

**AGENDA
CITY OF MILLER
MONDAY, MARCH 23, 2015
12:10 P.M.**

Call to Order

Pledge of Allegiance

Approval of Agenda

Public Hearing

12:10 Special Event Liquor License – Willie’s Bar & Grill

New Business

1. Election Board Workers
2. SPN – Infra-Track *pgs. 1-3*

Executive Session Pursuant to SDCL 1-25-2 (3)

Adjourn

Lunch will be provided by the City. You will have a choice of Don’s pizza or turkey sandwiches. BYOB. There is a Coke machine in the City Hall lobby.

Agenda for Miller Meeting, 12 PM March 23, 2015

Remaining work determined on January 9, 2015

- Televis 31 sewer sections.
- Complete manhole inspections that are either incomplete or absent.
- Provide records of cleaning quantity.
- Provide justification for cutting obstructions.

Progress since last Infratrack meeting on 1-9-15

- None.

Proposed Schedule

- No answer yet.

Budget Evaluation.

- Upon completion of the above work and acceptable submittal of the documentation and videos, Infratrack should be due \$23,840 for bid items. This would take the Contract price to \$170,907 which is very close to the bid price.
- Currently, the change order amount would be an additional \$25,485.98 for the extra cleaning.
- This leaves \$11,075.00 that should be paid for various extra work items authorized by the City.
- Any cost more than \$25,711.80 cannot be legally included in a change order for items not bid.
- The engineering budget is currently at \$19,900 which is over budget by \$12,400.
- Overall, the budget for the available funding for this project is over by \$8,479. This does not include the \$6,954 recently paid by the City for extra work items.

Liquidated Damages

- \$500 per day.
- Project completion date was October 1, 2014.
- This amounts to 173 days late. We can attempt to assess liquidated damages for the whole time, but most likely this will be battled with some type of litigation and possibly would not be enforced. An alternative is to justify the costs of actual damages.
- Extra work established and agreed upon on January 9, 2015.
- In my opinion, the weather was conducive for completing the work starting on March 9, 2015. This is 14 days of no action with no excuse. Amounts to \$7,000.
- We could also try to justify additional liquidated damages by the engineering cost overrun.



March 17, 2015

Avery Zahn
Infra Track Inc
PO Box 272
Worthing SD 57077

RE: Sanitary and Storm Sewer Televising
Miller, South Dakota
SPN #14141

Dear Mr. Zahn:

The following is a list of manhole locations that should be cleaned and/or televised before the Contract with the City of Miller is considered complete. These are the items that were discussed at the meeting on January 9, 2015.

- | | |
|---|-----------------------------------|
| 1. 4 west (car wash) | 13.78 to 77, cut lateral |
| 2. 23 north (previous sewer gas issue) | 14.78 south |
| 3. Cut roots and inspect 25 north. | 15.85 west and/or 84 or 76 east |
| 4. 27 to 28 | 16.104 south |
| 5. 28 to 30 | 17.87 east and/or 88 west |
| 6. Remove obstructions to inspect east of 32, 33 and 34 | 18.88 east |
| 7. Cut pipe to access 44 to 43 | 19.115 north |
| 8. 54 west | 20.131 south |
| 9. 64 to 65 | 21.111 north and east |
| 10.67 to 68 | 22.146 west, cut lateral |
| 11.71 to 148 | 23.148 west |
| 12.77 east | 24.156 east |
| | 25.162 south |
| | 26. Storm Sewer 43 north and east |

Complete the manhole inspection records that are either incomplete or absent entirely. According to Section 02767, Paragraph 3.02 G of the specifications:

The inspection records shall include a video and photograph of the inside of each manhole and inlet along with records of deficiencies. The Contractor shall include with the manhole records the orientation of each invert, the direction of flow, the type and size of each pipe and the depth (measured to the nearest ¼ inch) from the manhole rim to each invert near the wall of the manhole.

Avery Zahn
March 17, 2015
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The quantities submitted by your office on different occasions have indicated discrepancies. Please provide your most recent tabulation of the pipe cleaning quantities.

At this time there does not seem to be good justification for payment of the cutting of existing obstructions. There have been no records provided for such cutting other than displaying a photograph of rocks and pipe pieces that supposedly were removed from the sewer. Provide some sort of documentation or letter that describes justification for the payment of the obstruction removal.

The City of Miller wants oversight on the remaining work that is to be completed by your crews. A representative of the City of Miller will be assigned to observe the work and situations discovered when completing the work. Should you or one of your crews fail to notify the City of Miller or SPN and complete work which does not have the opportunity to be observed by the City's representative, that work will not be accepted.

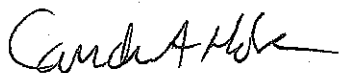
Upon completion of the remaining work Infratrack shall submit the following items to SPN as soon as possible:

1. A tabulation of the footage of all recently completed sewer cleaning by size and type.
2. A tabulation of the footage of all recently completed sewer televising by size and type.
3. Two digital copies of the recently completed televising records and manhole inspection records.

If you have any questions, please contact me.

Sincerely,

SCHMUCKER, PAUL, NOHR & ASSOCIATES



Camden A. Hofer, P.E.
Project Engineer

cc: City of Miller