Street	<u>JOB NAME</u> W. Hurlbut Street Water Main Upgrade		
<u>CITY, STATE AND ZIP CODE</u> Charlevoix, MI 49720	<u>JOB LOCATION</u> Charlevoix		
<u>ATTENTION</u> Pat	<u>ARCHITECT / ENGINEER</u> N/A		<u>DATE OF PLANS</u> N/A

W. Hurlbut Street Water Main Replacement

This proposal is presented as a budgetary estimate to replace the frozen & broken water main on W. Hurlbut Street between Bridge & State Streets. If approved, this work will be performed at MDC Contracting's T & M rates (see attached).

Proposal assumes:

- All pipe materials supplied by MDC Contracting
- Install 420 feet of 12" ductile iron water main
- Install 1 hydrant assembly approximately mid-block.
- Connect to existing water main near Bridge Street and end with 12" valve near State Street
- Install new copper water services to 10 residences (7 are 1" copper and 3 are 2" copper).
- Traffic control devices to be supplied by the city
- Placement of 9" gravel base where asphalt is removed for the pipe installation (flush with existing asphalt).
- Remove 3" gravel and fine grade at time of paving
- Asphalt pave 15' wide at a thickness of 3".
- Curb, sidewalk and lawn restoration are not included.
- If approved, construction can begin in approximately 3 working days

Watermain, Services and Gravel Placement \$ 62,325.00
 Asphalt Paving \$ 11,375.00

Construction Costs Not To Exceed \$ 73,700.00

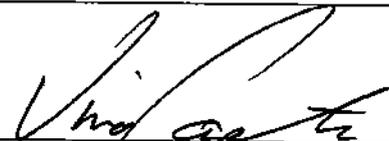
We propose hereby to furnish material and labor – complete in accordance with above specifications, for the sum of:

Payment to be made as follows:

Net due within 30 days of invoice. A 1.5% per month late fee charge will be applied to all overdue balances.

All work to be completed in workmanlike manner according to standard practices. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire and other necessary insurance. Our workers are fully covered by workmen's compensation insurance. We, at our option, may cease work and/or terminate this contract if we feel insecure about receiving payment as hereinabove provided. Upon such ceasing and/or termination of work, we shall be entitled to retain and/or receive all monies paid or due us for work performed prior to such ceasing and/or termination as such monies shall be deemed fully earned by all parties to this contract. No other party shall perform work covered by this contract until we have been paid all monies due us.

Authorized
Signature _____


Vice Carpenter

Note: This proposal may be withdrawn by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL – The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

MDC Contracting, LLC

2011 T&M Rates

Updated 2/16/2011

ON-ROAD TRUCKS	Operated Rate
Lead	\$95.00 hr
Train	\$115.00 hr
Super Train	\$125.00 hr
Lowboy (Tractor & Lowboy)	\$120.00 hr
B-Train (Tractor & Trailers)	\$120.00 hr
Tandem	\$75.00 hr
Tandem w/ Flat Trailer	\$85.00 hr
Ford Vac Truck	\$200.00 hr

WATER TRUCKS	Operated Rate
Water Truck	\$110.00 hr

LOADERS	Operated Rate
1cy Loader	\$95.00 hr
3cy Loader	\$105.00 hr
4cy Loader	\$115.00 hr
6cy Loader	\$140.00 hr

ATTACHMENTS	Operated Rate
Tree Sheer	\$25.00 hr
Allu Bucket	\$25.00 hr

DOZERS / GRADING	Operated Rate
JD 550H	\$110.00 hr
Cat D5	\$120.00 hr
Cat D6 LGP	\$130.00 hr
Komatsu D65	\$140.00 hr
ASV Positrack	\$105.00 hr
Cat 12G Grader	\$125.00 hr
Dornor CDS 724	\$110.00 hr

EXCAVATORS	Operated Rate
Komatsu PC75	\$95.00 hr
Komatsu PC128	\$105.00 hr
Komatsu PC200	\$125.00 hr
Hitachi ZX330 / John Deere 892	\$135.00 hr
Daewoo 400	\$155.00 hr
Komatsu PC400	\$160.00 hr
Case Cruz Air 1085C w/ Hoepack	\$130.00 hr

SCRAPERS / HAUL TRUCKS	Operated Rate
Scraper - Terex TS14B	\$180.00 hr
Haul Truck - 40ton	\$155.00 hr

COMPACTORS	Operated Rate
Cat CS563C Smooth Drum Vib Roller	\$105.00 hr
Bomag BW-172D Smooth Drum Vib Roller	\$95.00 hr
Sakai TS160 Pneumatic Roller	\$80.00 hr
Hypac 747B Asphalt Roller	\$85.00 hr
Wacker RD11 Asphalt Roller	\$80.00 hr

AGGREGATE EQUIPMENT	Equipment Only
SCREENING / CRUSHING PLANTS (Loaders not included)	
Developer I Screener	\$110.00 hr
Kolberg KS-10 Screener	\$80.00 hr
CEC Screen IT Series II	\$110.00 hr
OTHER EQUIPMENT	
Test Hole Drill	\$45.00 hr
Hydraulic Conveyor TH80	\$25.00 hr

BROOM TRACTORS / SMALL TRACTORS	Operated Rate
Sweeper Broom	\$100.00 hr
Tractor with Attachment (tiller, rake, etc)	\$105.00 hr

DEWATERING EQUIPMENT (24hr/day use)	Equipment Only
2" Pump with Hose (50ft)	\$80.00 day
3" & 4" Submersible Pump	\$85.00/day \$255.00/wk \$765.00/mon
3" & 4" x 50' Discharge Hose	\$15.00/day \$45.00/wk \$135.00/mon
Electric Cord (100' long)	\$10.00/day \$30.00/wk \$60.00/mon
Generator 30KW (does not include fuel)	\$200.00/day \$600.00/wk \$1,800.00/mon
12" x 24' Well Casing	\$35.00/day \$105.00/wk \$315.00/mon
Trench Box	\$190.00/day \$570.00/wk \$1,710.00/mon

OTHER EQUIPMENT	Operated Rate
Walk Behind Saw	\$1.00 LF
+ \$0.50/inch of depth over 2"	
Leeboy 8500HD Paver	\$130.00 hr
Blaw Knox PF3200 Paver	\$165.00 hr
Equipment Only	
Fusion Machine	\$110.00 day
Electrofusion Machine	\$220.00 day
185 CFM Air Compressor with Hammer	\$30.00 hr
	\$150.00/day \$450.00/week

LABOR	Operated Rate
Laborer	\$38.00 hr
Operator	\$48.00 hr
Foreman with Pickup & Small Tools	\$64.00 hr
Superintendant with Pickup & Small Tools	\$69.00 hr

Team Elmer's

2 Pennsylvania Plaza
 Petoskey, MI 49770, MI 49770

Phone: (231) 758-3415
 Fax: (231) 758-3417

To: CITY OF CHARLEVOIX	Contact: Pat Elliott
Address: 210 State Street Charlevoix, MI 49720	Phone: (231) 547-3260
	Fax:
Project Name: Hurlbut Street Water Main Replacement	Bid Number:
Project Location: Hurlbut Between State & US 31, Charlevoix	Bid Date: 3/19/2015
Attachments: Terms & Conditions attachment.pdf	

Proposal items, quantities and unit prices are based upon information provided by the City of Charlevoix and conservative interpretations made by Team Elmer's. Final contract to be based upon actual quantities placed.

Line #	Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
0070	2040020	Curb and Gutter, Rem	100.00	LF	\$5.00	\$500.00
0100	2050030	Machine Grading	4.20	ST	\$750.00	\$3,150.00
0120	3020020	Aggregate Base, 8 inch	560.00	SY	\$6.25	\$3,500.00
0410	5010050	HMA, 4E1 (420' X 12' X 3") +10%	100.00	TON	\$74.80	\$7,480.00
0420	5017011	_ HMA Surface, Rem	560.00	SY	\$3.50	\$1,960.00
0750	8230040	Fire Hydrant	1.00	EACH	\$5,000.00	\$5,000.00
0790	8230054	Gate Valve And Box, 12 Inch (May Not Be Req'd)	1.00	EACH	\$2,500.00	\$2,500.00
0810	8230240	Water Serv 1"	7.00	EACH	\$800.00	\$5,600.00
0820	8230245	Water Serv, Long 2"	3.00	EACH	\$1,200.00	\$3,600.00
0830	8237001	_ Water Main, DI, 12 Inch, Tr Det B	420.00	LF	\$95.00	\$39,900.00

Total Bid Price: \$73,190.00

Payment Terms:

Payment due within 30 days of date of invoice, regardless of when payment is made by Owner.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Team Elmer's</p> <p>Authorized Signature: _____</p> <p>Estimator: Steve Crane s crane@teamelmers.com</p>
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GENERAL CONDITIONS

No Oral Agreements:

It is expressly understood that all the items, agreements and conditions relating to this contract are only those expressed in writing herein, and that there are no oral representations, undertakings, terms, agreements or conditions of any kind other than those set forth in this Proposal. No modifications of this Proposal shall be valid unless such modification is in writing and signed by all parties to this Proposal.

Time For Acceptance, Approval:

This Proposal must be accepted by the Purchaser within thirty (30) days from the date hereof. If not accepted within that period, this Proposal may be withdrawn at Elmer's sole discretion and the Proposal considered void. A facsimile copy of this Proposal containing the Purchaser's signature shall be considered an original. This Proposal will not be binding until the signed acceptance has been timely received by Elmer's.

Estimated or Approximated Quantities:

Quantities of material and labor utilized and areas and sizes for the project in this Proposal are approximate and arrived at for estimating purposes only, and it is understood that payment is to be made on actual quantities of material and labor utilized and actual areas covered unless otherwise indicated.

Thickness:

The paving thickness referenced in this proposal is the average thickness. Variation in sub-base and technical limitations may result in variation of the thickness.

Property Lines:

Purchaser is responsible for establishing and designating property lines. To the fullest extent permitted by law, Purchaser shall defend, indemnify, and hold Elmer's harmless (including reasonable attorneys' fees) from and against any and all costs, expenses and/or damages incurred by Elmer's as a result of Purchaser's failure to properly identify and/or designate the property lines, including, without limitation, damages for trespass.

Delays:

Elmer's shall complete the project within a reasonable time but shall not be liable for delays beyond its reasonable control, including, without limitation, strikes, weather, accidents.

Permits:

Purchaser shall pay for and provide Elmer's any and all permits or assessments which are required for the project prior to the commencement.

Zoning:

Elmer's assumes no responsibility for determining whether Purchaser has legal right or authority to have the project completed in the manner and at the location described in this Proposal. Notwithstanding that the project might be determined to violate any ordinance, statute, regulation or other law, state, local or federal, the Purchaser shall, nevertheless, be obligated to pay Elmer's for the work performed and materials supplied in accordance with this Proposal. To the fullest extent permitted by law, Purchaser shall defend, indemnify, and hold Elmer's harmless (including reasonable attorneys' fees) from and against any and all costs, damages, and expenses associated with or related to the violation of any ordinance, regulation, or other law, either local, state or federal.

Wet or Unstable Subgrade:

A suitable subgrade provided by the Purchaser is a condition precedent to the requirement of Elmer's performance of this Proposal.

Stockpiling Materials:

Elmer's shall be permitted to stockpile materials necessary to the performance of its work, on the Purchaser's property, adjacent to the work site, without cost.

Underground Structures:

Purchaser shall identify in writing the existence and location of all underground structures including, without limitation, all sewer, water and gas lines, tanks, etc. which might be encountered by Elmer's in the performance of this Proposal. Elmer's shall be deemed to have notice only of the existence of those underground structures specifically referenced and identified in this Proposal, and of the location thereof as indicated in this Proposal. In the event the identity or location of an underground structure varies from that designated in this Proposal or by the Purchaser, any extra cost associated with moving, protecting or covering same, shall be the responsibility of the Purchaser. To the fullest extent permitted by law, Purchaser shall defend, indemnify, and hold Elmer's harmless from any and all costs, damages, and/or expenses (including reasonable attorneys' fees) resulting from Purchaser's failure to properly identify and/or locate any underground structure for Elmer's.

Unusual Conditions:

Should any unusual conditions be encountered that are either not specifically referenced in this Proposal or are not anticipated to be encountered by Elmer's in the performance of this Proposal, resulting in any extra costs in the performance of the work, the cost(s) thereof, shall be the full responsibility of the Purchaser.

Damage to Trees and Landscaping:

Elmer's shall not be responsible for damage to trees, shrubbery, flower beds, landscaping which may occur during the project, nor shall Elmer's be obligated to remove damaged or destroyed trees or landscaping or replace same.

Payment:

Payment is due in full upon completion of the project. However, interim billings for partial performance may be invoiced at Seller's discretion with payment due in full upon invoicing. A finance charge of 1.5% per month, which is an annual percentage rate of 18% (or a minimum charge of \$.50 per month) shall be assessed on all accounts which are thirty (30) days past due.

Non-Payment, Default:

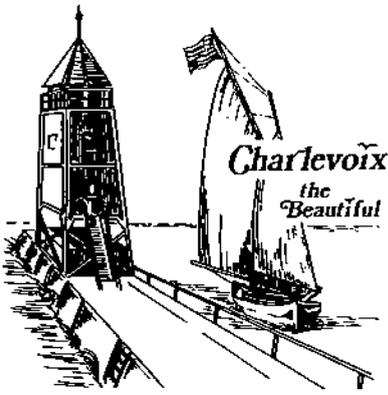
If Purchaser shall fail to make a payment when due or breaches any agreement in this Proposal, Purchaser will be in default. In the event of a default, Elmer's may, on written notice to Purchaser, terminate this Proposal and recover from Purchaser payment for all work completed and for a loss sustained as a result of such termination including, without limitation, loss of profit, repositioning costs, etc. In addition to any other remedies available, Elmer's may initiate suit for the collection or enforcement of this Proposal. Purchaser shall pay all costs incurred by Elmer's for collection or enforcement of this Proposal including actual attorney and/or agency fees. The rights, remedies and benefits provided by this Proposal to Elmer's shall be cumulative and not exclusive. The parties agree that all legal proceedings, relating to this Proposal, shall be heard and decided in a court of competent jurisdiction in Grand Traverse County, Michigan.

Acceptance:

All work performed and materials supplied shall be deemed accepted by the Purchaser if not objected to, in writing, within ten (10) days of the completion of the project.

MAINTENANCE GUARANTEE

This product is guaranteed against failure due to improper workmanship or materials for a period of two years after installation, unless otherwise stated herein. Use of a product for a purpose other than the disclosed or intended use or by heavier traffic than disclosed will void the guarantee. It is understood that this guarantee does not cover damage caused by intentional or accidental excavation, fire, flood, gasoline, oil, chemicals, subsurface water, overloading or other misuse. Failure of the purchaser to conform to the requirements of timely payment as stipulated in the General Conditions will void this guarantee. This guarantee does not apply to first or intermediate stages of construction. Asphalt bases are not guaranteed. This guarantee starts when the final wearing surface is placed.



CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720

March 31, 2015

Charlevoix City Council
210 State Street
Charlevoix, MI 49720

RE: Consideration to Approve Water Pipe Replacement on the 100th block of Hurlbut.

Dear Charlevoix City Council:

As you are aware, the freeze damage from the 2014 winter and 2015 has increased the costs to the city to repair or replace frozen and/or broken lines in the public right of way. The costs to the city in 2014 were well over \$250,000. We were able to apply for a grant from the State Disaster Contingency Fund in 2014. At present, we do not know what the total costs will be in 2015 and we do not know if this grant will be available to help offset the costs to the city for 2015.

The PI#6 Infrastructure Improvements Fund is set up to provide the funds to carry out improvements to the City's street, electric, sewer, water, sidewalk system and other major infrastructure projects. Since this 100th block of Hurlbut is already torn up, it makes sense to correct the issue with the water line now. This budget is considerably under budget for 2015-2016 due to the delay in the Lake to Lake Trail and State Street Projects, but there are some things to consider:

1. The City will be applying for funds from the County Parks Millage for the Lake to Lake Trail.
2. The water line agreement required for the construction of the Charlevoix Pointe Townhome Development may not happen this year.
3. From a financial perspective, it does not make sense to risk having the same issues next winter when the road is currently torn up. We should correct the problem to prevent further costs to the City!

My recommendation is to approve the bid to repair of the water pipe line on the 100th block of Hurlbut and review the budget later in the year. If budget amendments are required, these will happen at the appropriate time.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly McGinn".

Kelly McGinn
Treasurer
210 State Street
Charlevoix, MI 49720

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Update/Discussion on EMS pay increases.

DATE: March 31, 2015

PRESENTED BY: Mike Spencer, Interim City Manager

BACKGROUND INFORMATION:

As you recall I issued a memo on March 26 outlining the problems we are having providing full EMS coverage for the month of April, which we expect will be an ongoing problem. The main reason for this special meeting was to request approval of the bid for the W. Hurbut water main; however, since we are meeting anyway I thought we could update you on progress with the new EMS pay scale and allow you the opportunity to ask questions or state concerns.

Chief Doan will be gone on vacation, but I have asked Bob Roloff to attend the meeting to provide an update to council. At this point I have not confirmed Bob can make the meeting. The next step will be to have a detailed discussion on this issue at the April 20 meeting. Chief Doan is requesting a committee be formed that study the problem and make recommendations on the solution to council.

RECOMMENDATION:

No specific recommendation at this time.