



PUBLIC WORKS COMMITTEE MINUTES

Committee Date: September 26, 2019
Present: Ald. Catalano, Jakab, Messina, E. Wesley
& Woods
Absent: Ald. R. Wesley, Sorrentino & Susmarski
Also Present: City Manager Mermuys, Treasurer Porch, Police Chief Vesta & A.
Lange,
Meeting Convened at: 7:31 p.m.

APPROVAL OF THE MINUTES:

The minutes of September 12, 2019 meeting were approved as presented.

REPORT & RECOMMENDATION

FINAL PAYMENT FOR THE CLOCK TOWER TO COPENHAVER CONSTRUCTION

DISCUSSION:

Director Lange stated that Copenhaver Construction, who did the work on the Clock Tower, has submitted a final bill for \$225,000. From the total we will be withholding some liquidated damages, and we are asking you to approve a payment of \$75,548.67. Alderman Catalano asked how much of the final bill are we are holding back? Mr. Lange advised that it is approximately \$149,451.33 which includes: \$130,000 in liquidated damages, 1,651.41 in Staff time, \$5,485.03 in water usage, and \$10,768.68 for Laughing Water Lien. Alderman Catalano brought up some concerns at the site with the lack of calibration of the fountains, and would like to know where we are at resolving the issue. Mr. Lange stated that Copenhaver has looked at the fountains several times and has had no success in resolving the issues. So, we may have to get another company in to coordinate with to do the repairs. It was asked if the fountains are under warranty, and it is believed to have a one year warranty, which still needs to be verified.

Alderman Messina asked being that Copenhaver is having trouble with repairs, is the warranty actually going to cover the repairs, and by who? Mr. Lange stated that the warranty is covered by Laughing Waters, but Copenhaver would be responsible for replacing it if something went wrong. Alderman Messina stated that he can't consider making a final payment without a punch list of the items that need to be fixed. Manager Mermuys wouldn't advise that we hold back the payment, because we have had multiple problems with this firm. So from a staff, and legal perspective, we would like to finish this off, hold off liquidated damages, and if it is in excess we can discuss it next week with the attorney. We really do not want this Company to try to fix anything, because we are afraid that they may make things worse. Alderman Messina would like Copenhaver to fix the problem, so the taxpayers do not have to take on the burden of fixing the

problem that they created. Once again, Manager Mermuys does not recommend that they do the repairs it will not be done correctly, and in the long run will cost us more money to repair the damage that they would cause. They are legally entitled to payment, and are also responsible for fixing the problems. We will have someone do the repairs correctly, and we will then withhold the cost of the repairs.

An inquiry was made if we already have price quotes from another company to do the repairs? Mermuys stated that we do not have any quotes at this time, but it will be done by the Attorney who has handled similar problems that we have had in the past. This would include problems that we had with the construction of the Treatment Plant.

Alderman Woods stated that he agrees with Manager Mermuys, and understand the Alderman's frustration, but it's time to take what we can, withhold the money, and there is still recourse we can take through the Attorney. Alderman Jakab inquired about a punch list that was requested several meetings ago? Manager Mermuys stated that the punch list is included in the current packet. The list is has very few problems, but once again he does not want this firm to try and fix them. If the Attorney were here he would tell you that you have to pay at least some of the bill, and we will wait until next week and will have the legal questions answered.

Alderman Wesley brought up that in the past, as with the treatment plant, we can hold back their maintenance bond for one year. Manager Mermuys stated, per Attorneys advice to pass the payment, and next week we can talk about the modification of the withholding.

VOTE:

Ald. Catalano made a motion, seconded by Ald. Eugene Wesley, to approve the payment to Copenhaver not to exceed the amount of \$75,548.67. A voice vote was taken, with the following results:

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|------------|---------------------------------|
| Ayes: | Ald. Woods, E. Wesley, Catalano |
| Nays: | Ald. Jakab and Ald. Messina |
| Abstained: | None |
| Motion: | Approved |

REPORT & RECOMMENDATION:

A RESOLUTION APPROVING THE CONTRACT BETWEEN THE CITY OF WOOD DALE AND SCHROEDER & SCHROEDER, INC, FOR THE 2019 SIDEWALK REPLACEMENT PROGRAM IN AN AMOUNT NOT TO EXCEED \$44,406.25.



DISCUSSION:

Alderman Wesley inquired if this request was for the City wide replacement project, and if it is being done by Wards. Director Lange said that this year it will be done throughout town due to the fact that there were not enough sidewalk squares to be done in any one Ward.

Ayes: Ald. Jakab, Woods, E. Wesley, Catalano and Messina
Nays: None
Abstained: None
Motion: Carried

ITEMS TO BE CONSIDERED AT FUTURE MEETINGS:

- Fiber optics and 5G small cells

ANNOUNCEMENT:

There will be an Electronic Recycling event held October 5th, from 8:00 AM to 3:00 PM, at the Village of Bensenville's Public Works Facility at, 717 E. Jefferson . All acceptable items are free of charge excluding; CRT, flat screens, projection TV's and monitors, there is minimal charge.

ADJOURNMENT:

The meeting adjourned at 7:43 p.m.

Minutes taken by Julie Szabo