

CITY COUNCIL PROCEEDINGS
BEMIDJI, MINNESOTA
Special Meeting/Work Session – May 23, 2011

Pursuant to due call and notice, a special meeting/work session of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, May 23, 2011, at 5:30 p.m. in Lakeview Room #4 at the Sanford Center, Mayor Larson presiding.

Upon roll call, the following Councilmembers were declared present: Larson, Waldhausen, Johnson, Hellquist, Albrecht, Negard, Thompson

Staff Present: City Manager John Chattin, City Attorney Alan Felix, Finance Director Ron Eischens, Public Works Director Craig Gray, City Clerk Kay Murphy

Others Present: Bob LeBarron, Mike Cronin, Steve Parker, Gerry Domino, Paul Richards

Mayor Larson stated that the purpose of the special work session was to finalize the Sanford Center project.

Motion by Johnson, seconded by Hellquist, to accept the agenda as proposed by the City Manager. Motion carried unanimously.

Review Items to be Completed

Gerry Domino, Kraus-Anderson (KA), reviewed the list of items to be completed. He stated that many are warranty items that need to be taken care of by the contractors. In order to get their remaining payment, contractors need to be completed. He stated that KA will be turning over 17 volumes, which will contain the manuals for the Sanford Center, to VenuWorks. He stated that most of the contractors have submitted their final payment requests which will be included with the next bills for the Council's consideration. However, checks will be held for those contractors not complete.

Larson asked if the negative air pressure in the building had been resolved. Domino responded that the issue has been resolved. He stated that the problem was identified and caused by the fans in the restrooms. He stated that the commissioning firm will confirm the negative air. Chattin commented that the real test will be when the heating is back on in the fall.

Waldhausen asked about the problems with the humidity in the building. Paul Richards, WSN, stated that testing and balancing of the system did not occur until the end of March. So, much of the winter the building was not performing efficiently. He stated that many of the items have been repaired. Discussion continued regarding the warranty and if it could be extended with Peterson Sheet Metal. Domino will discuss extension of the warranty with Peterson.

Mike Cronin, VenuWorks, commented that they have been working with Peterson Sheet Metal regarding preventative maintenance. He stated that he feels confident that they will continue to get sufficient support from the contractors and subcontractors.

Change Orders

Chattin stated that the Change Orders before the Council are basically the last ones. However, \$40,000 has been set aside in case other items are identified. He noted that of the \$59,474.21 in change orders, BSU will be reimbursing the City for \$17,517.

Motion by Hellquist, seconded by Johnson, to approve the Change Orders in the amount of \$59,474.21 for the Sanford Center project. Motion carried unanimously.

Review Construction Budget

Chattin reviewed the construction budget noting the cost for the video board was \$1,162,626 which was less than the budgeted amount. He stated the remaining contingency was \$595,832. The only item that is not listed is the \$16,000 to landscape the marquee and pylon signs.

Bob LeBarron, VenuWorks, stated that the FF&E budget is \$3,315,990.37.

Johnson asked how much the project cost and where the savings were realized? Chattin responded that most of the savings were in the building.

Albrecht thanked the contractors and staff for the effort on the project. Johnson commented that “the project has exceeded our expectations”.

Architectural/Engineering Team Report

Steve Parker, Leo A Daly (LAD), stated that part of their role as the architect was to review what the engineer prepared. They have reviewed the close-out documents. He stated that the building has a stock of materials, i.e., paint, carpet if needed. He noted that as-built drawings are still required by some contractors and will be provided as one document on CD or USB drive in pdf format.

Architectural/Engineering Request

Steve Parker stated that LAD is requesting an adjustment for their services as follows:

- \$15,000 – Additional work created from change orders. Parker stated that typically the cost would have been included line by line with the change orders.
- \$5,000 – FFE – above and beyond what VenuWorks provided. An example would be the food service component.
- \$4,000 – Artist coordination – This was not known at the time of the project bid.
- \$8,000 – Punch list – Parker stated that LAD made several additional trips to get the building open on time.
- \$20,000 – WSN – for commissioning requirements. Additional meetings and repeat trips well past the opening date.
- TBD – Record Drawings. Parker stated that if pdfs are okay, there would be no cost. However, if the City wants autocad drawings there will be an additional cost. Discussion continued regarding what the City may want in autocad. Parker suggested that floor plans would be good but most are not needed.

Negard stated LAD should have included these costs in their initial bid.

Felix stated that the as-built requirement is either in the LAD or KA contracts. Domino stated that KA will be providing as-builts in pdf format.

Chattin stated that he did not have any problem with most of the requests from LAD. However, he believed there should be some “give and take” regarding the commissioning.

Discussion continued regarding the number of change orders (400+) and the additional work that was required.

Hellquist stated that the amounts are all rounded off and he would like to see more detail.

Felix stated that the City staff need to respond to LAD’s request and provide the Council with a breakdown to what is equitable.

Domino stated that they put together a lot of the change orders that were the result of upgrades to utilities and lighting. He stated that as a result, the scope of the project changed. However, KA’s contract stated that they were to handle the change orders, of which there were a lot. He agreed that KA, like LAD, should receive equitable compensation.

Motion by Albrecht, seconded by Johnson, directing staff to review the request from Leo A Daly and provide the Council more information. Motion carried unanimously.

Contingency Funds

Chattin stated that the Council can decide what it would like to do with the contingency funds. His personal goal would be to clean up the beach. He stated that when dealing with developers the question comes up of what the City plans to do with the beach. Chattin suggested that the City put together a bid package to get an idea of the cost to clean up the area.

Felix noted that the City has a five-year agreement with Siegert regarding the current Nymore Beach (one year has already gone by).

Richards stated that the area and depth would need to be defined to develop specifications.

Consensus of the Council was that staff get an estimate from WSN to prepare bids and specification for cleanup of the beach – both bottom of lake and land.

Motion by Waldhausen, seconded by Hellquist, to not allocate the contingency funds from the event center project at this time. Motion carried unanimously.

Motion by Thompson, seconded by Waldhausen, to proceed with the beach clean up. Discussion followed regarding Thompson's motion and that staff will be getting an estimate regarding the cost to clean up the beach. **Thompson withdrew his motion.**

ADJOURN

There being no further business, motion by Johnson, seconded by Thompson, to adjourn the meeting. Motion carried. Meeting adjourned at 7:28 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk