Minutes of the Public Works Committee
May 12, 2011

Chair David Swan called the meeting to order at 8:32 a.m.

Committee Members Present: County Board Supervisors David Swan (Chair), Walter Kolb, Pamela Meyer, Peter Gundrum, Pauline Jaske.
Absent: Supervisor Tom Schellinger.

Also Present: County Board Chief of Staff Mark Mader, Legislative Associate Karen Phillips, Assistant Corporation Counsel MaryLee Richmond, Business Manager Betsy Crosswaite, Architectural Engineering Technician Mike Wells, Facility Supervisor Javier Ramos, Senior Civil Engineer Leif Hauge, Park System Manager Duane Grimm, Public Works Director Allison Bussler, Architectural Services Manager Dennis Cerreta, Parks and Land Use Director Dale Shaver, Senior Financial Analyst Vince Masterson, Supervisor Fritz Ruf.

Approve Minutes of April 14, 2011

MOTION: Kolb moved, second by Meyer, to approve the minutes of April 14, 2011. Motion carried 4-0.

Executive Committee Reports of April 18 and May 2, 2011
Swan summarized the items discussed at the Executive Committee meeting of April 18, 2011:

- Tentative Waukesha County supervisory district plan
- Capital Projects Cost Performance Report
- Handout titled *Proposed State budget Fiscal Impact Comparison: State Estimates and Waukesha County Estimates*

The committee also approved several appointments and other items approved at the April County Board meeting.

Swan summarized the items discussed at the Executive Committee meeting of May 2, 2011:

- Several State legislators were present to discuss the State budget impacts on Waukesha County
- Update on WCEDC operating programs

Future Meeting Date

- June 23, 2011

Ordinance 166-O-015: Approve Return To University Of Wisconsin-Waukesha Parcel Of Land Previously Released For Now Abandoned Water Tower

MOTION: Jaske moved, second by Meyer, to approve Ordinance 166-O-015.

Richmond noted that the University of Wisconsin (UW)–Waukesha has initiated this request. She reviewed the history of the lease agreement. UW-Waukesha granted a release of approximately 0.8 acres from lease conditions so that Waukesha County could lease the property to Waukesha Water Utility for the purpose of erecting and operating a water tower. The water tower has since been abandoned and Waukesha Water Utility has terminated its lease with Waukesha County for the subject parcel. Richmond clarified that Waukesha County owns the land, and the current lease agreement expires in 2040. In essence, the land taken out of the original lease between UW-Waukesha and Waukesha County is now being put back into the lease. Motion carried 4-0.

Review of 2010 Public Works – General Fund and Transportation Fund and Related Funding Impacts

Crosswaite and Bussler reviewed the 2010 Public Works General and Transportation Funds budgets and related funding impacts. Per Swan's request, Crosswaite agreed to provide a written summary of her presentation because the information she provided was more in depth than the operating budget summary report distributed to committee members prior to the meeting.

(Crosswaite noted that dollar amounts reported were approximate.)

General Fund (includes architectural services, rental property, facilities maintenance supplies and contracts, in-house and contracted housekeeping, utilities, engineering services, traffic control, permit services and general administration):

- Variance in 2010 was a favorable balance of $450,000.
- Personnel costs were under budget by $226,000 due to vacancies and turnover. Open housekeeping positions will not be filled as part of the transition from in-house to contracted cleaning.
- Operating expenses were under budget by about $145,000 overall. Utility expenses were under by $418,000 due to a mild winter, energy conservation investments, and the We Energies Point Beach energy credit (ended in 2010). Building repair and maintenance costs (including supplies and contracts) were over budget by $182,000 partly due to the need for outside contracts because of personnel vacancies. Building services contracts were over budget by $20,000, also due to vacant positions. (Three maintenance mechanic positions were reclassified and have since been filled). The Building Improvement Projects were over budget by $50,000; the variance is offset by the under budget variance ($70,000) in fixed assets for building improvement projects.

Gundrum arrived at 8:58 am.

Housekeeping expenses were under budget by $13,000. Unexpected repairs in Rental Properties put its budget over by about $12,000. Traffic Control Expenses went over budget by $17,000 (offset in revenues from billing municipalities for pavement marking materials).

- Revenues overall were slightly over budget in the General Fund as a result of the following: General Transportation Aids (GTA) were below budget by $30,000; utility permits below budget by $22,000; access permits under budget by $31,000. The rates for permits went up in 2011; however, due to the downturn in construction, revenues decreased by $20,000. The under budgeted revenues were partially offset by revenues over budget, mainly from an unanticipated Focus on Energy rebate of $37,000 and insurance reimbursements $45,000 higher than budgeted.

Special Revenue Fund - Transportation Fund (includes County Highway Maintenance, State Highway Maintenance and Transit)

- Overall favorable fund balance of $162,000.
- Personnel Costs – favorable fund balance of $179,000. In the County portion of the budget, personnel costs were over spent by $185,000 due to the amount of work performed on County roads. The State portion of the budget was under spent $365,000 primarily as a result of the state's reduction in the 2010 Routine Maintenance Agreement (RMA).

Jaske stated she has received a significance number of complaints about the excessive number of County workers assigned to certain road project jobs. It has been reported to her that there are workers standing around watching others work. In these economic times it is vital to monitor how road projects are set up and how many people are assigned to a job. The image portrayed is not good. Kolb agreed, in that he and

his staff have witnessed the same issues with County employees on road projects.

In an effort to further address the concerns of Jaske and Kolb, Bussler suggested that perhaps the road crews were waiting for more materials to arrive. She emphasized that safety is of the utmost importance. There are certain State traffic safety procedure requirements for road repairs and lane closures. Jaske requested a copy of those requirements. Bussler noted that UW-Madison is coming in to talk about traffic safety during road construction projects and invited committee members to attend. She advised that Waukesha has been criticized in the past for not having enough safety measures in place. Bussler also offered to come back to the committee following the training session and present a refresher on the requirements outlined in the State manual. Crosswaite suggested that in future situations it would be helpful to have documentation of the location, time and date of such incidents so that supervisors/managers can investigate further and determine whether there is a reasonable explanation or an issue that needs to be addressed.

- Operating Expenses - under budget by $418,000 overall. The County portion of the budget was under by $428,000: salt expenditures – under budget $300,000; utilities – under budget $83,000; plow blades – under budget $36,000. The mild winter contributed to these savings. The State portion of the budget was over by $9,000 (considered a break-even budget); those expenditures are reimbursed by the State.
- Interdepartmental Charges – under budget by $290,000. The County portion of the budget was over expended by $20,600 primarily on vehicle costs. Repair and maintenance were over budget but fuel was under budget due to favorable fuel costs in 2010. (Note: Fuel was budgeted at $3.00 per gallon in 2011.) The State portion of the budget was under spent by about $300,000 due to the decrease in the RMA in 2010. The decrease mainly affected the non winter maintenance such as mowing. (The 2011 budget is based on the 2010 RMA.)
- Fixed Assets – under budget by $6,000. (A piece of equipment budgeted as a fixed asset came in at a lower price and was charged to operating expenses because it was under the $5,000 threshold for a fixed asset.)
- Transit – under budget by $86,000 overall, mainly due to higher revenues than budgeted, the elimination of Route 218, Park and Ride maintenance costs under budget by $12,000, and $18,000 in van pool operating expenses that were not expended. State revenues are below budget by a total of $819,000 mainly due to the reduction of the RMA, due to less work requested on State roads. The County portion was under budget by $138,000 mainly due to lower GTA revenues.

Bussler noted that 2011 began with a $100,000 shortfall because the GTA was based on the 2010 RMA. Efforts to make up for the shortfall include:

- Accessing $75,000 in administrative costs for the Energy Efficiency Block Grant
- Highway Operations staff doing much of the mowing at the Airport will generate additional revenue

Fuel costs and winter maintenance through the end of this year remain unknown factors that will affect the 2011 budget. Looking ahead to the governor's proposed 2012 budget, Bussler projected a $725,000 cut for the Public Works budget for the County system, which equates to about one-third of our County-dedicated staff. A cut this significant would result in a major service reduction that County citizens will certainly notice. Bussler remains guardedly optimistic about future GTA funding being restored.

Approval of Bid: Energy Efficiency Conservation Block Grant – Lighting Upgrades (PLU 11-02)
Wells noted that the project would include energy efficient lighting upgrades mainly for exterior lighting (campus parking lots). Interior lights in the Law Enforcement Center will also be upgraded as part of this

project. Five contractors submitted bids for this project, with Dnesco Electric, Inc. submitting the lowest bid of $393,242 for the base bid and alternates A, B, C, D, and E. The consultant is familiar with Dnesco and recommends awarding the contract to them. `

MOTION: Jaske moved, second by Meyer, to approve the bid from Dnesco Electric, Inc., in the amount of $393,242 for the base bid and alternates A, B, C, D, and E.

Meyer asked how much was budgeted for this project. Wells stated the budget was $416,000.

Jaske asked if there are any estimates on energy savings resulting from this project. Shaver stated there would be about a 2-4 year return on investment.

Motion carried 5-0.

Approval of Bid: Juvenile Boiler and Control Replacement (DPW 200706A)
Ramos appeared on behalf of Facility Supervisor Jim Elsbury to discuss the bid for the boiler replacement at the Juvenile Center. Three bids were received for the project. Butters-Fetting submitted the low bid of $101,636. Ramos noted that Butters-Fetting is a reputable company and recommended they be awarded the bid.

MOTION: Kolb moved, second by Jaske, to approve the bid from Butters-Fetting, Inc. in the amount of $101,636.

Meyer asked how much was budgeted for this project. As Elsbury was in charge of this particular project, Ramos did not have the information readily available; however, he assured it was under budget.

Meyer requested that the project budget amount be included on the paperwork for all future bids that are presented to the committee for approval.

Motion carried 5-0.

Approval of Bid: Retzer Study Pond Reconstruction (PLU 10RG2)
Hauge and Grimm were present to discuss the bid. Grimm provided background information on the subject study pond, which has been used primarily as a teaching pond for student groups. Grimm explained that over the last few years the pond has silted in and the sides eroded. The restoration would include re-digging the base, installation of a clay liner and site restoration. The dam removal portion of this project was requested by and would be paid for by the Wisconsin Department of Natural Resources (DNR). Hauge stated that Geo Synthetics Inc. (GSI) is donating synthetic liner material which is used to ensure the pond water level stays at its intended level. The value of the materials donation is an estimated ten to twenty thousand dollars. The contractor would install the liner under the supervision of GSI staff.

Kolb asked how the pond is filled – is a well used? Hauge stated the pond catches runoff from a watershed that is several hundred acres (farmland). Jaske asked if the liner would help prevent silting in the future. Hauge stated the liner would not affect the sediment at all. The liner is meant to keep water from seeping down and thereby maintaining the level above natural water table in the area. The water level does fluctuate somewhat depending on the weather/rainfall. Shaver stated there is groundwater flow in the area. The clay liner will help hold the water level longer into the year. When/if the water level does drop, it would still provide a teaching opportunity in demonstrating what happens to aquatic life during the ebb and flow and how water quality is affected by runoff after a storm. It is all part of the

educational experience the pond is meant to provide.

MOTION: Kolb moved, second by Jaske, to approve the bid from Valia Excavating, LLC in the amount of $19,100.

Kolb and Jaske were concerned with the extremely large discrepancy between the low and high bids and had reservations about the ability of the low bidder to perform the work for the price. Hauge stated the County has no previous experience with Valia Excavating; however, as part of the bid Valia Excavating did supply references on previous projects. One of the references, the City of Franklin, indicated Valia Excavating was a competent contractor although they did have to monitor them a bit, but had no problems otherwise. Shaver stated there was a thorough discussion internally about this situation. The risk is very low on this type of project and a performance bond has been supplied by the contractor to cover the amount of the bid. Grimm assured that Valia Excavating has stated they can complete the work within the County's schedule and has demonstrated sufficient qualification and responsibility as a contractor for this project. Kolb maintained this type of price variation sends up red flags – it is common sense. He cannot support acceptance of the bid. Shaver pointed out that Parks & Land Use staff has done their due diligence; they have found nothing through the bidding process to say Valia Excavating did not understand the specifications or did not put forth a legitimate bid. They are a responsive bidder.

Meyer raised questions from an environmental perspective. Was this an ephemeral pond, and did it currently have a liner? Hauge confirmed it was an ephemeral pond and estimated it to be about one-quarter acre in size. Shaver said there is no liner currently but it does have a berm. The pond reconstruction process was fully explained. Following the overview of the process, Meyer surmised that any risk in this project was minimal; therefore, she would be in favor of approving the bid.

Hauge, Shaver and Grimm continued to answer questions raised by Committee members. The project timeframe is July 15-August 5, 2011. The total amount budgeted for this project was $60,000. The dam portion of the project, included in the bid, was approximately $4,500 and would be reimbursed by the DNR. Shaver noted that this bid is actually under the threshold that requires approval by the Committee. He reminded the Committee that their task today is to determine whether the proper bid procedures were followed.

Motion carried: 4-1 (Kolb).

Rejection of Bid: Park Restroom Renovations at Menomonee and Nashotah County Parks (PLU 11-04)

Grimm stated there was $667,589 remaining in the restroom project budget for 2011. It was estimated the restroom project would cost around $650,000 prior to going out for bid; however, the low bid was higher than anticipated at $700,700. Therefore, the project will not move forward as planned. Grimm asked the Committee to reject the bid as submitted. The project will be rebid for the Menomonee Park buildings only. Grimm explained the construction would be more costly at the Menomonee site due to the presence of bedrock. The contractor must deal with the bedrock in all phases of the project, including installation of the electricity and plumbing.

MOTION: Gundrum moved, second by Kolb, to reject the bids submitted for the Park Restroom Renovations at Menomonee and Nashotah County Parks project (PLU 11-04).

Meyer asked for clarification on the budget for the capital project. Grimm further explained this is only one phase of a multi-year capital project. There were four restrooms budgeted this year – two at Nashotah

Park and two at Menomonee Park. All were bid as one unit; unfortunately the total bid was over budget. Last year, the Muskego restroom project came in under budget at about $135,000 per building. Shaver stated that $20,000 was carried over from 2010 to 2011. It was hoped that last year's savings would be sufficient to cover the challenges presented at Menomonee Park, but it is not. Shaver further discussed all other options that were considered, but in conclusion, it was decided to rebid Menomonee and push Nashotah out to next year. Further discussion ensued on the pros and cons of rebidding the parks as separate jobs in the current bidding climate. Shaver maintained it would not be a viable option from a financial standpoint.

Kolb opined this project is not a priority. The money should be taken out and put into the Public Works budget for road maintenance/pothole repair. Swan reminded Kolb the restroom project was already approved in the capital projects plan.

Motion carried 5-0.

MOTION: Jaske moved, second by Gundrum, to adjourn at 10:06 a.m. Motion carried 5-0.

A tour of the Retzer Nature Center followed adjournment.

Respectfully submitted,

Pauline T. Jaske
Secretary