

OFFICIAL NOTICE AND AGENDA

Notice is hereby given that a public meeting will be held on the date, time and location shown below. Upon attaining a quorum of members, all items listed on the agenda shown below may be considered (discussed and/or acted upon).

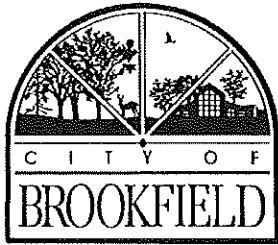
Regular / Special Meeting: **Water & Sewer Board**
Date and Time: **April 14, 2020 @ 7:00pm**
Location: **City Hall, 2000 N. Calhoun Road, Council Chambers**
Members: **Chris Blackburn – Chairman, Scott Berg, Bill Carnell, Jerry Mellone, Jeff McCarthy**

(NUMBER OF MEMBERS NEEDED TO MEET QUORUM REQUIREMENTS: 3 OF 5)

1. ROLL CALL
2. ANNOUNCEMENTS
 - a. The Next Regularly Scheduled meeting is Tuesday, May 12, 2020 @ 7:00 pm
3. MINUTES
 - a. Minutes of the February 11, 2020 meeting.
4. UNFINISHED BUSINESS
 - a. None
5. NEW BUSINESS
 - a. Award of the FRWPCC Primary Clarifier Rehabilitation Project #WW-20-02
 - b. Award of the 2020 Replace Failing Water Main Project #W-20-02
 - c. Perpetual Water Main Easement, North Shore Bank, 15830 W. Capitol Drive
6. ADJOURNMENT

THOMAS M. GRISA
DIRECTOR OF PUBLIC WORKS
POSTED: APRIL 10, 2020 @ 2:00 PM

ANY PERSON WHO HAS A QUALIFYING DISABILITY AS DEFINED BY THE AMERICANS WITH DISABILITY ACT THAT REQUIRES THE MEETING OR MATERIALS TO BE IN AN ACCESSIBLE LOCATION OR FORMAT, MAY CONTACT THE CITY CLERK AT (262)782-9650 OR 2000 NORTH CALHOUN ROAD, FOR ACCOMMODATIONS. REQUESTS FOR ACCOMMODATIONS FOR MEETINGS SHOULD BE MADE AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE MEETING. EVERY EFFORT WILL BE MADE TO ARRANGE ACCOMMODATIONS FOR ALL MEETINGS.



OFFICIAL MEETING MINUTES OF A REGULAR MEETING
OF THE WATER & SEWER BOARD HELD ON FEBRUARY 10, 2020 @
7:00 P.M. IN THE COMMON COUNCIL CHAMBERS OF CITY HALL,
2000 NORTH CALHOUN ROAD, BROOKFIELD, WISCONSIN

MEMBERS PRESENT

Alderman Christopher Blackburn (chair)
Alderman Jeff McCarthy
Alderman Scott Berg

Alderman Bill Carnell
Alderman Jerry Mellone

MEMBER ABSENT AND EXCUSED:

OTHERS PRESENT:

City Engineer Jeffrey Chase
Director of Public Works Tom Grisa

Alderman Buck Jurken
Alderman Brad Blumer

Roll Call

Chairman Blackburn noted a quorum present and called the Water & Sewer Board to order at 7:06 pm.

Public Hearing

Public hearing for the 2020 Water Main Extension project.

Resident Thomas Ibach, 2555 Lone Oaks Circle West, Brookfield, WI, inquired about the road being repaved after the water main is completed. In the past the road was repaved after water main installation. Mr. Grisa stated the City attempts to coordinate the water main installation in conjunction with road projects. However, that is not always possible. (In this case, Lone Oak Circle is scheduled for paving in 2022.)

Motion by Alderman McCarthy, seconded by Alderman Carnell to close the public hearing. Motion carried 5-0.

Meeting Minutes

Item 1 Meeting minutes of the January 14, 2020 Water and Sewer Board Meeting

Motion by Alderman Berg, seconded by Alderman Carnell to approve the minutes of the January 14, 2020 Water and Sewer Board meeting. Motion carried 5-0.

New Business

Item 2 Award of the 2020 Water Main Extension Project No. W-20-01

Mr. Grisa commented the Engineering department received 11 bids for the project. The MJ Construction bid came in below the engineer's estimate and the assessment rate is below previous projects.

Alderman Berg asked if the Lone Oak area will be completed with this project. Mr. Grisa indicated yes that area is included, along with a few other areas that will receive water main.

Motion by Alderman McCarthy, seconded by Alderman Mellone to approve the award of the 2020 Water Main Extension Project. Motion carried 5-0.

Item 3 Final resolution levying assessments against benefitted properties for the 2020 Water Main Extension Project No. W-20-01.

Motion by Alderman Mellone, seconded by Alderman McCarthy to approve the final resolution levying assessments against benefitted properties for the 2020 Water Main Extension, Project. Motion carried 5-0.

Item 4 Dedication of Water Distribution & Sanitary Sewer System – Midbox Retail South at The Corridor

Motion by Alderman Berg, seconded by Alderman McCarthy to approve the dedication of Water Distribution & Sanitary Sewer System – Midbox Retail South at The Corridor. Motion carried 5-0.

Item 5 Dedication of Water Distribution System – Janz CSM, 19575-19605 Davidson Road

Alderman Blackburn commented this is a small subdivision of four houses off Davidson Road that was completed.

Motion by Alderman McCarthy, seconded by Alderman Mellone to approve the dedication of Water Distribution System – Janz CSM, 19575-19605 Davidson Road. Motion carried 5-0.

Item 6 Perpetual Water Main Easement – Village of Elm Grove (Elm Grove Heights, 13040 W. Bluemound Rd)

Mr. Grisa stated an easement is needed on the east side of the lot to access the water main that will go out to a hydrant on the back of the property.

Alderman Berg asked what would happen if the project were suspended. Mr. Grisa advised there is no risk and the easement would remain if approved. The developer has a responsibility to construct the water main and dedicate it to the City upon completion. The City would charge for the inspection costs.

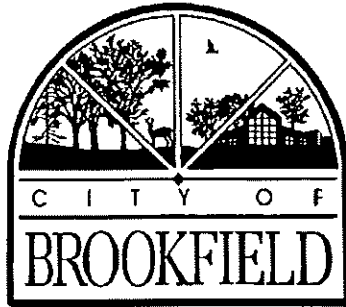
Motion by Alderman Mellone, seconded by Alderman Carnell to approve the Perpetual Water Main Easement – Village of Elm Grove. Motion carried 5-0.

Adjournment

Motion by Alderman Berg, seconded by Alderman McCarthy to adjourn the Water & Sewer Board meeting. Motion carried 5-0. Meeting adjourned at 7:18 pm.

Minutes respectfully submitted by Carolyn Megal, Administrative Assistant

Item Sa



DIRECTOR OF PUBLIC WORKS
Thomas M. Grisa, P.E.
2000 North Calhoun Road
Brookfield, Wisconsin 53005-5095
(262) 782-9650 FAX (262) 782-1323

MEMORANDUM

TO: Common Council

FROM: Tom Grisa

SUBJECT: Primary Clarifier Rehabilitation project

DATE: April 9, 2020

The attached resolution awards the construction contract to Staab Construction Corporation for rehabilitation of the primary clarifiers at the Fox River Water Pollution Control Center. Five bids were received as outlined in the award recommendation memo from Donohue & Associates, Inc., the City's design consultant for this project. After careful scrutiny of each bid Donohue and we recommend award of a contract to Staab Construction Corporation perform this work for their bid price of \$787,000.

The City had budgeted \$1,510,000 for this project.

RESOLUTION # _____ OF THE CITY OF BROOKFIELD, WISCONSIN

Committee: Water and Sewer Board
Committee Date: April 14, 2020
Committee Recommendation:

Public Hearing: n/a
Council Date:
Council Action:

Award of FRWPCC Primary Clarifier Rehabilitation project #WW-20-02

WHEREAS, the Water and Sewer Board received five bids on April 9, 2020 for the FRWPCC Primary Clarifier Rehabilitation project #WW-20-02, and

WHEREAS, the values of the bids received are shown on the sheet attached hereto, and

WHEREAS, the Water and Sewer Board has duly determined that the lowest responsible bidder was from Staab Construction Corporation in the amount of \$787,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Brookfield that the contract for the FRWPCC Primary Clarifier Rehabilitation project is hereby awarded to Staab Construction Corporation in the amount in the amount of \$787,000.00, and

BE IT FURTHER RESOLVED, that the proper city official(s) be hereby authorized and directed to carry out the council's action.

Adopted this [insert day] day of [insert month], [insert year].

Approved:

[Signature box for Mayor Steven V. Ponto]

Mayor Steven V. Ponto

Attested:

[Signature box for City Clerk Kelly Michaels]

City Clerk Kelly Michaels



April 9, 2020

Mr. Thomas M. Grisa
 Director of Public Works
 City of Brookfield
 2000 North Calhoun Road
 Brookfield, WI 53005-5095

Re: Letter of Recommendation and Contract Award
 Fox River Water Pollution Control Center
 Primary Clarifier Rehabilitation Project
 Project No. WW-20-02

Dear Mr. Grisa,

According to the Official Notice to Bidders, sealed bids for the above-referenced project were received on Thursday, April 9, 2020 at 10:00 a.m. and then opened and read aloud. Copies of the submitted bids were made and forwarded to Nathan Cassity (Donohue) for further review. Five bids were received. The Bid Tabulation is provided in the table below. Donohue reviewed the bids and has found no errors in the way they were filled out and completed.

Bid Tabulation					
Bid Opening	1	2	3	4	5
Company Name	Staab	FabTech	Sabel Mechanical	August Winter	RebuildIt
Lump-Sum Base Bid Price (\$)	\$787,000	\$836,000	\$980,130	\$1,192,200	\$1,216,457
Injection Grout Unit Price (\$/LF)	\$125	\$80	\$60	\$96	\$57
Signed Addenda (1 issued)	Yes	Yes	Yes	Yes	Yes
Bid Security	Yes	Yes	Yes	Yes	Yes
Subcontractor Listing Provided	Yes	Yes	Yes	Yes	Yes
Bid Executed	Yes	Yes	Yes	Yes	Yes

The low bid was submitted by Staab Construction Corporation of Marshfield, WI, in the amount of \$787,000. Donohue’s opinion of the probable construction cost for the project was \$1,310,000. The low bid amount was approximately \$500,000 (38%) lower than our estimate of probable construction cost.

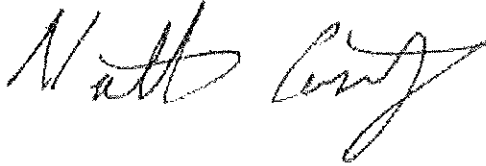
It is our opinion that the low bidder, Staab Construction Corporation, submitted a responsive bid and is also qualified and capable of performing the work as specified. It is therefore Donohue’s recommendation to award the project to Staab Construction Corporation for \$787,000.

We are presenting this evaluation and recommendation for your review and consideration and will be pleased to answer any questions you have concerning the information provided herein.

Mr. Tom Grisa
Page 2 | April 9, 2020

If all is acceptable to you, and after a contract award is made, please sign and date the attached Notice of Award and scan and e-mail it back to me.

Sincerely,

A handwritten signature in black ink, appearing to read "Nathan Cassity". The signature is fluid and cursive, with the first name "Nathan" written in a larger, more prominent script than the last name "Cassity".

Nathan Cassity, P.E.
Project Manager

Enclosures: Notice of Award

Copy: Rick Wenzel, Brookfield
Ryan Holzem, Donohue

NOTICE OF AWARD

DATED: April 22, 2020

TO: Staab Construction Corporation
1800 Laemle Avenue
Marshfield, WI 54449

CONTRACT:

City of Brookfield
Fox River Water Pollution Control Center
Primary Clarifier Rehabilitation Project
WW-20-02

You are notified that your Bid dated April 9, 2020 for the above Contract has been considered. You are the apparent Successful Bidder and have been awarded a Contract for providing the total Work of the Contract.

The Contract Price of your Contract is Seven Hundred Eighty Seven Thousand Dollars (\$787,000).

One PDF copy of the proposed Contract Documents (except Drawings) accompany this Notice of Award.

You must comply with the following conditions precedent within 15 days of the date of this Notice of Award, which is by May 7, 2020.

1. Deliver to the Owner PDF files of the fully executed counterparts of the Contract Documents. The Contract Documents must bear your signature on the appropriate page of the Agreement.
2. Deliver with the executed Contract Documents the Performance Bond as specified in the Contract Documents.
3. Deliver with the executed Contract Documents the certificates of insurance (with a copy to each additional insured) which you are required to purchase and maintain in accordance with the Contract Documents.

Failure to comply with these conditions within the time specified will entitle Owner to consider your Bid in default, to annul this Notice of Award, and to declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

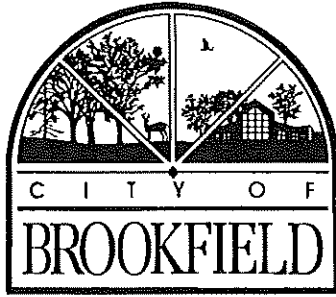
City of Brookfield

(OWNER)

(AUTHORIZED SIGNATURE)

(TITLE)

Copy: Engineer



ENGINEERING DEPARTMENT

2000 N. CALHOUN ROAD

BROOKFIELD, WI 53005

Ph. 262.787.3919 Fax. 262.782.1323

MEMO

TO: BOARD OF PUBLIC WORKS
 FROM: Dan Erickson, P.E. - Project Manager
 SUBJECT: Award of 2020 Water Main Relay, Project No. W-20-02
 DATE: April 9, 2020

Requested Action: Staff recommends that the Common Council award the 2020 Water Main Relay to Wood Sewer and Excavating, Inc. in the amount of \$1,923,238.

Fiscal Impact:	Construction Contract	\$ 1,923,238.00
	Engineering & Survey (8%)	153,900.00
	Inspection (6%)	115,400.00
	Project Administration (1.5%)	28,900.00
	<u>Contingency (3%)</u>	<u>57,762.00</u>
	TOTAL	\$ 2,279,200.00

Source of Funds:	CIP Account No. 50198009 703920 W2099	\$ 2,000,000
	Water Utility Reserve Fund	\$ 279,200
	(2020 Replace Failing Water Mains)	
	TOTAL	\$ 2,279,200

Rationale: This project includes the construction of approximately 9,900 feet of 8-inch water main located in the southeastern corner of the City (see attached map). This project is part of the City's on-going water main replacement program.

Work History: Wood Sewer and Excavating, Inc. previously worked on the 2018 Water Main Relay project. Wood Sewer and Excavating, Inc. completed the contract according to the contract documents. There was a few issues with them wrapping up prior to the contract completion date.

EXHIBIT "A"

2020 Water Main Relay
W-20-02



Bid Opening Date: April 2, 2020
Engineer's Estimate: \$ 2,241,660.00

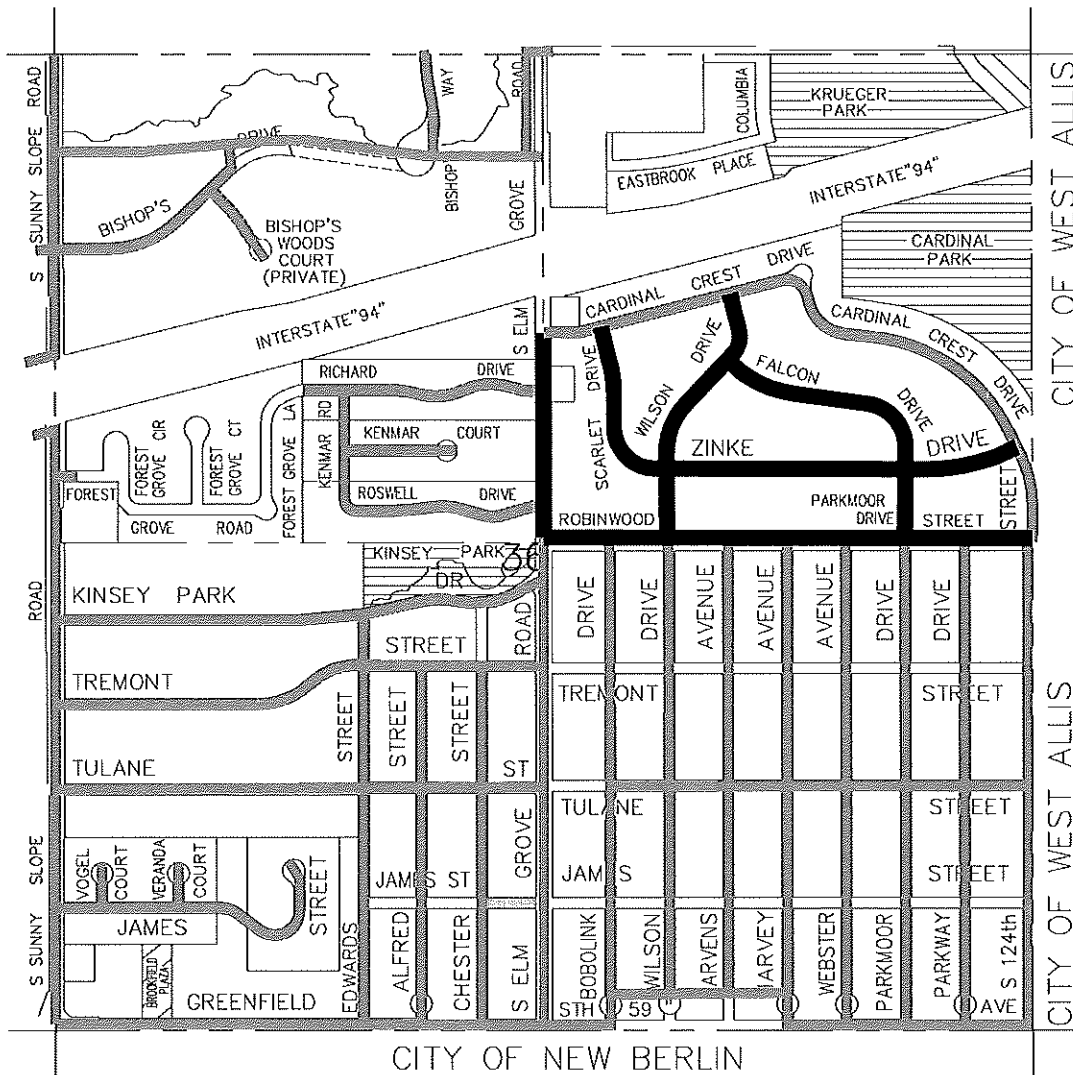
Bid Tabulation:

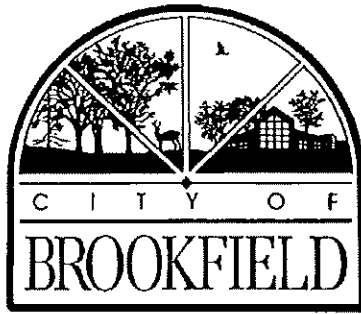
CONTRACTOR	BID
1. Wood Sewer & Excavating, Inc.	\$1,923,238.00
2. UPI Construction, LLC	\$1,998,462.00
4. MJ Construction, Inc.	\$2,058,186.00
5. PTS Construction, Inc.	\$2,162,447.00
6. Globe Contractors, Inc.	\$2,238,516.00
7. Advance Construction, Inc.	\$2,316,676.00
8. American Sewer Services, Inc.	\$2,372,280.00
9. Mid City Corporation	\$2,777,169.00

CITY OF BROOKFIELD

2020 WATERMAIN RELAY

-  EXISTING WATERMAIN
-  PROPOSED WATERMAIN





ENGINEERING DIVISION

2000 North Calhoun Road
Brookfield, Wisconsin 53005-5095
(262) 782-9650 FAX (262) 782-1323

MEMORANDUM

TO: Water and Sewer Board

FROM: Natalie Schneider, P.E. *NKS*
Project Engineer

DATE: April 8, 2020

SUBJECT: **Perpetual Water Main Easement**
North Shore Bank, 15830 W Capitol Drive

As part of the approved construction plans for a water main extension being constructed by the developer, **North Shore Bank** for a branch redevelopment, located at 15830 W Capitol Drive, an easement is needed for the construction and perpetual maintenance of the water main being constructed by the developer.

The attached easement document and resolution provide for the acceptance of this easement.

Staff recommends approval of the resolution and the attached Perpetual Water Main Easement document.

RESOLUTION NO. _____ of the WATER & SEWER BOARD		
Committee Date: April 14, 2020	Committee Action:	
Resolution to approve a perpetual water main easement for water main for North Shore Bank located at 15830 W Capitol Drive.		
Public Hearing:	Date Introduced:	Council Action:

WHEREAS, it is in the best interest of the City of Brookfield to approve a Perpetual Water Main Easement for water main for the North Shore Bank located at 15830 W Capitol Drive, and

WHEREAS, the City of Brookfield Water & Sewer Board considered a Perpetual Water Main Easement for water main for the North Shore Bank located at 15830 W Capitol Drive at its meeting held on April 14, 2020 and recommends approval thereof, now therefore

BE IT RESOLVED, by the Common Council of the City of Brookfield that approve a Perpetual Water Main Easement for water main for the North Shore Bank located at 15830 W Capitol Drive, and

BE IT FURTHER RESOLVED, that the proper city official(s) be hereby authorized and directed to carry out the council’s action (if required).

Adopted by the Common Council this _____ day of _____, 2020.

Approved:

Attested:

Steven V. Ponto, Mayor

Kelly Michaels, City Clerk

PERPETUAL WATER MAIN EASEMENT
CITY OF BROOKFIELD, WISCONSIN

This indenture made this 20th day of March, 2020, by and between North Shore Bank, FSB, Grantor, and the City of Brookfield, a municipal corporation located in Waukesha County, Wisconsin, hereinafter referred to as the "City",

WITNESSETH:

WHEREAS, Grantor owns certain real property (Property) located in the City and legally described as: Being all of Parcel 1, Certified Survey Map Number 8100 as recorded in the Waukesha County Register of Deeds Office as Document Number 2151889 in Volume 70, Pages 205 thru 210, being part of the Southeast 1/4 of the Southeast 1/4, Section 3, Township 7 North, Range 20 East, City of Brookfield, Waukesha County, Wisconsin

also known by Tax Key Number BR C1020128001:

WHEREAS, subject to the terms of this indenture, the City desires to acquire a permanent and perpetual exclusive water main easement as shown on the attached Exhibit A with the limited and non-exclusive right of entry in and across the Property.

NOW, THEREFORE, in consideration of good and valuable consideration, receipt of which is hereby acknowledged and the conditions specified herein, Grantor grants and conveys unto City a permanent and perpetual exclusive water main easement for the construction, operation, use, maintenance, repair, and reconstruction of a water main in the City of Brookfield, Waukesha County, Wisconsin, through the following easement area:

SEE ATTACHED EXHIBIT "A"

UNDER THESE CONDITIONS:

1. It is an express condition of the grant of this permanent and perpetual exclusive water main easement that so much of the surface or sub-surface of the soil, including any driveway or parking lot pavement constructed across such easement, as may be disturbed in the construction, operation, use maintenance, repair, and reconstruction of such water main will, at the expense of the City, be replaced in substantially the same condition as it at the time this instrument is signed or may be at the time of disturbance, with the exception of replanting disturbed trees or landscaping within the easement, and the acceptance of this permanent and perpetual exclusive easement by the City and the installation or construction of the water main shall constitute an express acceptance by City of this condition to the grant of this easement.

2. Subject to the terms of this indenture, Grantor consents to the entry on, over, under, and across the easement area by the servants, employees, workmen, agents or independent contractors of City for and incidental to the construction, operation, use, maintenance, repair, and reconstruction of such water main, but reserves to Grantor the right to make such use of the land included in said permanent and perpetual exclusive easement which will not disturb or interfere with such water main or prevent ingress or egress thereto for the purpose of construction, operation, use, maintenance, repair, and reconstruction thereof. Notwithstanding the exclusivity of the easement, WE Energies' may maintain and modify their improvements and ongoing operations for the gas facilities at their current location and as shown on Exhibit A; any excavation or facilities placement or modification by WE Energies requires permits and registration pursuant to Title 12 of the Brookfield Municipal Code. City shall, except in the case of emergency, make reasonable efforts to notify Grantor before entering upon the Property. All work performed by Grantor pursuant to this Indenture will be performed in a safe, proper, lien-free and workmanlike manner. City shall use reasonable efforts to minimize disruption to Grantor's use of the Property.

3. After the date hereof, construction of buildings, stoops, walls, fencing or permanent structures of any kind within the easement area is prohibited. Parking areas are expressly permitted within the easement area. Utilities that cross through the easement area are permitted, upon the written consent of the City Engineer, whose consent shall not be unreasonably withheld.

4. The Grantor shall submit plans for review and approval by the Director of Public Works of the City, or his designee, which approval shall not be unreasonably withheld, conditioned or delayed, for any proposed improvement, alteration, including the placement of trees and shrubs, that Grantor would like to complete in the easement area after the date hereof. City review will be limited to compliance with City ordinances and preventing interference with the construction, operation, use, maintenance, repair, and reconstruction of the water main.

5. This indenture shall run with the Property, and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, administrators, successors and assigns.

[Signatures follow on next page]

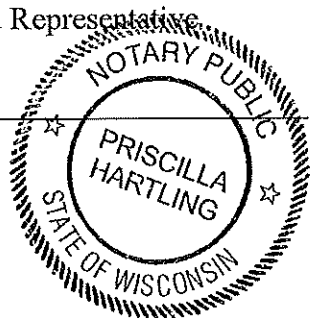
IN WITNESS WHERE OF Grantor has executed this indenture the day and year first above written.

GRANTOR: North Shore Bank, FSB

By: [Signature]
David Kane, Authorized Representative

Title: Vice President

STATE OF WISCONSIN)
) SS.
Waukesha COUNTY)



Personally came before me this 20 day of March, 2020, the above named David Kane to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

[Signature]
Notary Public
My Commission Expires: 5-9-21

Accepted Pursuant to the Authority of Common Council on the _____ day of _____, 2020.

Steven V. Ponto, Mayor

Kelly S. Michaels, City Clerk

EXHIBIT A

CITY OF BROOKFIELD EXHIBIT "A"

PLAT OF A PERPETUAL 30.00 FOOT WATER MAIN EASEMENT

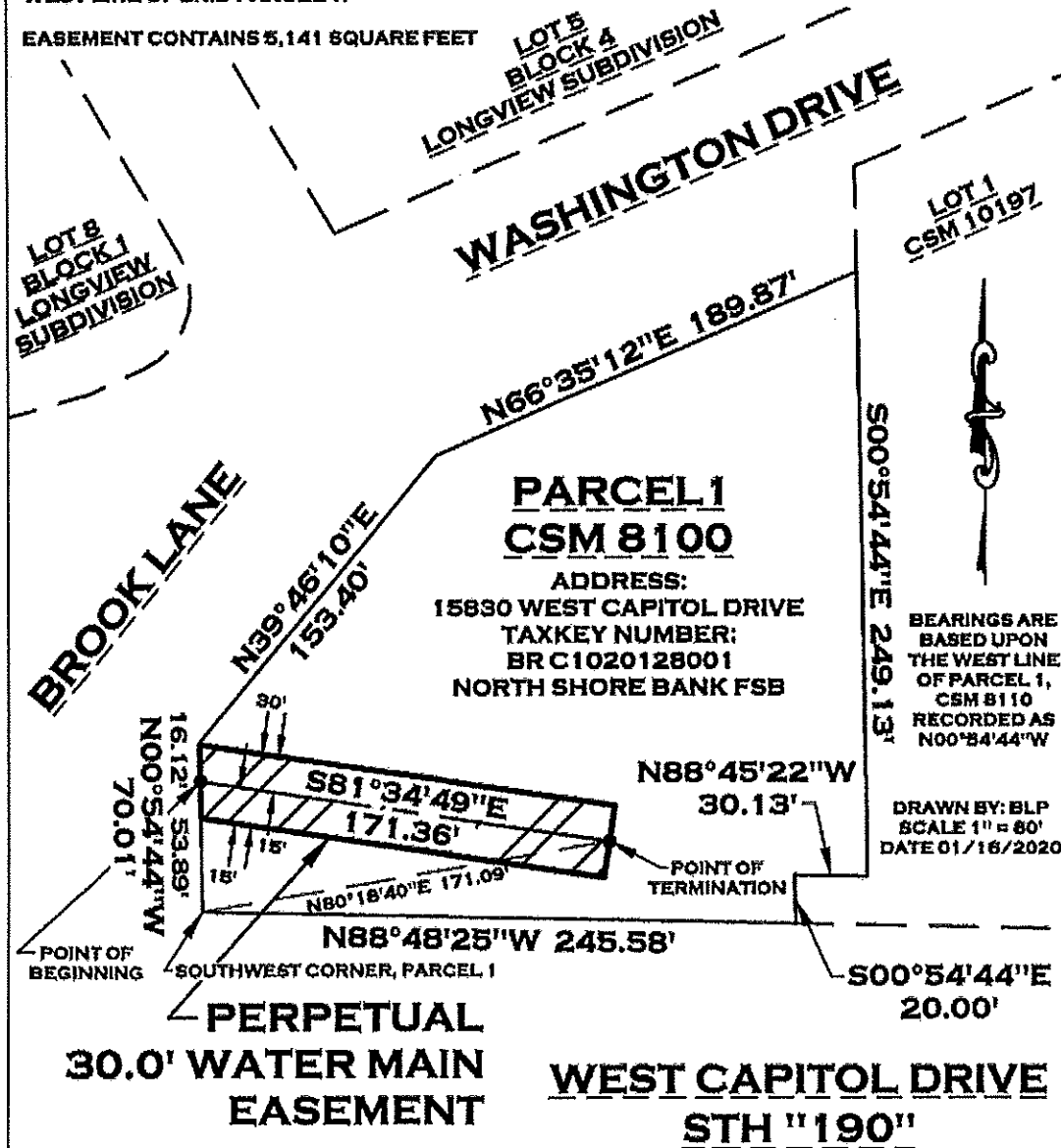
LOCATED IN PART OF PARCEL 1 OF CERTIFIED SURVEY MAP NUMBER 8100 AS RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE AS DOCUMENT NUMBER 2151889 IN VOLUME 70, PAGES 205 THRU 210, BEING PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 3, TOWNSHIP 7 NORTH, RANGE 20 EAST, CITY OF BROOKFIELD, WAUKESHA COUNTY, WISCONSIN, LYING 15.00 FEET ON EACH SIDE (30.00 FOOT TOTAL WIDTH) OF THE EASEMENT REFERENCE LINE DESCRIBED BELOW:

LEGAL DESCRIPTION: (NORTH SHORE BANK FSB)

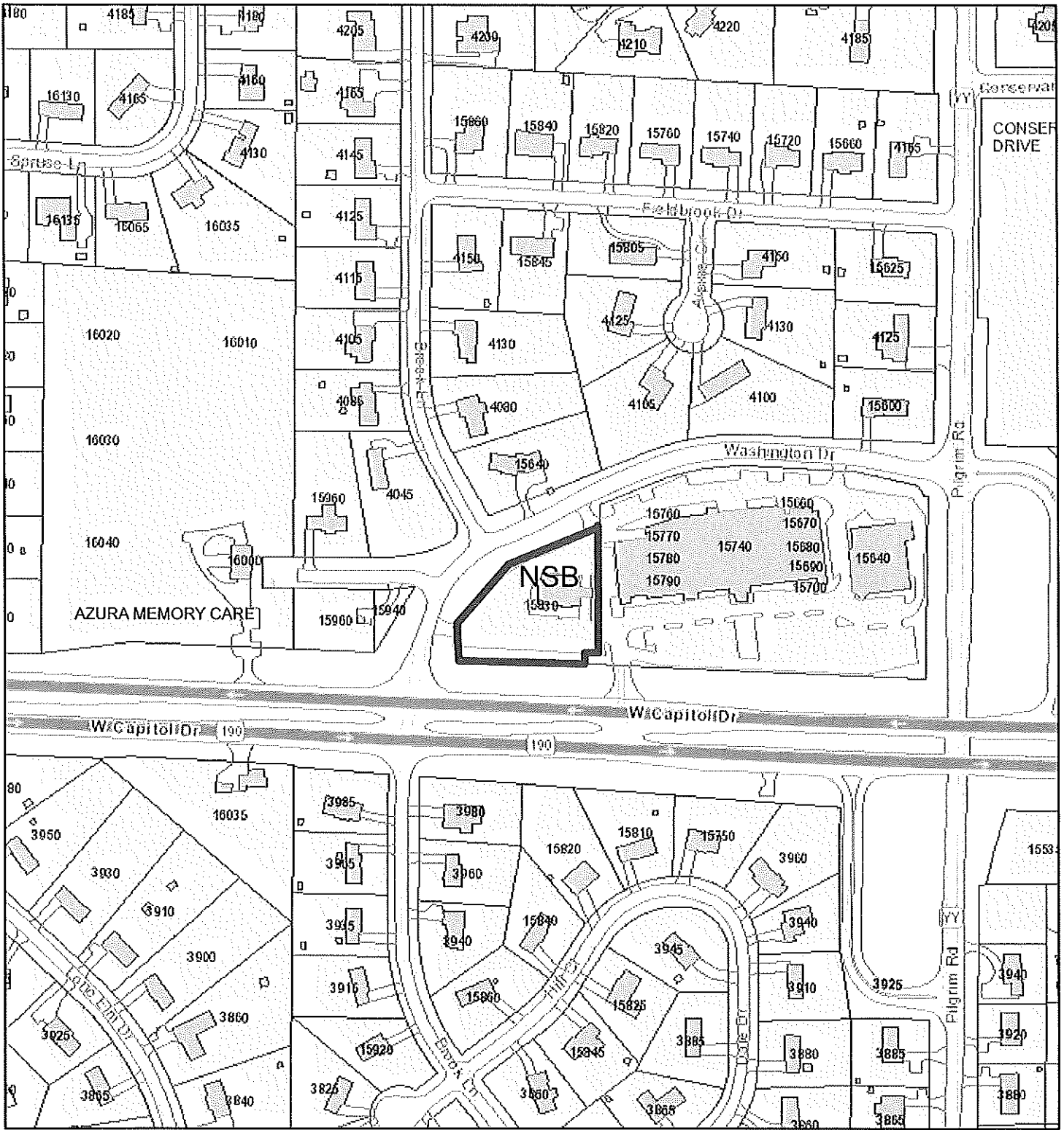
COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL 1; THENCE $N00^{\circ}54'55''W$, 53.89 FEET ON THE WEST LINE OF SAID PARCEL 1 TO SAID EASEMENT REFERENCE LINE, THE POINT OF BEGINNING; THENCE $S81^{\circ}34'49''E$, 171.36 FEET ON SAID EASEMENT REFERENCE LINE TO THE POINT OF TERMINATION, SAID POINT OF TERMINATION BEING $N80^{\circ}18'40''E$, 171.09 FEET FROM THE POINT OF COMMENCEMENT.

THE SIDELINES OF SAID 30.00 FOOT EASEMENT EXTEND AND SHORTEN TO INTERSECT WITH THE WEST LINE OF SAID PARCEL 1.

EASEMENT CONTAINS 5,141 SQUARE FEET



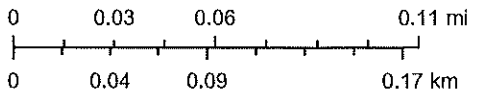
Location Map



4/9/2020, 3:38:43 PM

1:4,514

- Parcels
- Building
- Driveway
- Parking
- Roads



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community