

**City of Oconomowoc  
Common Council**

**Tuesday, April 04, 2023 - 7:30 PM  
City Hall - Council Chamber  
174 E. Wisconsin Ave. Oconomowoc, WI 53066**



**Notice:** If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call the City Clerk's office at least 48 hours in advance to request adequate accommodations. Tel: (262) 569-2186

**1. Call to Order and Confirmation of Appropriate Meeting Notice**

**2. Pledge of Allegiance**

**3. Roll Call**

**4. Approval of Meeting Minutes**

a. Minutes of March 21, 2023

**5. Comments/Suggestions from Citizens**

**6. Committee Reports**

a. Public Services - Kowieski, Chr; Ellis, Secy; Mulder

1. Consider/act on Resolution 23-R3114 Awarding Construction Management Contract for 2023 Street Maintenance Projects
2. Consider/act on Resolution 23-R3120 Awarding Additional Design Engineering Cost for the 2021 Olympia Fields Phase Two Project
3. Consider/act on Resolution 23-R3121 Awarding Additional Construction Management Cost for the 2021 Olympia Fields Phase Two Project

**7. Staff Reports**

**8. Reports and Comments from the Aldermen**

**9. Reports and Comments from the Mayor**

**10. Adjourn**

# City of Oconomowoc Common Council Meeting Minutes March 21, 2023 - 7:30 PM



**Aldermen Present:** Lou Kowieski, Chris Douglas, Matt Rosek, Jennifer Aultman Kloth, Kevin Ellis, Karen Spiegelberg, Matt Mulder, Charles Schellpeper

**Also Present:** Robert Magnus, Diane Coenen, Robert Duffy, Kevin Freber, Mark Frye, Jason Gallo, Gracie Naker (*Left at 8 PM*), Scott Osborn, James Pfister, Joe Pickart, Ivan Lam, Stan Riffle

Mayor Magnus called the Common Council Meeting to order at 7:30 PM.

## Pledge of Allegiance

## Roll Call

## Approval of Meeting Minutes

### a. Minutes of March 7, 2023

Motion to approve the Council minutes of March 7, 2023 made by Mulder and seconded by Aultman Kloth.

Motion carried 8-0-0.

## Comments/Suggestions from Citizens

### a. Marketing Intern Projects Update - Gracie Nacker

Nacker gave a PowerPoint presentation. Council suggested the salary for future marketing interns should come from the tourism budget.

### b. Fentanyl Awareness Update - Alderman Kowieski

Kowieski gave a PowerPoint presentation and passed out several posters for Council to look at stating Tool Kits are available and free to get. He also stated the City will receive 5 boxes of narcan for City buildings, there will be a County press release on May 9<sup>th</sup> highlighting the City's participation in the fentanyl crisis as well as overall County efforts. SOFA has Bags of Hope to provide to families with a recent OD or drug intervention which contain Narcan, Test Strips, information on treatment, grief counseling and assistance for recovery. Frye will also receive 20 narcan doses and 20 Bags of Hope from John Kettler. Future Events and Programs creating awareness: Jump for Archie on May 13<sup>th</sup>; 988/5K Suicide Prevention walk/run on June 17<sup>th</sup>; Twist & Shout for Awareness with the DockHounds on August 5<sup>th</sup> and this event is looking to break the Guinness world record of 3,040 twisters so we need 3,041 people to come and twist; Recovery Softball Tourney will be held in September; and It's a Wonderful Life movie event in Nov/Dec and monthly grief counseling. Magnus stated he has asked Kowieski to be the City's lead for this effort and campaign.

**Public Comment:** 1) Lynne Wright, 707 Marigold St asked the City to get the word out regarding the rescheduled date of March 30<sup>th</sup> for the Public Education Session in regards to municipal finances and funding sources and the financial impact to residents. She noted that there will be referendum questions on the April 4<sup>th</sup> ballot, asked when the Rockwell Partners project will be discussed publicly and asked Council to put information in the papers about the Oconomowoc Pkwy expansion. She also asked why the City spends dollars on advertising for entertainment when there are pot holes to be filled.

2) Owen, Box 254 Nashotah urged people to get out to vote, vote no on the school referendums and talked about school district spending; how they are spending it; and students scoring below the

standard reading level.

**Consent Agenda (Items listed under the Consent Agenda are considered in one motion - a Council member may request to remove an item):**

Motion to approve the Consent Agenda made by Kowieski and seconded by Aultman Kloth.

Motion carried 8-0-0.

**a. Licenses**

**1. License Approvals**

**b. Treasurer's Report**

**1. Treasurer's Report and Financials - February 2023**

**Committee Reports**

**a. Finance - Mulder, Chr; Schellpeper, Secy; Spiegelberg**

**1. Consider/act on Resolution 23-R3103 Authorizing Application to Participate in the WI DNR Land & Water Conservation Fund Grant for Oconomowoc Rotary Splashpad and Lake Country Trailhead at Roosevelt Park**

Motion to adopt Resolution 23-R3103 authorizing application to participate in the WI DNR Land Water Conservation Fund Grant for Oconomowoc Rotary Splashpad and Lake Country Trailhead at Roosevelt Park made by Kowieski and seconded by Aultman Kloth.

Motion carried 8-0-0.

**b. Public Services - Kowieski, Chr; Ellis, Secy; Mulder**

**1. Consider/act on Resolution 23-R3111 Awarding the Municipal Garage Roof Replacement Contract**

Motion to adopt Resolution 23-R3111 awarding the Municipal Garage Roof Replacement Contract to HIS LLC in the amount of \$18,358.50 plus a 10% Contingency made by Mulder and seconded by Douglas.

Motion carried 8-0-0.

**2. Consider/act on Resolution 23-R3112 Awarding 2023 Street Improvement Program Contract**

Motion to adopt resolution 23-R3112 awarding 2023 Street Improvement Program to Wolf Paving in the amount of \$2,999,022.76 plus a 10% Contingency made by Kowieski and seconded by Rosek.

Motion carried 8-0-0.

**c. Utility - Rosek, Chr; Mulder, Secy; Ellis**

**1. Consider/act on Resolution 23-R3110 Awarding Engineering Design Services Contract for Replacement of City Owned Section of the Mary Lane Force Main**

Motion to amend Resolution 23-R3110 awarding Engineering Design Services Contract for replacement of City owned section of Mary Lane Force Main to Applied Technologies in the amount of \$175,755.00 plus a 10% Contingency made by Rosek and seconded by Aultman Kloth.

Motion carried 8-0-0.

**Plan Commission**

**a. Consider/act on Certified Survey Map for Momentum Early Learning Daycare to Combine**

**Two Lots into One, Located West of STH 67, North of Delafield Road and South of Blue Ribbon Drive**

Motion to approve the CSM for Momentum Early Learning Daycare to combine two lots into one, located west of STH 67, north of Delafield Rd and south of Blue Ribbon Dr made by Kowieski and seconded by Rosek.

Brandon Miller, applicant was asked about the capacity of the daycare and he replied 200-250 children and 50-60 employees. He also stated there will be two other tenants in the building, one is a garage and the other is possibly a restaurant or dance studio.

Motion carried 8-0-0.

**New Business**

**a. Consider/act on Ordinance 23-O1042 to Repeal Section 1.47 of the City of Oconomowoc Municipal Code Regarding the Technology Committee - 1st Reading**

Motion to adopt the ordinance and waive the second reading made by Spiegelberg and seconded by Rosek.

Motion carried 8-0-0.

**b. Consider/act on Resolution 23-R3109 Awarding Contract Amendment for Design Modifications (Iron Filter) and Construction Administration Services for Well #8 Pumping Station**

Motion to adopt Resolution 23-R3109 awarding contract amendment for design modifications (Iron Filter) and Construction Administration Services for Well #8 Pumping Station with Strand Assoc. in the not-to-exceed amount of \$291,500 made by Kowieski and seconded by Spiegelberg.

Motion carried 8-0-0.

**c. Consider/act on Resolution of Necessity 23-R3113 for Acquisition of Easements and Restrictive Covenants (Aldi's - 1521 Olympia Fields Drive)**

Motion to adopt Resolution of Necessity 23-R3113 for acquisition of easements and restrictive covenants from Aldi's at 1521 Olympia Fields Dr made by Rosek and seconded by Kowieski.

Riffle referenced a previous property owner in the Olympia Fields redevelopment area (Flemings) who did not relinquish their easements, which had impediments to the project as the City made several improvements that encroached on the easements. This is the first step in eliminating the easements at Aldi's which is identical to the what the City did with the Fleming easements.

Motion carried 8-0-0.

**Reports and Comments from the Aldermen**

Kowieski thanked Freber and Osborn for their leadership, providing exceptional information and taking care of the City in their respective areas. He thanked Coenen for going above and beyond for the City adding you are great at what you do. He urged people to vote.

**Reports and Comments from the Mayor**

Magnus announced fire and police have been dispatched to Lake Country Inn for a possible fire; Nacker will be leaving the City's employment in April and he urged people to vote.

**Adjourn**

Motion to adjourn made by Kowieski and seconded by Aultman Kloth.

Motion carried 8-0-0.

The meeting adjourned at 8:44 PM.

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Minutes taken by Diane Coenen, City Clerk



# MEMORANDUM

## PUBLIC WORKS

Date: April 4, 2023  
To: Common Council  
From: Jason Herzog - Director of Public Works  
Re: Consider/act on Resolution 23-R3114 for 2023 Streets Construction Management

## RELATES TO THE STRATEGIC PLAN

Strategic Plan:  
Section II: Improve and Maintain Our Infrastructure and Facilities  
Part B: Maintain Our Existing Infrastructure

## BACKGROUND

On March 21, Wolf Paving was awarded the construction contract for the 2023 Streets Projects. The awarded bid amount of \$3,285,610.64 includes the 10% contingency.

The design engineer, Ayres Associates, as part of their work, provided the estimated hours for Construction Management. A Request for Proposals (RFP) was completed with the hours assigned to the Construction Management (CM) tasks. The RFP was specified to be a Not-to-Exceed proposal for the following tasks.

Task 1 Construction Management Services  
Use 250 hours for an anticipated 23 week construction time for the project.

Task 2 Construction Inspection Services  
Use 1000 hours for the primary person and 400 hours for the second.

Task 3 Construction Survey Services  
Use 100 hours for survey data preparation and for construction staking.

Task 4 Record Drawing Information  
There are no assigned hours for this as it is incidental to the inspection services.

Task 5 Miscellaneous Items and Administrative  
Provide a listing of administrative costs and any items not specified in tasks 1 through 3 that your firm normally provides for construction management projects.

## ADDITIONAL ANALYSIS

The RFP was advertised through an online advertising platform shared throughout the country for targeted work and sent requests to all local firms. A single proposal from Ruekert Mielke was submitted for consideration on March 23, 2023. Their proposal was reviewed and rated according to the standard City Scoring policy to verify the firm can provide the services requested. The information regarding our review and scoring of

the proposal received is shown below. Many of the other local firms that provide these services were contacted as follow up, and the typical response was they are all having trouble supporting the demand of the industry workload and current staffing.

Ruekert & Mielke has outlined a strong construction manager & inspection team that has worked on a number of City projects in the past with good results.

**FINANCIAL IMPACT**

<b>City of Oconomowoc</b>									
<b>2023 Streets Construction Management</b>									
<b>April 4, 2023</b>									
<b>Technical Score</b>									
	<b>Total Points</b>	<b>Average Points</b>	<b>Rank</b>						
Ruekert and Mielke	178	89.0	1						
Total Possible Points	200	100.0							
<b>Average Technical Score with Pricing Factor</b>									
	<b>Compliance with the RFP</b>	<b>Quality of the Response</b>	<b>Services to be Provided</b>	<b>Qualifications and Experience</b>	<b>Contract Cost Points</b>	<b>Total Points</b>	<b>Proposal Cost</b>	<b>% Cost Points</b>	<b>Rank</b>
Ruekert and Mielke	14.0	13.0	27.0	35.0	25.0	114.0	\$ 197,530.00	100%	1

Based on our technical review Ruekert & Mielke, did score well against the City Standard Scoring System to ensure compliance.

Ruekert & Mielke, with a proposal cost of \$197,530 is within the engineer’s estimate and is being recommended for the project. As per City policy, we are also requesting a 10% contingency of \$19,753.00 for a total cost of \$217,283.00. This is a Not-to-Exceed price proposal based on estimated hours with any cost exceeding \$217,283.00 requiring Common Council approval.

Using the construction bid allocations, the cost for each depart is as follows:

Streets	408.505.5300.210 422501.02	\$167,530.00
Streets Contingency	408.505.5300.210 422501.04	\$16,753.00
Wastewater	601.573.7000.210.122002	\$11,000.00
Water	602.573.7000.210.222009	\$22,000.00

**RECOMMENDATION**

**Suggested Committee Recommendation:** Motion to recommend to the Common Council acceptance of the proposal from Ruekert & Mielke as outlined in this memo.

**SUGGESTED MOTION**

**Suggested Common Council Motion:** Motion to approve Resolution 23-R31114.

**RESOLUTION NO. 23-R3114**

**RESOLUTION AWARDING CONSTRUCTION MANAGEMENT SERVICES FOR 2023 STREET MAINTENANCE PROJECTS**

**WHEREAS**, construction management services are required for the 2023 Street Maintenance Projects; and

**WHEREAS**, Department of Public Works representatives prepared a Request for Proposal advertisement, published the same, and based thereon received one proposal; and

**WHEREAS**, City Staff followed Procurement Policy for professional services and used a combined approach to evaluate the proposal by weighting 80% of the points for the technical evaluation and 20% for cost, so cost is incorporated as a factor; and

**WHEREAS**, the proposal received was reviewed for compliance with the RFP and scored by the Director of Public Works and Assistant Director of Public Works; and

**WHEREAS**, the proposal from Ruekert & Mielke to complete the construction management, construction inspection, construction survey and record drawing information for the 2023 Street Maintenance Program is \$197,530.00; and

**WHEREAS**, City staff and the Public Services Committee recommend that the proposal of Ruekert & Mielke for \$197,530.00 for construction management services for the 2023 Street Maintenance Program be accepted.

**NOW THEREFORE, BE IT HEREBY RESOLVED**, the proposal of Ruekert & Mielke for \$197,530.00 plus a 10% contingency of \$19,753.00 for a net cost of \$217,283.00 be and the same is hereby accepted, and appropriate City officials are authorized to enter into a contract with them for said work.

**BE IT FURTHER RESOLVED**, this is a Not-to-Exceed price proposal based on estimated hours with any cost exceeding \$217,283.00 requiring Common Council approval.

**BE IT FURTHER RESOLVED**, that the project cost will be allocated and charged to the following account numbers:

Streets	408.505.5300.210 422501.02	\$167,530.00
Streets Contingency	408.505.5300.210 422501.04	\$16,753.00
Wastewater	601.573.7000.210.122002	\$11,000.00
Water	602.573.7000.210.222009	\$22,000.00

DATED: April 4, 2023

CITY OF OCONOMOWOC

By: \_\_\_\_\_  
Robert P. Magnus, Mayor

ATTEST:

\_\_\_\_\_  
Diane Coenen, City Clerk

## PUBLIC WORKS

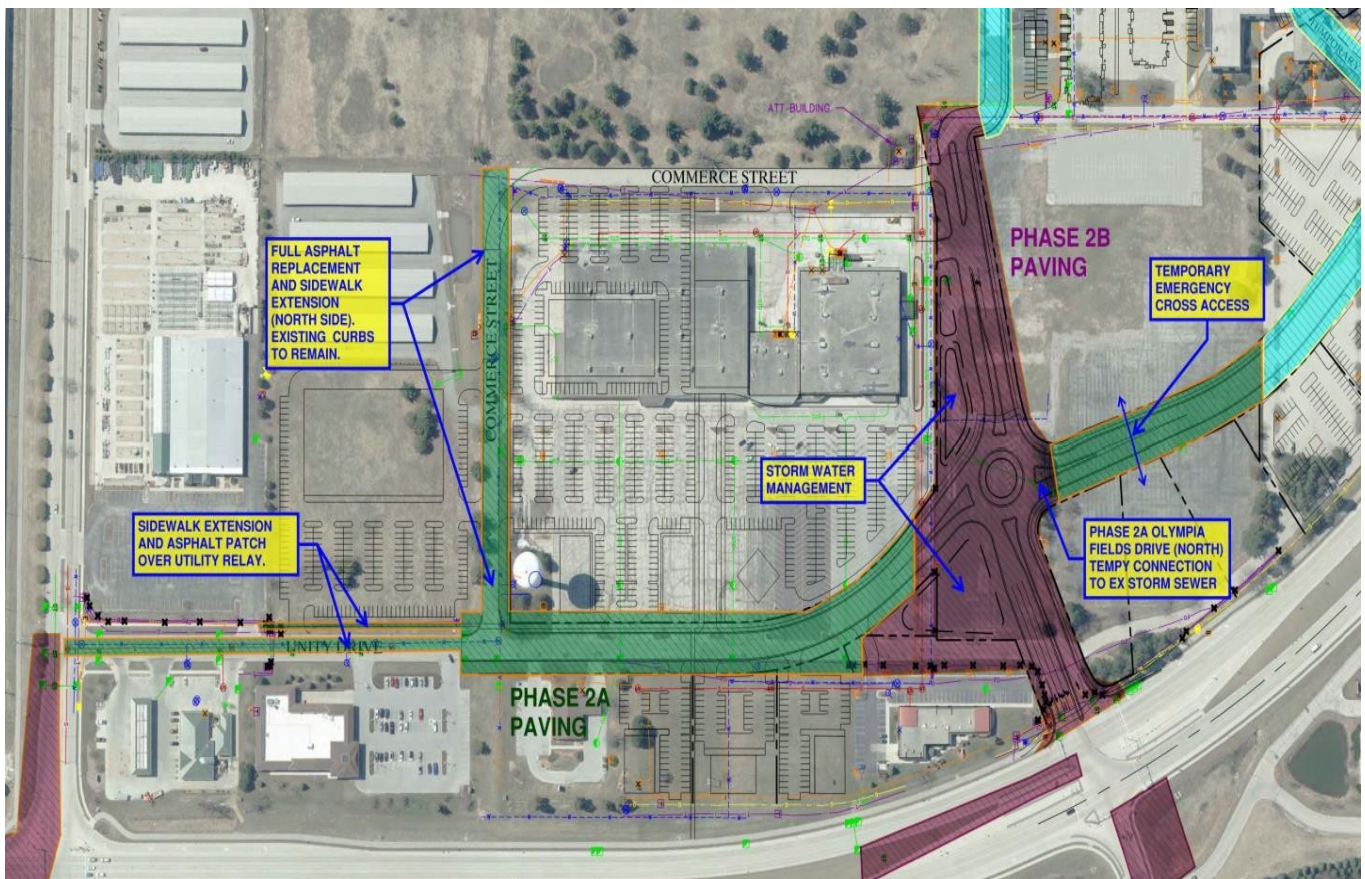
Date: April 4, 2023  
To: Common Council, Mayor and City Administrator  
From: Mark Frye, City Administrator  
Re: Consider/act on Resolution 23-R3120 for Olympia Fields Phase Two Added Design Engineering Costs

## RELATES TO THE STRATEGIC PLAN

Strategic Goal III  
(B) Plan for Future Growth Areas for Regional Development  
(2)(c) Facilitate and promote development of Olympia Fields

## BACKGROUND

On August 17, 2021, approval was given for raSmith to complete the design for the infrastructure and utilities to complete the \$5.9M Phase Two of the Olympia Fields project. The cost approved was \$371,000.00 plus a 10% contingency of \$37,100 for a net expense of \$408,100.00. Olympia Fields Phase Two design area is shown below.





There were three tasks, 5, 6 and 7, in the original scope of services that had an estimated allowances provided; there is no added cost for task 7. In addition to tasks 5 and 6 there is an added cost to complete the close out record drawings.

1. **Onsite Public Paving and Utility Construction Plans (outside STH 67 r/w)**
2. **STH 67 Improvements Construction Plans**
3. **STH 67 Improvements – Traffic Signal Construction Plans**
4. **Topographic Survey**
5. **Bidding and Construction** – It is understood that the City will be handling the bidding and construction administration of this project; however, we will provide assistance in answering technical questions during the bidding and construction process. This work will be time and expense with an estimated allowance.
6. **Meetings and Calls** – We anticipate a number of collaborative meetings with the City and design team to expedite the design and review, including scheduled twice a month meeting for eight months as well as additional meetings and calls to resolve issues. We also anticipate several meetings with WisDOT. This work will be time and expense with an estimated allowance.
7. **Exhibits** – Prepare exhibits as required, for easements, right-of-way acquisition, etc. if necessary.

## ADDITIONAL ANALYSIS

The gray highlighted item is the added close out item and the yellow are for tasks 5 and 6.

**Design:** Preparation of Utility Record Drawings

**Design:** Two additional punchlist / walk through visits with city and contractor. Provide input to the Construction Administration Engineer who is producing the punchlists.

**Design:** One field review of bioretention and median plantings for warranty purposes and produce a condition report.

**Design and Construction:** There were numerous conflicts with existing storm sewers and water mains that were not reflected in the plan set. This required redesign, project delays and additional survey, construction review and construction administration services not included in the original level of effort.

**Design and Construction:** During construction the Developer's engineer updated plans for adjacent private developments that required changes to public infrastructure that were not accounted for in the scope of services.

**Construction:** The construction estimate was based on the Road and Utility Construction Plan set Revision 2 (addendum plan set) plus plan revision sets no. 2 & 3. Road and Utility Construction plan revisions 4, 5 & 6 were issued after the date of the original estimate. In addition, plan revision no. 4 for the Wis 67 Improvements plan set for the DOT State Highway work was issued after the date of the original estimate. These plan changes resulted in additional survey, construction review and administration services.

**Construction:** No grades were provided for utilities on the electrical drawings as it was assumed that they would be buried at a specified depth and location behind the proposed curb. However, during construction it was determined that Oconomowoc Utilities needed to get power to the proposed Sendik's Food Market prior to the road work grading and curb installation. Therefore, R/M was required to calculate grades and stake out the electrical prior to the road grading. This effort for additional survey, construction review and administration services was not accounted for in the original scope of work.

**Construction:** The relocation and removal of existing private utilities (cable, fiber, telephone, gas) was not included in the original scope of work. However, many of these utilities were not removed prior to construction and additional live utilities caused conflicts with the proposed work. R/M was required to coordinate removal or

redesign around these utilities and included survey, construction review and construction administration staff hours.

**Construction:** A major gas line conflict at the STH 67 entrance to the development caused several weeks of project delays and out-of-scope work from City Staff, R/M staff and the Contractor. This also caused the Contractor to work multiple weekends that were not accounted for in the original project scope or level of effort.

**Design and Construction:** All of the items listed above made for a more complicated project. This required added time to work with the contractor on site which was not anticipated at the time of the design and construction management proposals.

## FINANCIAL IMPACT

A proposal was received from raSmith in the amount of \$30,000.00 for the additional cost accrued during the project and the added close out item. This is an 8% increase over the base cost and 7.35% over the net.

City Staff recommends acceptance of the proposal from raSmith for the additional \$30,000.00 for work during the construction of Olympia Fields Phase Two and the close out item to be charged to 407.505.5300.210 421506.01, TIF 7 Infrastructure – Phase Two Design Engineering. The total design cost for the project will be \$438,100.00.

## RECOMMENDATION

**Suggested Committee Recommendation:** Motion to recommend to the Common Council acceptance of the proposal from raSmith in the amount of \$30,000.00 as outlined in this memo.

## SUGGESTED MOTION

**Suggested Common Council Motion:** Motion to adopt Resolution 23-R3120.

**RESOLUTION NO. 23-R3120**

**RESOLUTION AWARDING ADDITIONAL DESIGN ENGINEERING COST FOR THE  
2021 OLYMPIA FIELDS PHASE TWO PROJECT**

WHEREAS, design engineering services were approved on August 17, 2021, for the Olympia Fields Phase Two Project to raSmith in the net amount of \$408,100.00; and

WHEREAS, during the \$5.9M project additional efforts from the Design Engineer was required; and

WHEREAS, completion of record drawings was not included in the original scope of services and need to be completed; and

WHEREAS, raSmith has submitted a proposal for the additional efforts and record drawings in the amount of \$30,000.00; and

WHEREAS, City staff and the Public Services Committee recommend that the proposal of raSmith in the amount of \$30,000.00 for additional design engineering services be accepted.

NOW THEREFORE, BE IT HEREBY RESOLVED the proposal of raSmith in the amount of \$30,000.00 be and the same is hereby accepted, and appropriate City officials are authorized to enter into a contract with them for said work.

BE IT FURTHER RESOLVED this is a Not-to-Exceed price proposal with any cost over the \$30,000.00 requiring approval from the Common Council.

BE IT FURTHER RESOLVED that the project cost will be charged to 407.505.5300.210 421506.01, TIF 7 Infrastructure – Design Engineering.

DATED: \_\_\_\_\_

CITY OF OCONOMOWOC

By: \_\_\_\_\_  
Robert P. Magnus, Mayor

ATTEST:

\_\_\_\_\_  
Diane Coenen, Clerk

## PUBLIC WORKS

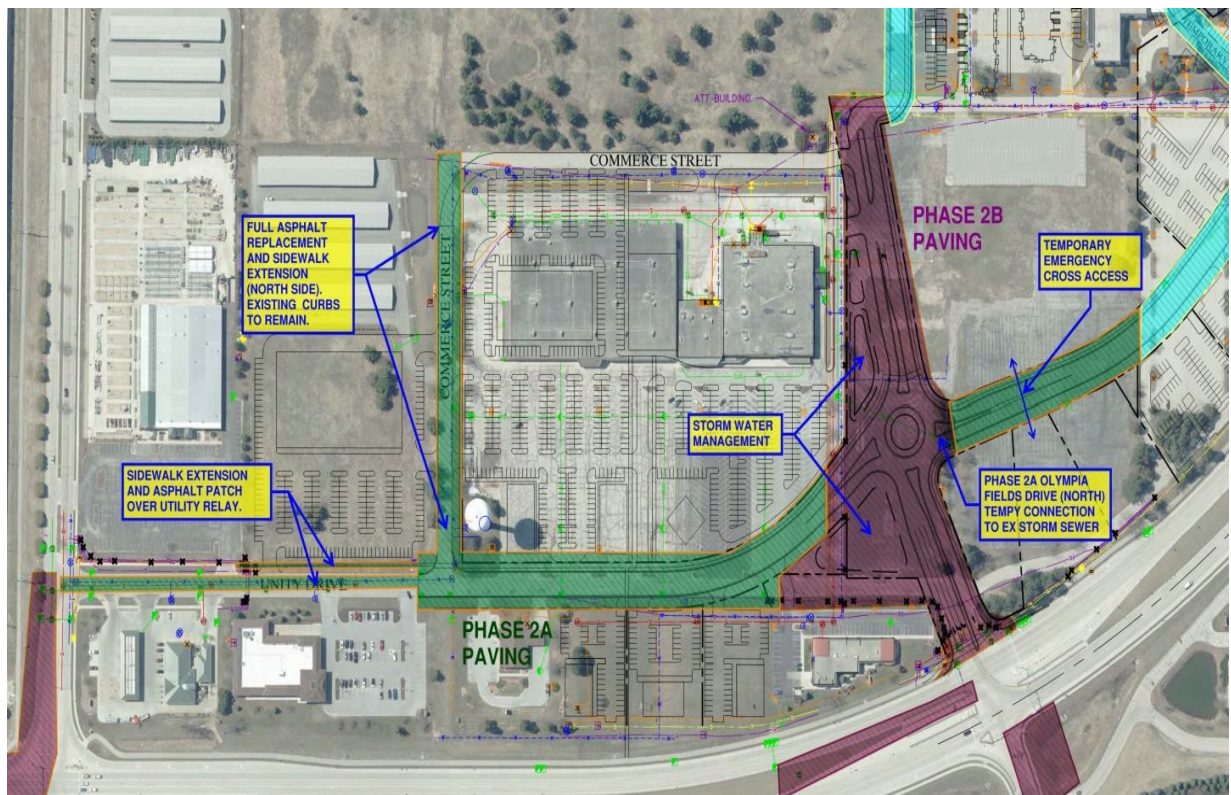
Date: April 4, 2023  
To: Common Council, Mayor and City Administrator  
From: Mark Frye, City Administrator  
Re: Consider/act on Resolution 23-R3121 for Olympia Fields Phase Two Added Construction Management Costs

## RELATES TO THE STRATEGIC PLAN

Strategic Goal III  
(B) Plan for Future Growth Areas for Regional Development  
(2)(c) Facilitate and promote development of Olympia Fields

## BACKGROUND

On March 15, 2022, approval was given for Ruckert and Mielke (R/M) to complete the construction management services for the infrastructure and utilities to complete the \$5.9M Phase Two of the Olympia Fields project. The approved cost was \$430,000.00 plus a 10% contingency of \$43,000.00 for a net expense of \$473,000.00. Their proposal was based on estimated task hours provided by the design engineer. Olympia Fields Phase Two construction area is shown below.



The design engineer, raSmith, provided the estimated hours for Construction Management. City Staff requested a not-to-exceed proposal using the hours assigned to the Construction Management (CM) tasks shown below.

**Task 1 Construction Management Services**

Use 320 hours for an anticipated 20 week construction time for the project.

**Task 2 Construction Inspection Services**

Use 1250 hours for the Construction Review Technician.

**Task 3 Construction Survey Services**

Use 50 hours for survey data preparation and 225 hours for construction staking.

**Task 4 Working Drawing Information**

There are no assigned hours for this as it is incidental to the inspection services.

**Task 5 Miscellaneous Items and Administrative**

Provide a listing of administrative costs and any items not specified in tasks 1 through 3 that your firm normally provides for construction management projects.

## ADDITIONAL ANALYSIS

The yellow highlighted items describe the additional work required for the construction management portion of the project.

**Design:** Preparation of Utility Record Drawings

**Design:** Two additional punchlist / walk through visits with City and contractor. Provide input to the Construction Administration Engineer who is producing the punchlists.

**Design:** One field review of bioretention and median plantings for warranty purposes and produce a condition report.

**Design and Construction:** There were numerous conflicts with existing storm sewers and water mains that were not reflected in the plan set. This required redesign, project delays and additional survey, construction review and construction administration services not included in the original level of effort.

**Design and Construction:** During construction the Developer's engineer updated plans for adjacent private developments that required changes to public infrastructure that were not accounted for in the scope of services.

**Construction:** The construction estimate was based on the Road and Utility Construction Plan set Revision 2 (addendum plan set) plus plan revision sets no. 2 & 3. Road and Utility Construction plan revisions 4, 5 & 6 were issued after the date of the original estimate. In addition, plan revision no. 4 for the Wis 67 Improvements plan set for the DOT State Highway work was issued after the date of the original estimate. These plan changes resulted in additional survey, construction review and administration services.

**Construction:** No grades were provided for utilities on the electrical drawings as it was assumed that they would be buried at a specified depth and location behind the proposed curb. However, during construction it was determined that Oconomowoc Utilities needed to get power to the proposed Sendik's Food Market prior to the road work grading and curb installation. Therefore, R/M was required to calculate grades and stake out the electrical prior to the road grading. This effort for additional survey, construction review and administration services was not accounted for in the original scope of work.

**Construction:** The relocation and removal of existing private utilities (cable, fiber, telephone, gas) was not included in the original scope of work. However, many of these utilities were not removed prior to construction

and additional live utilities caused conflicts with the proposed work. R/M was required to coordinate removal or redesign around these utilities and included survey, construction review and construction administration staff hours.

**Construction:** A major gas line conflict at the STH 67 entrance to the development caused several weeks of project delays and out of-scope work from City Staff, R/M staff and the Contractor. This also caused the Contractor to work multiple weekends that were not accounted for in the original project scope or level of effort.

**Design and Construction:** All of the items listed above made for a more complicated project. This required added time to work with the contractor on site which was not anticipated at the time of the design and construction management proposals.

## FINANCIAL IMPACT

A proposal was received from R/M in the amount of \$38,000.00 for the additional cost accrued during the project. This is an 8.8% increase over the base cost and 8% over the net.

City Staff recommends acceptance of the proposal from R/M for the additional \$38,000.00 for work during the construction of Olympia Fields Phase Two to be charged to 407.505.5300.210 421506.02, TIF 7 Infrastructure – Construction Management. The total construction management cost for the \$5.9M project will be \$511,000.00.

## RECOMMENDATION

**Suggested Committee Recommendation:** Motion to recommend to the Common Council acceptance of the proposal from Ruekert and Mielke in the amount of \$38,000.00 as outlined in this memo.

## SUGGESTED MOTION

**Suggested Common Council Motion:** Motion to adopt Resolution 23-R3121.

**RESOLUTION NO. 23-R3121**

**RESOLUTION AWARDING ADDITIONAL CONSTRUCTION MANAGEMENT COST FOR THE 2021 OLYMPIA FIELDS PHASE TWO PROJECT**

WHEREAS, construction management services were approved on March 15, 2022, for the Olympia Fields Phase Two Project to Ruckert and Mielke in the net amount of \$473,000.00; and

WHEREAS, during the \$5.9M project, additional efforts for the construction management were required; and

WHEREAS, Ruckert and Mielke has submitted a proposal for the additional efforts in the amount of \$30,000.00; and

WHEREAS, City staff and the Public Services Committee recommend the proposal of Ruckert and Mielke in the amount of \$38,000.00 for additional construction management services be accepted.

NOW THEREFORE, BE IT HEREBY RESOLVED the proposal of Ruckert and Mielke in the amount of \$38,000.00 be and the same is hereby accepted, and appropriate City officials are authorized to enter into a contract with them for said work.

BE IT FURTHER RESOLVED this is a Not-to-Exceed price proposal with any cost over the \$38,000.00 requiring approval from the Common Council.

BE IT FURTHER RESOLVED that the project cost will be charged to 407.505.5300.210 421506.02, TIF 7 Infrastructure – Construction Management.

DATED: \_\_\_\_\_

CITY OF OCONOMOWOC

By: \_\_\_\_\_  
Robert P. Magnus, Mayor

ATTEST:

\_\_\_\_\_  
Diane Coenen, City Clerk