

1. Time & Place
2. Members Present
3. Minutes from the February 14, 2018 Meeting
4. Register of Claims
5. Acceptance of Demolition Bids for Set #15 of the "Hardest Hit Fund Blight Elimination"
6. Duke Campbell, Director Department of Public Works request approval to reduce 30 mph speed limit to 20 mph for Carver from Macedonia Ave. to Gavin St.
7. Indiana Department of Transportation Change Order for Time Extension Summary for Kitzelman Trail Bridge Contract No. R-36433 One thru Five
8. Acceptance of Quote to purchase new roller for Department of Public Works
9. Acceptance of Quote for Crack Sealing City Streets
10. Acceptance of Quote for Sealcoating & Striping City Hall Parking lot
11. Acceptance of Quote for Sealcoating & Striping Muncie Street Department Parking Lot
12. Procession Application from Kelli Petroviak, YMCA of Muncie "Kidz Marathon"
13. Phil Tevis, Flatland Resources requesting temporary closures 1) White River Blvd between Jackson & Dill 2) Walnut Street between Seymour & Howard
14. Noise Exemption Authorization Application from Student Honors Council at BSU
15. Phil Peckinpaugh, Director of Animal Shelter presenting Agreement for Services between the City of Muncie and Dana Salkoski
16. Harvey Wright, Muncie Parks Superintendent
17. Adjournment

BOARD OF PUBLIC WORKS AND SAFETY
CITY OF MUNCIE, STATE OF INDIANA
MARCH 21, 2018 MINUTES

1. Board of Public Works and Safety, City of Muncie, State of Indiana, met in the City Hall Auditorium, at 9:00 A.M.

2. **Members Present:** John Quirk, Bobbie Clemens, Roger Overbey

3. **Approval of the Minutes from the March 14, 2018 Meeting:** President Quirk entertained a motion to approve the minutes from the March 14th, 2018 meeting. Roger Overbey moved to approve minutes from the March 14th, 2018 meeting as printed. Bobbie Clemens provided the second. Motion passed by voice vote.

4. **Register of Claims:**

Kevin Nemyer, City Controller presented **Board of Works EFT Payment Dated 3/14/18 Three Records** totaling **\$127,282.08 IU Health Plans, Star Financial Equipment, Muncie Meds/Canarx Serv Inc.** nothing unusual within this set of claims. Roger Overbey moved to approve Board of Works EFT Claims as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented **Board of Works EFT from Payment 3/14/18 One Record** in the amount of **\$3,966.80 IU Health Plans** nothing unusual within this claim. Roger Overbey moved to approve Board of Works EFT Claim as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented **Board of Works EFT Payment Dated 3/14/18 One Record** in the amount of **\$17.25 First Merchants Trust** nothing unusual within this claim. Roger Overbey moved to approve Board of Works EFT Claim as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented **Board of Works EFT Payment Dated 3/20/18 Three Records** totaling **\$62,781.97 First Merchants Trust Co., Muncie Meds/Canarx Serv Inc., IU Health Plans** nothing unusual within this set of claims. Roger Overbey moved to approve Board of Works EFT Claims as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented **Board of Works (2) – Check Date 3/23/18 One Record** totaling **\$240.00 Wage Works.** Roger Overbey moved to approve Board of Works Second Check as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the **Board of Works Check Date 3/23/18 One Hundred Sixty Three Records** of a total amount of **\$138,155.94** nothing unusual within these set of claims. Roger Overbey moved to approve Board of Works Claims as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

Kevin Nemyer, City Controller presented the Community Development Check Date **3/23/18 Nine Records** of a total amount of **\$80,023.77** nothing unusual within these set of claims. Roger Overbey moved to approve Community Development Claims as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

5. **Acceptance of Demolition Bids for Set #15 of the "Hardest Hit Fund Blight Elimination":** Zane Bishop, program administrator I have a couple of comments relating the bids opened last. The bid from Midwest Demolition LLC which totaled \$161,700.00 they did not include a financial statement nor did they include any of their requirements as listed in the ordinance 22.16 which requires a bid over \$150,000. RSO Construction which was the lowest in the amount of \$124,800.00 he did include everything that was required of him, he totaled the bid amount incorrectly but as written in bid packet the lowest of two totals shall be accepted. Zane Bishop recommended the board to accept bid from RSO Construction for \$14,800. President Quirk entertained a motion for approval. Bobbie Clemens moved to accept bid from RSO Construction for set #15 of the Hardest Hit Fund, Blight Elimination as recommended by Zane Bishop. Roger Overbey provided the second. Motion passed by voice vote.

6. **Duke Campbell, Director Department of Public Works request approval to reduce 30 mph speed limit to 20 mph for Carver from Macedonia Ave. to Gavin St:** Duke Campbell, Superintendent requested Board's approval to reduce speed limit from 30 miles per hour to 20 miles per hour on Carver Drive from Macedonia Avenue to Gavin Street. Norfolk & Southern rail yard is located near Carver Drive and since it was newly paved a lot of larger trucks are using the street. The residents on Carver Drive asked that I look at the area, there are a lot of younger folks that live in the area and I don't a reason not to grant the speed limit reduction if the Board agrees. President Quirk entertained a motion for approval. Roger Overbey moved to establish Carver Drive from Macedonia Avenue to Gavin Street as a 20 mph speed limit. Bobbie Clemens provided the second. Motion passed by voice vote.

7. **Indiana Department of Transportation Change Order for Time Extension Summary for Kitselman Trail Bridge Contract No. R-36433 One thru Five:** Duke Campbell, Superintendent Department of Public Works presented change orders.

#1 Beaty Construction sent a formal notice of delay on 7-18-17 pertaining to water main relocation as the main was found to be in direct conflict with Bent #5 of the trail bridge within the project limits. The water main relocation effort on behalf of Indiana American Water was executed between 9-5-17 & 9-29-17. A result the contractor anticipated mobilization date is delayed from 7-24-17 to 10-2-17 total 10 weeks or 70 days. There is no monetary cost included in the request rather time only. The contractor formal request for said delay was sent to the author on 10-12-17 for review. Per INDOT spec 108.08 Excusable, Compensable Delays located on pages 93 & 94 of the 2016 spec book, this delay is excusable and the author concurs with contractor's request. Time Extension

#2 Upon Beaty Construction preparing to adjust the sanitary casting to grade located just south of Span D on the east side of the White River. It was determined that a minimal casting adjustment would not be sufficient. Field investigation determined that the manhole will have to be reconstructed with a barrel and riser rings to meet the overall intent of the project. Beaty Construction submitted the attached pricing for review. Upon review of the CIB and INDOT Specifications the line item of casting adjust to grade is for adjustments of 12 in. or less as stated in 720.05 method of measurement. As this adjustment is over 12 in Beaty is entitled to receive additional compensation. Beaty's submitted pricing was reviewed and determined to be within the acceptable range. HWC personnel performed a cost comparison utilizing the INDOT Unit Price Comparison tool on the Site manager Reports Page. A copy of this justification is attached to the change order. Notification of this change order was received from Beaty on Feb. 1, 2018 and Clint Graham of HWC sent email to INDOT personnel on Feb. 2, 2018. This change order does not warrant a time extension or delay to the contract completion date as this work will be performed in conjunction with planned work. As such Beaty did not request a time extension per the submitted change order.

Original Contract Amount	\$1,078,286.28	
Current Change Order Amount	\$ 2,901.29	
Modified Contract Amount	\$1,081,188.57	0.269%

#3 Per discussion in a progress meeting held on Feb 6 2018 Angie Poole with the Cardinal Greenway Trail requested that the trail improvements along the existing Line C alignment portion be constructed prior to May 2018 due to previously scheduled events utilizing the trail. Closing the cultural resource on its 25th anniversary year would have a negative impact upon the community compounded with the construction and closures associated with SR 32 bridge project that is located in close proximity to the trail. Based on Beaty's original schedule the trail work was to be completed by May 2018. However, an unforeseen utility conflict caused delay to the original contract completion date. Beaty Construction's adjusted schedule will not complete the trail work in this timeframe. Upon review, Beaty can reorganize the work schedule to complete the necessary work items and have the trail improvements long Line C completed by May 2018 at an additional cost to the original contract. Beaty Construction submitted the attached pricing for review. The pricing is for constructing the trail line C out of planned sequence including regarding and final grading. HWC's review of Beaty's submitted pricing determined that there were no errors. Beaty has provided the Equipment Watch Blue book for equipment rates as well as a computation of labor rates. Please see attachment. Notification of this change order was received from Beaty on Feb 8 2018 and Clint Graham of HWC sent an email to INDOT personnel on Feb 21 2018. This change order does not warrant a time extension or delay to the contract completion date as this work will be performed in conjunction with planned work. As such Beaty did not request a time extension per the submitted change order.

Original Contract Amount	\$1,978,286.28	
Current Change Order Amount	\$ 3,404.88	
Modified Contract Amount	\$1,981,691.16	0.31 %

#4 This project is phase 1 of a multi-phase plan for this area and this construction change will ensure both compatibility and continuity for this phase with future phases. The owner requested this construction change due to the owners lighting design change in phase 2. This change must be incorporated into phase 1 to avoid rework. This change includes four elements and four submitted pricing components. Please see attached. First: 2in Steel Galvanized Conduit this item is on the original contract with a planned quantity of 80 LFT. This change will require an additional 140 LFT installed at the original

contract price. Second: 3/4in electrical conduit for the 2-truss lighting conduit span A requires approximately 320 LFT to be installed by the subcontractor TC Electric, as well as the recessed curb luminaries at span A C and D and all the stub outs and runs for the span A hand hole. The submitted pricing by TC Electric and Beaty Construction includes a breakdown of the associated labor, material and equipment cost, along with the allowable INDOT markups encompassed into one unit price per foot of conduit installation. Upon attempting to compare this information to the unit price comparison tool, it was found that 3/4in conduit is not available and the smallest size is 1" conduit. A cost comparison was performed and the submitted price for 3/4in conduit was found to be above the normal average price for 1" conduit. Even though this is the case, the quantity to be installed is very small and thusly, work will be inefficient and a higher unit price is justified due to HWC's judgment based on the scope of work which includes, a significant effort to place the conduits at two different times for the deck and curb concrete placement effort, placing the conduit in the set curb rebar, cutting/fitting all conduit to the specific light fixtures, and sealing all conduit to be watertight per specification. Past experience with these work elements and the data available on the INDOT website have concluded this price is reasonable. The third element of this change order is the additional mob change for this work. The sequence of pouring the deck and curb separately will require TC Electric to make a second mobilization to install the deck conduit separate from the curb lighting conduit and boxes. These inefficiencies will cause the contractor to mobilize a second time and they are owed compensation for this extra effort. TC Electric and Beaty Construction submitted the attached cost breakdown for this work which includes the applicable labor and equipment charges for this work. No material costs are associated with this portion of the change order. The labor and equipment changes submitted are the same crew size and equipment used to perform other work by this contractor. The contractor is based in Boggstown, IN and GOOGLE Maps confirms it is a 1.5 hour trip to Muncie, IN in each direction totaling 3 hours, which matches the submitted change order request. Factoring in the above considerations, the submitted amount of charges for the additional mobilization is reasonable. INDOT'S price comparison tool was not used for this portion of the change order as mobilization charges on the INDOT tool are extremely inconsistent due to contractors utilizing this item to hide many indirect project costs. The fourth element of this change order is setting recessed curb light boxes. There is additional cost associated with set and wreck forms for 14 light boxes total. Upon review of the submitted pricing, it has been determined that this is reasonable labor needed to perform this work. Beaty Construction anticipates two laborers for two days to complete this work and these predicted hours are reasonable when compared to the productivity Beaty has performed on other established unit cost items on the project. Beaty has only added a foreman for two hours per day for this work as the foreman will also be performing other contract work elements while on site and his full attention is not required for this day for this work as the foreman will also be performing other contract work elements while on site and his full attention is not required for this work element. No equipment or material charges are associated with this work as all needed material and equipment are readily available on site and their costs are already factored into the unit pricing of other items. The INDOT unit price comparison tool is not usable for this portion of the change order due to this being a labor only change. The unit price tool includes labor, equipment and materials in their listed unit prices and thusly would create an inflated comparison. Notification of this change order was received from Beauty on Feb 12th 2018 and Clint Graham of HWC sent an email to INDOT personnel on Feb. 21 2018. This change order does not warrant a time extension or delay to the contract completion date as this work will be performed in conjunction with planned work. As such Beaty did not request a time extension per the submitted change order.

Original Contract Amount	\$1,078,286.28	
Current Change Order Amount	\$ 18,733.01	
Modified Contract Amount	\$1,097,019.29	1.731 %

#5 Beaty is requesting additional payment for sheet piling installation and an added effort for water stop installation between the retaining wall of this project and the wing wall and footing of the SR 32 project. A change of condition was encountered in field preparation for construction of the planned retaining wall. At the time of this contract letting it was unclear if contract \$-36433 retaining wall would be constructed prior to the wing wall for the B-33380 SR 32 Bridge. As such the SR 32 Bridge wing wall was constructed prior to the retaining wall for this contract. The plans do indicate that a wall connection is necessary. However at the time of the letting for this contract no details specifying this connection was available. Beaty submitted the attached pricing for review and includes the following items: The pricing includes Beaty's equipment labor and material for sheet piling to be driven and left in place providing earth retention against the SR 32 ing wall footing. Extra work for the Retrofit Water stop including field drilled holes epoxy on the wall and mounting the water stop. Upon reive of Beauty submitted pricing it was determined that lump such cost submitted then converted to per square foot price utilizing the INDOT price comparison tool for item 206-5187 is whtin the allowable limit. Please see attached. Price submitted as lump sum is exact amount needd for this application. The retrofit water stop iring has been review and no comparable date is available with the Unit Price Comparison tool on the INDOT websites. HWC personnel reviewed the pricing and have found the pricing to reasonable per engineering standards and practices. All profit margins listed in the change order are per INDOT spec 100.05. Contractor hours for water stop installation will be verified by the PE/S in the field. An AFI regarding this issue was received by HWC personnel on 2-15-18. Notification of the change order was received from Beaty on Fe. 28, 2018 and Clint Graham of HWC sent an email to INDOT personnel on March 1, 2018. The change order does not warrant a time extension or delay to the contract completion date as this work will be performed in conjunction with planned work. As such Beaty did not request a time extension per the submitted change order.

Original Contract Amount	\$1,078,286.28	
Current Change Order Amount	\$ 14,032.96	
Modified Contract Amount	\$1,092,319.24	1.301 %

President Quirk entertained a motion to approve Change Order 1 thru 5. Roger Overbey moved to approve change order #1 - #2- #3- #4 and #5 as presented by Duke Campbell. Bobbie Clemens provided the second. Motion passed by voice vote.

8. **Acceptance of Quote to purchase new roller for Department of Public Works:** Quotes were submitted from:

Southeastern Equip. 4951 W. 96th St. Indianapolis, IN 46268	Five Star Equipment Athens, Pennsylvania 18810	RPM Machinery 3850 Heritage Dr. Lebanon, IN 46052
\$ 15,900.00	\$ 19,000.00	\$ 19,587.00

Duke Campbell reported that the Department of Public Works is in need a new asphalt roller to street patching. Duke recommended the Board to accept quote from Southeastern Equipment in the amount of \$15,900. President Quirk entertained a motion to approve the purchase of new roller. Roger Overbey moved to accept quote from Southeastern Equipment as recommended by Duke Campbell. Bobbie Clemens provided the second. Motion passed by voice vote.

9. **Acceptance of Quote for Crack Sealing City Streets:** Duke Campbell, Superintendent Department of Public Works reported to the board that we have set aside \$75,000.00 to crack seal city streets.

American Asphalt Inc. 824 S. Butterfield Rd. Muncie, IN 47303	Sipes Asphalt Solutions 2352 E. Northgate St. Indianapolis, IN 46220	F.E. Harding Group 10151 Hague Rd. Indianapolis, IN 46256
\$ 2.27 per pound	\$ 2.30 per pound	\$ 2.75 per pound

Duke Campbell recommended the board accept lowest quote per pound from American Asphalt Inc. local company that will not charge us for mobilization. President Quirk entertained a motion to accept the lowest quote. Roger Overbey moved to accept quote from American Asphalt as recommended by Duke Campbell. Bobbie Clemens provided the second. Motion passed by voice vote.

10. **Acceptance of Quote for Sealcoating & Striping City Hall Parking Lot:** Duke Campbell informed the Board members that it has been awhile since the parking lot at City Hall has been seal coated. The following quotes were submitted from:

American Asphalt Inc. 824 S. Butterfield Rd. Muncie, IN 47303	Sipes Asphalt Solutions 2352 E. Northgate St. Indianapolis, IN 46220	F.E. Harding Group 10151 Hague Rd. Indianapolis, IN 46256
\$ 5,430.00	\$ 5,690.00	\$ 5,673.00

Duke Campbell recommended the Board to accept lowest quote from American Asphalt. President Quirk entertained a motion to accept lowest quote. Roger Overbey moved to accept lowest quote from American Asphalt Inc. as recommended by Duke Campbell. Bobbie Clemens provided the second. Motion passed by voice vote.

11. **Acceptance of Quote for Sealcoating & Striping Muncie Street Department Parking Lot:** Duke Campbell, Superintendent Department of Public Works asked the Board of Works to table acceptance of quote for Sealcoating and Striping for Muncie Street Department parking areas for one week. President Quirk entertained a motion to table. Roger Overbey moved to table acceptance of quote for sealcoating and striping for one week as recommended by Duke Campbell. Bobbie Clemens provided the second. Motion passed by voice vote.

12. **Procession Application from Kelli Petroviak, YMCA of Muncie "Kidz Marathon":** Kelli came forward to present 1.2 mile course for the YMCA Kidz Marathon on May 19, 2018 from 9:00 a.m. to 9:30 a.m. north bound lane of McKinley Avenue. Route: Eastside of BSU Rec Center, head north. Walk/Run around north side of Worthen, exit onto McKinley @ Bus Stop entrance across from LaFollette. Head south in Northbound lane on McKinley to Neely. East on Neely Ave. then left at 4-way stop into Worthen/Health Center entrance to finish line @ Rec Center. Signature of approval given by Eddie Bell, Muncie Fire Chief and Rhonda Clark, Deputy Campus Police Chief. President Quirk entertained a motion to approve procession application for Kidz Marathon. Bobbie Clemens moved to approve procession application for Kidz Marathon as presented. Roger Overbey provided the second. Motion passed by voice vote.

13. **Phil Tevis, Flatland Resources requesting temporary closures 1) White River Blvd between Jackson & Dill 2) Walnut Street between Seymour & Howard:** Phil came forward to explain the temporary closures. President Quirk asked if Linda had the paperwork from Phil Tevis. No paperwork was presented. President Quirk entertained a motion to table temporary closures for one week. Roger Overbey moved to table for one week. Bobbie Clemens provided the second. Motion passed by voice vote.

14. **Noise Exemption Authorization Application from Student Honors Council at BSU:** Zach Johnson came forward to present his noise exemption for Student Honors Council at BSU on April 27, 2018 from 5:00 p.m. to 8:00 p.m. Block Party with Live Music Performance at LaFollette Field. President Quirk entertained a motion to approve noise exemption. Roger Overbey moved to approve noise exemption for Student Honors Council at BSU as presented. Bobbie Clemens provided the second. Motion passed by voice vote.

- 15. Phil Peckinpaugh, Director of Animal Shelter presenting Agreement for Services between the City of Muncie and Dana Salkoski:** Phil did not attend meeting. President Quirk entertained a motion to table Agreement for Services. Roger Overbey moved to table Agreement for Services for one week. Bobbie Clemens provided the second. Motion passed by voice vote.
- 16. Harvey Wright, Muncie Parks Superintendent:** Harvey came forward to address the Board of Works members what we have Thomas Park at Rochester & Memorial Drive. The Parks Dept. has three lots adjacent to the A & W Root Beer Stand the owner of business "Brad Bowman" wants to use his existing parking lot to add onto the building for a year round business to dining inside the establishment. We then will need more space for a new parking lot. We have three lots in front that we do not use other than mow and the middle lot has the park sign. I had contacted the city attorney's office if reference to selling the two of the three lots and the Muncie Parks Department will retain the corner lot of our signage. The process was to get two quotes towards the value of the properties which I did so:

Dragoo Auction & Realty 9400 N. Co. Rd. 935W Alexandria, IN 46001	Wagner Auctioneering and Real Estate 104 N. Main St. Farmland, IN 47340
\$ 4,500.00	\$ 5,100.00

I met in the middle and agreed price was \$4,800.00 as well as Mr. Bowman will be responsible for relocating the "Thomas Park Sign" over to the corner lot. So what I am asking the Board of Public Works to do is to go ahead and authorize the sale of these two lots. Again there is nothing that we use these for and it is helping with economic growth on the west end of town on Memorial. It will not affect the park any way shape or form. I will be turning this over to our City Attorney's to write this up for sale agreement and transferring of park signage as well. President Quirk entertained a motion to approve the request as presented. Roger Overbey moved to approve the sale of two lots from the Muncie Parks Department to Brad Bowman. Bobbie Clemens provided the second. Motion passed by voice vote.

- 17. Adjournment:** President Quirk entertained a motion to adjourn. Roger Overbey moved to adjourn meeting, meeting adjourned 09:38 a.m. Bobbie Clemens provided the second. Motion passed by voice vote.

Board of Public Works and Safety

John Quirk, President

Roger Overbey, Vice-President

Bobbie Clemens, Secretary

Linda Hayes, Recording Secretary