

MINUTES Tuesday, June 21, 2016

Land Use Committee
5:55 PM

Carnegie Town Hall

235 West 10th Street

Members Present: Council Member Rick Kiley, Council Member Greg Neitzert, Council Member Theresa Stehly, and Council Member Marshall Selberg

Members Absent: None

Staff Present: Denise D. Tucker, MMC, Assistant City Clerk; David Bixler, Budget Analyst; Jim David, Legislative/Operations Manager; and Tom Greco, City Clerk

Guests: Council Member Michelle Erpenbach

1. Call To Order

Committee Chair Rick Kiley called the meeting to order at 5:55 p.m.

2. Approval of Minutes

A. Tuesday, February 16, 2016

A motion was made by Marshall Selberg and seconded by Greg Neitzert to approve the minutes.

Kiley called for a voice vote. All members said yes. Motion Passed.

3. Discussion

General Conditions Presentation Updates by Shannon VerHey, Assistant City Engineer; Brad Ludens, Principal Engineer; and Joshua Peterson, Principal Engineer

Shannon VerHey, Assistant City Engineer, introduced staff members who also worked on the updates. He then led a PowerPoint presentation and discussed the following slides: Background, What Are The General Conditions For Public Improvements?; Background, Revision History; Timeline, Work Completed To Date; Revision Timeline, Work Completed To Date; Revision Timeline, Next Steps; Summary of Revisions, Section 2.10.C - Non-Responsible Bidders; Summary of Revisions, Section 2 Bidding Requirements and Conditions and Section 3 Award and Execution of the Contract; Summary of Revisions, Section 4.2 - Differing Site Conditions; Summary of Revisions, Section 5.18 - Claims for Additional Compensation; Summary of Revisions, Section 8.1 - No Assignment of Contract; Summary of Revisions, Section 8.10 - Liquidated Damages; Summary Of Revisions, Section 8.15 - Breach Of Contract; Summary of Revisions, Section 8.17 - Termination For Convenience; Summary of Revisions, Section 9.6 - Progress Payments; Summary of Revisions, Section 9.9 - Final Payment; Summary of Revisions, Section 10 - Claims And Disputes Procedures And Remedies; and Summary of Revisions, Section 11 - Miscellaneous.

Council Member Greg Neitzert asked if the updates have been reviewed by stakeholders in the industry or through IRAB. VerHey said yes. Discussion

followed.

Council Member Theresa Stehly asked about the current procedures regarding non-responsible bidders, differing site conditions, selling of contracts, and the termination for convenience clause. Discussion followed.

Kiley commented that working on these updates isn't glamorous work, but it is necessary and provides clarity for both the City and contractors. He expressed his appreciation for the inclusion of other organizations in this process. The update process began in August of 2014.

A motion was made by Marshall Selberg and seconded by Greg Neitzert to forward the updates to a City Council meeting.

Kiley called for a voice vote. All members voted yes. Motion Passed.

4. Open Discussion

There was none.

5. Adjournment

Committee Chair Rick Kiley adjourned the meeting at 6:33 p.m.

Denise D. Tucker, MMC

Assistant City Clerk