

Board Minutes for the Board of Sanitary Commissioners Meeting of April 6, 2022

THE BOARD OF SANITARY COMMISSIONERS conducted a regularly scheduled meeting.

Board members present; Stephen Brand, Board President; Tonya Brothers-Bridge, Board Vice President; Adam Leach, Secretary and David Smith, Board Member. Excused absences: none.

**Department managers and staff present;** John Barlow, District Administrator; Phil Reagon, Sanitation Superintendent; Jason Donati, Recycling/Stormwater Educator; Deana Cox, Financial Manager; Harvey Wright, Sewer Maintenance Superintendent; Tim Stover, IT Administrator; John Anderson, District Engineer; and Megan Huff, Executive Office Manager.

**Public present:** Audie Barber, citizen

**Consideration of Minutes:** Mrs. Brothers-Bridge moved to approve the Board Meeting Minutes as submitted for the meeting of March 23, 2022. Mr. Leach seconded the motion. The motion was approved (4-0).

**Consideration of Claims:** Mrs. Brothers-Bridge said she would like to highlight a few items from today's claims. She said we paid Cummins Sales and Services \$20,460.69 for a rebuilt engine. Mrs. Brothers-Bridge said we paid East Central Recycling \$910.62, \$2,570.47 and \$37,877.27, \$34,407.12, \$512.20, and \$2,864.10. She said these charges are for our disposal services through ECR. Mrs. Brothers-Bridge said that is all she has for highlighting expenses this time. Mr. Leach move to approve the proposed claims totaling \$313,458.42. Mrs. Brothers-Bridge seconded the motion. The motion was approved (4-0).

**Old Business:**

1. None

District Administrator Update – John Barlow. Mr. Barlow said he has one update that we are having our Earth Day open house on April 22<sup>nd</sup> from 1-3 p.m. He said everyone is welcome and there will be food and tours along with a ribbon cutting. Mr. Leach asked Mr. Barlow to speak about our emergency project on 8<sup>th</sup> and Meeker because there seems to be some concern on the project. Mr. Barlow said the Engineering Department discovered a brick manhole on 8<sup>th</sup> and Meeker as it was originally reported as a sink hole, so a plate was put over the cover. He said after a thorough investigation visually and with a sewer camera on a crane because of the degradation of the structure. It was determined that the manhole needed to be replaced as well as the structure at 12.5 ft deep with pipe inverts. The Inspectors called for 10 ft of combo sewer to be replaced in each direction out from the manhole. He said following the inspection we put a plate back over the manhole and we did more inspecting to find some inlet structures around the intersection needed to be replaced as well. Mr. Barlow said the team knew that to do a project like this we would have to have bypass pumping from the three incoming sewers to the structure. He said it is anticipated that the entire intersection will probably be opened and that will entail full restoration at the end of the project to meet City restoration standards. Mr. Barlow said in May of 2021 we signed our second guaranteed savings contract with Bowen Engineering and in that contract, we have two-line items that have allowances. He said \$500,000 was allocated for the WCPF and another \$500,000 allocated for miscellaneous sewer work. Out of the \$500,000 there is \$347,000 remaining in that allocation. Mr. Barlow said this job was like a job done in 2021 where we identified a problem at the intersection of Batavia and Memorial. He said this past deep structure project caused road closures, detours, and bypass pumping. The past job was put out for quotes, and we received one quote back for \$205,000 and at that time we backtracked and decided to use the allocation of funds with Bowen. He said the final price back from Bowen was just over \$100,000 and we felt this was similar, so we did the same thing. Mr. Barlow said we received price back from JG Case through Bowen Engineering and that price and the itemized pricing was vetted by MSD and engineers, United Consulting as well as Bowen Engineering. He said include in the price is

about \$47,000 for labor and equipment and is considered a 10-day project. If the project goes past that day there will be no additional costs to MSD, this is basically a not to exceed price. Mr. Barlow said it probably entail a full excavation, full closure of the intersection, full road restoration and there are \$33,500 in flowable fill, \$22,000 in mill and resurfacing that meet City standards. He said we did not discuss if the labor portion of this could be put in a time and materials basis but after discussions that costs benefit was not there, so we left it as a fixed cost. Mr. Barlow said the entire payment of the project will be paid to JG Case. He said Bowen does not have any type of invoicing items for this, they are just managing the job for us. Mr. Barlow said in JG Case's prices there is about \$14,000 in structures, about \$16,000 in bypass pumping, about \$60,000 in road restoration, about \$62,000 for labor/mobilization and there are some costs for dumping also. Mr. Leach asked Mr. Barlow how long it typically takes MSD to bid out a project. Mr. Barlow said usually you must identify the project, wait for the next Board meeting, then the bid process, legal must review bids and approval so it could take up to about 4 weeks. He said with this project it was not stationary, it was getting worse. Mr. Barlow said within the Bowen Contract we had the capability to do this, and we have the full control of what to use those allowances on in terms of projects. Mrs. Brothers-Bridge said we asked last meeting how urgent this matter was. It is said in the minutes that the manhole is in very poor condition causing the road to deteriorate causing a sink hole under the pavement and that it should be declared an emergency instead of bid work because we did not want the problem to worsen while we wait for bid type projects. She said Mr. Leach was quoted saying this is an emergency project due to the fact this is a creeping failure. Mrs. Brothers-Bridge said what stood out to her in the discussion was the creeping failure about how the road may continue to deteriorate. She said it is important for us to get the work done as soon as possible. Mr. Brand said we talked about long lead times during the last meeting on materials as well. Mr. Barlow said the longest lead time was 21-inch fernco. He said JG Case determined last week that the local supplier Dague was able to procure that for them, but that was the longest lead time item. Mr. Barlow said PVC prices are changing rapidly as well. Mr. Brand asked if there was a timeline of when the project will start. Mr. Barlow said United is just waiting on final word to give the field order to Case. He said the project and the scope have been vetted by Adam Leach, Paul Glotzbach with United Consulting and John Anderson so he feels very comfortable moving forward. Mr. Brand said the sinkhole out there is starting to creep outside of the metal plate that has been put over it for the time being when he visited the site. Mrs. Brothers-Bridge said so we have had at least 4 engineers review this project. Mr. Barlow said yes.

#### **New Business:**

1. Bid Opening for Cardinal Trail Bridge Rehabilitation and Trail Approaches. – John Barlow, District Administrator. Mr. Barlow said we have received two bids for the project by the 10 a.m. deadline. He said the first bid is from Flatland Resources in the amount of \$1,485,922.21. The second bid is from Jutte Excavating in the amount of \$1,208,361.04. Mr. Barlow requests the Board considers the low bid per legal review and we will revisit this topic at the next Board meeting. Mr. Leach said for the record the apparent low bid is from Jutte Excavating at \$1,208,361.04 and we will consider that at our next meeting pending legal review. Mr. Barlow said also spec review. Mrs. Brothers-Bridge moved to approve the bid to Jutte Excavating pending legal and spec review. Mr. Leach seconded the motion. The motion was approved. (4-0).

2. Retainage of Dean B Roberts Enterprises for MSD Mowing. – John Barlow, District Administrator. Mr. Barlow said since 2018 we have used Dean B Roberts Enterprises to mow our various properties that MSD owns. He said some of the properties are not used for anything currently, but it is up to us to maintain them. Mr. Barlow said we have a contractor that does the specialized mowing as we have awarded that this year for the Levee. He said we have 21 properties on the list to mow and the price for this is \$18,305 based on 16 mows for each property. Mr. Barlow requested that the Board allows him to retain Dean B Roberts for the 2022 Season. Mrs. Brothers-Bridge said in the quote she is looking at there is a price per address. Mr. Barlow said that is correct. Mrs. Brothers-Bridge said so it is possible that he would mow less. Mr. Barlow said he asked Mr. Roberts about that, and it is based on Mr. Roberts' experience with 16 mows. He said if properties are mowed 14 or 15 times, the price does not change and conversely if he mows 17 or 18 times, the price does not change. The price is a not to exceed. Mrs. Brothers-Bridge said she feels these are reasonable rates. She also

wanted to point out that our mowing expenses have gone down both in properties we own as well as the Levee, and she thanked Mr. Barlow. Mr. Barlow said you're welcome. Mr. Leach asked for general knowledge what the State requirements are for goods and services less than \$25,000. Mr. Barlow said please give the answer. Mr. Leach said we are not required to do much for anything under \$25,000. He just wanted to make sure that we are not doing anything untoward our purchasing policy and we are following State guidelines on that. Mr. Brand asked Mr. Barlow to explain how the mowing prices have gone down like Mrs. Brothers-Bridge previously mentioned. Mr. Barlow said we are mowing less properties because we took about 6 properties off the original list and are self-performing. He said as we divest ourselves from some of these properties this cost will go down even more.

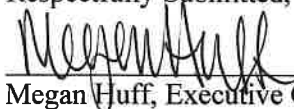
**Additional Board Topics:**

1. Mrs. Brothers-Bridge wanted to remind the public that we have property for sale on 300 E Jackson Street. She said the price is \$625,000 and we do have a real estate agent and are looking to divest ourselves from that property.
2. Mr. Leach said he wanted to remind public that we are officially entering construction season even though it does not appear that way by the weather. He said you will start seeing orange vests on roadways so please be cognizant of that so our employees and contractors can go home safe. Mr. Brand said he thinks a couple meetings ago there was a comment on safety and how people were driving very fast near our Vac truck workers. He said we do all within our power to not have to shut down roads but will, if need be, to keep employees safe. Mr. Brand said safety is his primary concern and he will not compromise on employee safety, or public safety.

**Public Comments:**

Audie Barber said he did not realize the rules in accordance with the 3 minutes. He said he is here about the 8<sup>th</sup> and Meeker Project. Mr. Barber said chapter 7 of public works states that anything under \$25,000 does not have to be bid, but you are supposed to approve it through the Mayor's Office and the mayor has said that many times. He said anything over \$25,000 in a political subdivision will require bids by state law. Mr. Barber said public works project that costs more than \$100,000 requires bids, financial statements, statements of experience, proposed plans and plans of public work. He said emergency contracts are required to have two bids and the way the emergency contracts work for MSD is the bid is sent out to the contractors, the contractors have until 7:30 a.m. on the designated day to have contracts turned in and they open the bids at 8:00 a.m. He said at 9:00 a.m. the contractor must be on the job working, so timeframe on that is not an object. Mr. Barber said he has talked to two contractors on this manhole that is \$158,600. He was told from two MSD contractors that this job should run \$24-60,000 max. Mr. Barber said we handed this to Bowen without any bids and they turned around and gave it to JG Case, but state law requires 3 bids. He said this is a routine, simple job at 13-14 feet deep manhole so it should be done in 3 days max. Mr. Barber said he did his own materials list on this project and for materials, asphalt, fill, stone, manholes, pipe it was \$15,000. He said bypass pumping according to MSD unit pricing is \$500 a day for bypass pumping. Mr. Brand attempted to ask Mr. Barber how much longer he needed because his 3 minutes were expired, at this time Mr. Barber became loud and belligerent. This is a live meeting and the rules of the FCC apply so Mr. Brand cut off Mr. Barbers mic to avoid any potential fines. Audio during this time was unintelligible due to Mr. Brand asking if there was anyone else from the public wishing to speak. Mr. Brand asked for a motion to adjourn which was made and seconded. The meeting was adjourned.

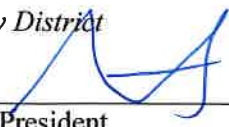
Respectfully Submitted,



Megan Huff, Executive Office Manager

*Approved by the Board of Sanitary Commissioners*

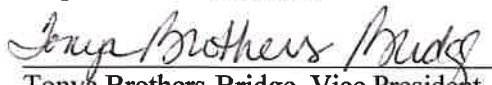
*Muncie Sanitary District*



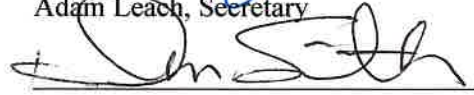
Stephen Brand, President



Adam Leach, Secretary



Tonya Brothers-Bridge, Vice President



David Smith, Board Member