



# CITY OF GERMANTOWN

---

## TENNESSEE

1930 South Germantown Road • Germantown, Tennessee 38138-2815  
Phone (901)757-7200 Fax (901)757-7292 [www.germantown-tn.gov](http://www.germantown-tn.gov)

### Board of Mayor and Aldermen Meeting

Monday, April 11, 2016 – 6:00 p.m.  
Council Chambers – Municipal Building

1. Call To Order
2. Invocation
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes
6. Teacher of the Month
7. Youth Excellence Award
8. Special Recognition
  - a. GPAC Education Video
  - b. Hazmat Recertification
9. Alderman Liaison Reports
10. Citizens to be Heard
11. **CONSENT**
  - a. Extension of On-Call Contract for Collection of Yard Waste
  - b. Extension of On-Call Contract for Collection of Solid Waste
12. Resolution 16R17 – Adoption of Hazard Mitigation Plan
13. Resolution 16R18 - Dogwood School Roof Replacement
14. Forest Hill Heights Small Area Plan Approval
15. Change Order No. 2 – Germantown Athletic Club Renovation Project Phase 1

#### **BEER BOARD**

16. Public Hearing - Beer Permit - Rock 'N Dough Pizza
17. Temporary Beer Permit – Leadership Germantown

The City of Germantown complies with the American with Disabilities Act. Should you need accommodations for this meeting, please call 757-7200 at least 48 hours in advance of the meeting.



# CITY OF GERMANTOWN

---

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

DATE: April 11, 2016  
FROM: Patrick J. Lawton, City Administrator  
SUBJECT: SET AGENDA

**INTRODUCTION:**

The Agenda must be set before the meeting. The Board must agree on the contents of the agenda and make changes to the agenda before the meeting begins.

**PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:**

To approve the agenda (as amended).

**BOARD ACTION: MOTION BY: SECONDED BY:** \_\_\_\_\_

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



# CITY OF GERMANTOWN

---

## REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 11, 2016

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: Approval of Minutes

### INTRODUCTION:

The purpose of this agenda item is to approve the minutes of the Board of Mayor and Aldermen Meeting held March 28, 2016.

### PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve the minutes of the Board of Mayor and Aldermen Meeting held March 28, 2016.

**BOARD ACTION:** \_\_\_\_\_ **MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



# CITY OF GERMANTOWN

---

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** April 11, 2016

**FROM:** Patrick J. Lawton, City Administrator *PJL*

**SUBJECT:** April 2016 Teacher of the Month

The April 2016 Teacher of the Month is Mrs. Callie Moskovitz.

Mrs. Moskovitz, one of Riverdale's longest-tenured teachers, continues to provide her fourth grade students with enriching and engaging lessons each day. Though having been in the teaching profession for over 25 years, she continues to stay current with changing practices and standards and serves as a leader for early-career teachers. Students know her as a fun teacher who comes to school with feathers in her hair, creates voices for characters as she reads aloud and greets them with a huge smile and a warm hug. Parents appreciate her kindness, compassion and ability to relate to every child that comes into her classroom. Her nominators noted her willingness to go the extra mile, even writing letters to students and offering to be a pen pal to encourage reading and writing over the summer months.

Ms. Moskovitz is a huge supporter of all things Riverdale. For over a decade, she has sponsored the Junior Jumpers and Jumpin' Jammers teams. She now supervises student coaches for the kindergarten through second grade jump rope squad. She has sponsored the yearbook staff, served on the Literacy Committee and successfully motivates her students to support school fundraisers such as CitiSaver coupon book sales and BoxTops for Education.

Mrs. Moskovitz, please accept our appreciation for your commitment to Germantown students. Your award is sponsored by Principle Toyota.

**PREPARED BY:** Stacey Ewell  
Stacey Ewell, Assistant to the City Administrator



# CITY OF GERMANTOWN

---

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** April 11, 2016

**FROM:** Patrick J. Lawton, City Administrator *PJL*

**SUBJECT:** April 2016 Youth Excellence Award

The March Youth Excellence Award is presented to Jane-Bradford Wickliffe a senior at Westminster Academy.

Jane –Bradford is a hard-working student who is always prepared for class. Her extraordinary work ethic has resulted in her achieving the Honor Roll every semester.

In addition to her commitment to academic success, Jane-Bradford is a natural leader and has demonstrated this trait consistently through various roles at Westminster Academy. She served as secretary of her class for three years and took the helm as class president and chairman of the leadership council this school year. She has played volleyball and is a member of two of Westminster’s nationally recognized choirs.

Jane-Bradford has accumulated several hours of community service in a variety of local service projects. Her many service activities include playing harp at local hospitals, nursing homes and Page Robbins Alzheimer’s center. She has volunteered at St. Jude’s FedEx House, Service over Self and for the Refugee Empowerment Program. She also initiated and organized a toy drive for Su Casa Ministries and has participated in mission trips in the U.S. and abroad.

In recognition of her commitment to excellence, the Germantown Education Commission is proud to present Jane-Bradford Wickliffe with the Germantown Youth Excellence Award.

**PREPARED BY:** Stacey Ewell  
Stacey Ewell, Assistant to the City Administrator



# CITY OF GERMANTOWN

---

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** April 11, 2016

**FROM:** Patrick J. Lawton, City Administrator *PJL*

**SUBJECT:** Recognition – Hazardous Materials Team Accreditation

**INTRODUCTION:**

The purpose of this agenda item is for the Tennessee Emergency Management Agency (TEMA) to present State Accreditation to the Germantown Fire Department's Hazardous Materials Response Team.

**BACKGROUND:**

The Germantown Fire Department developed a Hazardous Materials Response Team in the 1990's to be able to handle chemical releases at the highest Level A. The crew of Engine 91 normally serves as the Hazardous Materials Response Team, although most fire fighters are also certified Hazardous Materials Technicians and can serve on the Team as needed. The Hazardous Materials Response Team was the first Hazardous Materials Response Team to be accredited by the State of Tennessee on June 14, 2004. Since then, the team has been reaccredited several times. On March 23, TEMA conducted their on-site evaluation of our Haz-Mat Team and recommended reaccreditation. To date, only 3 Hazardous Materials Teams have been accredited across the State.

**DISCUSSION:**

Jane Waldrop, West TEMA Director, will be here to present the Certificate. Members of the Haz-Mat Team and personnel assisting with the reaccreditation process will also be present for the presentation.

**GERMANTOWN FORWARD 2030:**

This meets the objective of proper staffing, training and equipment to control loss.

**Prepared by: John Selberg**

John Selberg, Fire Chief



# CITY OF GERMANTOWN

---

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** April 11, 2016

**FROM:** Patrick J. Lawton, City Administrator *PJL*

**SUBJECT:** Extension of On-Call Contract for Collection of Yard Waste

**INTRODUCTION:**

The purpose of this agenda item is to recommend approval of an extension to the existing contract with Michael's Tree & Loader LLC (MTL) to provide supplemental collection of yard waste including clear bags, roll carts, personal containers and loose tree limbs on an on-call basis. The current contract expires on April 30, 2016. This action will extend the on-call collection contract, as outlined in the original contract, for two additional, successive thirty (30) day periods through June 30, 2016.

**BACKGROUND:**

The City currently has a contract with Inland Waste Solutions, LLC (Inland) for solid waste collection services. After experiencing a decline in solid waste collection service in May and June of 2015, the City contacted several vendors and entered into an emergency contract with MTL to provide yard waste collection on an on-call basis.

In recent months the city has once again experienced an increase in the number of complaints from residents resulting from missed services during the collection of yard waste by the current contractor, Inland. In order to ensure that yard waste is collected in a timely manner per the terms of the contract, the city established a contract to provide for on-call collection of yard waste.

**DISCUSSION:**

The solid waste collection services contract with Inland requires that all routes be completed by the end of the scheduled work day and that all complaints received by the contractor prior to 5:00 pm (Monday to Friday) shall be collected by 12:00 noon the next work day and all missed service requests are to be resolved within twenty four hours. Also, under the contract, once the contractor fails to correct defective workmanship, the City has the right to proceed with corrective work which allows for the use of on-call services.

In an effort to ensure yard waste is collected on all routes and service is completed prior to the end of the scheduled work day, the City contracted with MTL for inspection and collection services on an on-call basis. This contract was approved on December 14, 2015. Once notified by the city, the designated routes will be inspected by MTL and any streets not identified as not receiving service will be communicated to the city and MTL will be authorized to collect the missed streets. The original contract authorized an expenditure of \$40,000.00. An additional \$40,000 was added to the existing contract on January 11, 2016.

The pricing outlined in the contract is as follows:  
Inspection Service - \$65.00 per hour (three hour minimum)  
Collection Service - \$250.00 per hour (three hour minimum) for equipment and two men.

The term of the current contract began on December 15, 2015 and runs concurrently through April 30, 2016. At its option, and pending approval by the Board, the City may extend the contract at the same terms for two (2) additional, successive thirty (30) day periods with an end date of June 30, 2016. The City is exercising this option.

**FORWARD 2030:**

This contract extension supports the Forward 2030 City Services and Finance Strategic Objective of providing community services that are responsive to customer needs.

**BUDGET AND STAFFING IMPACT:**

Neighborhood Services Manager, Joe Nunes, will serve as the manager overseeing this contract. MTL is not authorized to perform any work toward this contract unless directed by Neighborhood Services Manager or the Director of Economic and Community Development.

**SOURCE OF FUNDING:**

The Board authorized an initial expenditure up to \$40,000.00 and increased that amount to \$80,000.00 on January 11, 2016. There is no additional funding requested at this time.

Prepared by: Joe Nunes  
Joe Nunes, Neighborhood Services Manager

Reviewed by: Cameron Ross  
Cameron Ross, Director, Economic & Community Development

**PROPOSED MOTION:**

To authorize the Mayor to enter into a contract extension for two successive thirty (30) day periods with Michael's Tree & Loader LLC., for on-call collection of yard waste (clear bags, roll carts, personal containers and loose limbs) extending the contract through June, 30, 2016 for the term(s) listed herein.

**BOARD ACTION:** \_\_\_\_\_ **MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain





# CITY OF GERMANTOWN

---

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** April 11, 2016

**FROM:** Patrick J. Lawton, City Administrator *PJL*

**SUBJECT:** Extension of On-Call Contract for Collection of Solid Waste

**INTRODUCTION:**

The purpose of this agenda item is to recommend approval of the extension of the current contract with Waste Pro of Tennessee, Inc. (Waste Pro) to provide collection of solid waste including household trash, construction debris, bulky items, white goods and recyclables on an on-call basis. The amount of the original contract is not to exceed \$20,000.00. The current contract expires on April 30, 2016. This action will extend the supplemental collection contract, as outlined in the original contract, for two additional, successive thirty day periods through June 30, 2016.

**BACKGROUND:**

The City currently has a contract with Inland Waste Solutions, LLC (Inland) for solid waste collection services. After experiencing a decline in solid waste collection service in May and June of 2015, the City contacted several vendors and entered into an emergency contract with Waste Pro to provide solid waste collection on an on-call basis. The services under that contract were not required and the contract expired.

In recent months the city has once again experienced an increase in the number of complaints from residents resulting from missed services during the collection of solid waste by the current contractor, Inland. In order to ensure that solid waste is collected in a timely manner per the terms of the contract, the city is establishing additional contracts to provide for on-call collection of solid waste.

**DISCUSSION:**

The solid waste collection services contract with Inland requires that all routes be completed by the end of the scheduled work day and that all complaints received by the contractor prior to 5:00 pm (Monday to Friday) shall be collected by 12:00 noon the next work day and all missed service requests are to be resolved within twenty four hours. Also, under the contract, once the contractor fails to correct defective workmanship, the City has the right to proceed with corrective work which allows for the use of on-call services.

After the timeframe outlined in the solid waste collection services contract for collection of missed service requests, the City will verify with each customer that the missed service request(s) was properly collected by Inland. In the event that the City determines the request was not serviced, Waste Pro will be notified and authorized to collect the identified addresses. In addition, the City may inspect routes.

The pricing outlined in the contract calls for a minimum per day of \$840.00 for up to ten (10) customers and each additional customer serviced after that is \$50.00 per customer. The term of the original contract began on December 15, 2015 and will run concurrently through April 30, 2016. At its option, as part of the original agreement, the City may extend the contract at the same terms for two (2) additional thirty day periods for an end date of June 30, 2016. The City is exercising this option.





# CITY OF GERMANTOWN

---

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** April 11, 2016

**FROM:** Patrick J. Lawton, City Administrator *PJL*

**SUBJECT:** RESOLUTION 16R17 - ADOPTION OF HAZARD MITIGATION PLAN

**INTRODUCTION:**

This agenda item seeks approval of a resolution adopting the Shelby County Hazards Mitigation Plan as the plan the City will use in planning for and mitigating natural and manmade incidents and disasters.

**BACKGROUND:**

In 2011, the City of Germantown adopted the Shelby County Hazard Mitigation Plan for the City. The Federal Emergency Management Agency (FEMA) requires that these plans be updated every 5 years to be valid. For the past year, City staff worked with representatives of the Shelby County Office of Preparedness (SCOP), Tennessee Emergency Management Agency (TEMA), and other local governments to draft an updated multi-jurisdictional, all hazards mitigation plan for Shelby County. The draft plan was submitted to TEMA and FEMA for review. FEMA completed its review of the plan in March and notified TEMA that the draft plan complies with Federal standards and is "Approved Pending Adoption", subject to formal adoption by each participating jurisdiction.

**DISCUSSION:**

The County and each municipality must have a Hazards Mitigation Plan in order to be eligible to apply for and receive Federal grant money for mitigation projects. Failure to implement a mitigation plan can result in the ineligibility of the municipality for any mitigation funds and limits availability of FEMA recovery funds post disaster. Germantown participated in the creation of the multi-jurisdictional plan and staff is satisfied that the plan addresses Germantown's needs in this area. FEMA will not give the plan final approval until each participating jurisdiction formally adopts the plan. The proposed resolution formally adopts the plan for Germantown.

**GERMANTOWN FORWARD 2030:**

This meets the objectives of the GermantownForward 2030 Plan by preventing and mitigating the impact of a disaster or emergency to the citizens of Germantown, taking a proactive approach to community safety, and increasing community education and outreach.

**BUDGET AND STAFFING IMPACT:**

The Fire Chief/Emergency Management Director, City Engineer, and City Stormwater Engineer will monitor the Hazards Mitigation Plan and be the liaisons to the Shelby County Hazard Mitigation Committee.

**ATTACHMENTS:**

Resolution 16R17  
Approval Letter from FEMA

**Prepared by:** John Selberg  
John Selberg, Fire Chief

**Reviewed by:** Tim Gwaltney  
Tim Gwaltney, City Engineer

**Reviewed by:** Tim Bierdz  
Tim Bierdz, Stormwater Engineer

**PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:**

To approve Resolution 16R17 adopting the updated Shelby County Hazards Mitigation Plan as the plan the City will use in planning for and mitigating natural and manmade incidents and disasters.

**BOARD ACTION:** \_\_\_\_\_ **MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



# CITY OF GERMANTOWN

---

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

DATE: April 11, 2016

FROM: Patrick J. Lawton, City Administrator *PSL*

SUBJECT: DOGWOOD SCHOOL ROOF REPLACEMENT RESOLUTION 16R18

**INTRODUCTION:**

The Board of Mayor and Aldermen is asked this evening to approve Resolution 16R18 for disbursement of funds to the Germantown Municipal School District (GMSD) for the replacement of the roof at Dogwood Elementary School.

**BACKGROUND:**

On February 22, 2016 the Board approved Resolution 16R14 for the issuance of General Obligation Bonds, Series 2016A and 2016B. Series 2016 B was issued to provide funding for certain public works projects, including the improvement of public school facilities of the City. Also on February 22, 2016, the Board approved funding for the expansion and improvement of Riverdale Elementary School pursuant to a separate interfund reimbursement agreement between the City and the District which authorized reimbursement to GMSD for construction cost related to the Riverdale improvements.

**DISCUSSION:**

There is a short window of opportunity to complete the roof replacement at Dogwood Elementary School, June 1, 2016 - July 30, 2016. Therefore the GMSD will encumber these funds this fiscal year. In order to pay the District for this project from the Series 2016B bond proceeds, authorization must be provided by the Board of Mayor and Aldermen. The attached Resolution 16R18 before the Board provides this authorization. All payments to the District will be processed within five days based on pay request from GMSD satisfactory to the City.

**BUDGET AND STAFFING IMPACT:**

\$1,000,000.00 is available from the 2016B Series for the replacement of the roof at Dogwood Elementary School. The GMSD staff will be responsible for the preparation of the plans and specifications and awarding the construction contract. The City will process payment to the District upon receipt of proper documentation.

**GERMANTOWN FORWARD 2030:**

This action item before the Board of Mayor and Aldermen supports the long-range strategic plan by providing financial support for GMSD long-range facilities plan.

**ATTACHMENTS:**

Resolution 16R18





# CITY OF GERMANTOWN

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** April 11, 2106

**FROM:** Patrick J. Lawton, City Administrator *PSL*

**SUBJECT:** Forest Hill Heights Small Area Plan Approval

**INTRODUCTION:**

The purpose of this agenda item is to approve the Forest Hill Heights Small Area Plan encompassing all the properties located between Forest Hill and the east City limits south of Winchester Drive and the area between the western boundary of 9540 Winchester and the eastern boundary of the City of Germantown north of Winchester to Poplar. Forest Hill Heights, constituting 303 acres near the southern City limits and 385, is strategically positioned to play a significant role in the future of Germantown's economic growth and vitality.

**BACKGROUND:**

On August 13, 2007, the BMA approved Ordinance 2007-13, whereby the "Germantown Smart Growth Plan" was developed to fulfill the Guiding Principles of the "Germantown Vision 2020" Strategic Plan (adopted 2005); and specifically to achieve the objectives of Goal 7 of the Economic Sustainability Plan: Redevelopment of the Central Business District. The guiding principles set the framework for the strategy and goals for economic development to support its vision, mission and core values. On September 24, 2012, the Board of Mayor and Aldermen (BMA) approved the Economic Development Strategic Plan which developed nodes, and with an approved small area plan - districts, for the five (5) targeted mixed-use areas in the City. The original "Smart Growth Area" is now referred to as the Central Business District. The second mixed-use node, the Western Gateway, was approved by the BMA on November 11, 2013. With the adoption of the Forest Hill Heights Small Area Plan, a holistic and cohesive vision will be put into motion for future development in this area that will contribute to the financial, environmental and economic sustainability of the City.

Forest Hill Heights encompasses five properties, all zoned differently, from O-51(Office-51 feet) to R-T (Residential Townhomes) to C-1 (Neighborhood Commercial) to C-2 (General Commercial) and finally the O (Office) District.

**DISCUSSION:**

This process was funded by a public/private partnership between the City and a consortium of private property owners, and is based on Smart Growth principles that encourage higher density, mixed-use, walkable districts, similar to those in the City's Central Business District and Western Gateway. On March 1, 2016, LRK and its team (Fisher Arnold – Transportation and Infrastructure analysis and RCLCO – Economic Impact analysis) presented the complete future land use plan for the Forest Hill Heights area of the City to the Germantown Planning Commission where it received unanimous approval.







# CITY OF GERMANTOWN

---

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** April 11, 2016

**FROM:** Patrick J. Lawton, City Administrator *PJL*

**SUBJECT:** CHANGE ORDER NO. 2 - GERMANTOWN ATHLETIC CLUB RENOVATION PROJECT PHASE I

**INTRODUCTION:**

The purpose of this agenda item is to approve Change Order No.2 for the Germantown Athletic Club Phase I Renovation Project with A and B Construction increasing the contract amount by \$59,680.90 from \$1,482,984.23 to \$1,542,665.13.

**BACKGROUND:**

On September 14, 2015, the Board of Mayor and Aldermen approved a construction contract with A and B Construction for Phase I of the Germantown Athletic Club renovation project in the amount of \$1,457,729.00 including \$74,482.00 for Alternate 2, the renovation of the aquatics office.

Phase I improvements consist of improvements to both the upper & lower levels north of the check-in and east of the gym, including the staff office area, children's area, spin class room, meeting rooms and the aquatic office. Also, significant Improvements to HVAC, plumbing, fire protection and electrical systems are being accomplished during this phase.

During the pre-construction meeting, it was discovered that the contractor's construction plan was for demolition to occur on both the upper and lower levels outlined in Phase I at the same time and then complete the renovation work. Although not specifically spelled out in the contract documents, staff was under the impression that arrangements could be made to complete the Day Care area initially and then once that area was secured, the rest of project could be completed. However, the contractor pointed out as a result of the stringent construction timeline (120 days) delineated in the contract that it would be impossible to demo and finish the levels separately and meet the construction timeline.

Based upon the fact that there are very stringent safety requirements for children housed in the day care area, it was imperative that the day care area be secured prior to any other construction taking place. Therefore, staff requested that the contractor provide a proposal to construct the upper and lower levels separately. The Proposal requested an additional 60 days construction time and \$25,255.23 for the additional time their subcontractors would be on the job and the additional cost of providing supervisory personnel.

Consequently, the Proposal was presented to the Board of Mayor and Aldermen on October 26, 2015 as Change Order No. 1 in the amount of \$25,255.23 for the additional time and labor cost to construct the upper and lower sections separately and it was approved increasing the contract amount to \$1,482,984.23.

**DISCUSSION:**

During the renovation of any older facility it's not unusual to encounter unforeseen site conditions as a result of conflicts between the original drawings and the as-built drawings or work that was previously done and not documented. The unforeseen conditions result in additional work being required that could not be anticipated until construction begins and true conditions are evaluated. Change Order No. 2 is primarily the result of unforeseen conditions. However, there are minor changes due to inconsistencies in the drawings, additional work required by the regulatory agencies and a request for changes by the owner.

Additional costs for unforeseen conditions include:

- The discovery of a beam above the ceiling in the lower level that prevents the installation of a 9 foot ceiling as designed. The maximum ceiling height obtainable because of the beam interference is 8 feet. This lower ceiling prohibits the use of lights that were specified and already purchased by the contractor. Therefore, new lights are required to be purchased at a cost of \$21,030.59. However, the lights purchased for this Phase are in our possession and can be used in Phase III.
- Mold was discovered on the sheetrock, furring channels and in one instance plywood on the east wall of the Mind & Body Room, Meeting Room and the Spinning Room. The mold is the result moisture migrating from the concrete wall that is below the ground surface at this location. The remediation involves removing the existing sheetrock, plywood and furring channels. Treating the existing sheetrock with sporicide prior to removal and treating the bare concrete wall with sporicide, sealing the concrete wall, and the installation of new furring channels and moisture resistant (green board) sheetrock. In addition 12 return air grills in window wells to promote circulation and prevent moisture. Total cost to remediate the mold problem is \$23,929.29.

Additional cost for inconsistencies in the drawings:

- This cost is a result of the drawings not clearly specifying the type fans for the Mind & Body Room and the Spinning Room. However, the electrical service and labor for installation was picked up by the Electrical Contractor from the drawings and that cost is included in the contract. The cost for the fans is \$7,911.73. Since none of the bidders included the cost of the fans in their bid, the city would have been out this cost, if the drawings were clearer. This is very minor omission for a project this large.

Additional Cost required by regulatory agencies:

- The local Health Department and the State Department of Human Services are requiring an additional hand washing sink in the infant's child care area at a cost of \$5,267.50.

Additional Cost at the request of the owner:

- The addition of power and data for TVs in the Spinning Room at a cost of \$1,453.00. This is a very minor cost that results in the betterment of the project.

In addition to these costs, there were minor changes throughout construction involving additions and deletions that did not materially affect the contract or result in additional costs to the project. Prior to the costs delineated above, the project was \$1,800.00 under budget.

The total cost of Change Order No. 2 is \$59,680.00 which is 4% of the Contract amount and well within the industry standard allowed for contingencies. Therefore, staff is recommending approval of Change Order No. 2 in the amount of \$59,680.00.





