

Tri-Township Park Board Meeting
Special Meeting
Park Office
Dec 17, 2003

Approved
1/14/04
Dive f

Meeting called to order at 6:35 by Phil

Roll call: Phil Loethen, Terry Ball, Randy Wiesemeyer, and Doug Brendel
Absent: Norm Beck Todd Moore, and Kevin Woodring
Also in attendance: Mike Arnold

Motion to approve Dec 10 minutes Randy/Terry Ayes: 3-0 Doug abstained

Dirt Work Project –

Phil said that we have received a fax letter from Korte-Luitjohan **ATTACHED** detailing their proposal for closing out the dirt work contract. The contract total includes a \$1,949 credit for work left undone.

Mike said that by sending this proposal they are leaving it up to us to decide whether we want to continue the project. They are either done now with credits or will complete the job.

Randy asked why they are offering more now than they did a few weeks ago when their letter said they were complete.

Phil handed out the original letter for review. **ATTACHED**

Terry asked what was left to complete from our original punch list of uncompleted items.

Mike said that all items uncompleted were addressed on the most recent letter.

Terry asked if the recent sewer line issue was addressed in this letter.

Mike said that it was.

Randy said that we couldn't prove who damaged the sewer line. He said that normally he would give the contractor the benefit of the doubt but given that they are over six months late in completing the contract he wants to hold them responsible for the repair.

Mike said that when Korte-Luitjohan installed the sewer line originally, it passed inspection and testing at the time. Anything could have happened since then.

Terry said that he didn't want to get hung up on the sewer line issue as it was about \$500.

Phil said that the balance on the contract was \$32,240. That is the 10% retainage. This does not include the \$1,849 credit if we accept it. The request for payment was for half the balance of the retainage.

Phil asked Mike if in his opinion the park district did anything that would have caused or contributed to the delays in finishing the contract.

Mike said no. He said that coordination problems arise between contractors and that is to be expected. But not for six months. Mike did add that typically we would expect to see expenditures on a contract like this come in at 5 to 10% above the contracted amount. To come in at the contract amount or even below with the credit is very unusual.

Randy said that he wants to make Korte-Luitjohan wait on the payment. They have made us wait six months on the dirt work. We could have the concession building on that property already completed by now and we could have used the baseball fields in the spring. Let Korte-Luitjohan finish the remainder of the contract in the spring and we can pay them when they are completed.

Terry said that he shared Randy's feelings about the lateness of the completion of the contract, but that he wanted to close the contract out so as to stop focusing on the negative aspect of Korte-Luitjohan's lateness and to allow us to get the receipts for payment to OSLAD so we can get our reimbursement back.

Randy said that if we accept the credits they wouldn't finish the work.

Mike said that they have offered to either reimburse us for this work or to complete it in the spring.

Phil said that he wanted to close this out and would rather not get Korte-Luitjohan back in the spring.

Randy asked what we gain by letting them out of the contract.

Terry said that we get to be done with them and get to focus on the completion of the 32 acres. Terry asked what we gain by holding them to the completion of the contract.

Randy said that we get to hold onto the \$32,000 that they want.

Terry said that we didn't expect to have this \$32,000 after last June when they should have been done.

Terry asked what anyone felt being late six months was worth.

Randy said \$32,000.

Phil said that in his opinion Korte-Luitjohan had not provided good customer service. Accepting responsibility for the lateness of the project instead of finding excuses would have been a step in the right direction.

Terry said that we couldn't legally deduct because they were late in finishing the contract.

Randy said that is why he wants to make them wait and finish the project in the spring. We don't have to pay them until they are done.

Terry said that we couldn't pay the total anyway. They have requested we pay half and have offered us \$1,849 in credits. They need to supply us with a finished bill in order to pay the balance.

Mike said that we have the option to vote to be in agreement with their new letter and pay half of the retainage. This will not compensate us for the delays in completion but will get the irritation over with.

Motion: Accept Korte-Luitjohan Dec 17th proposal and pay half the retainage. Terry/Doug 3-1
Randy was the no vote.

Mike said that he would prepare a change order for this decision and have Korte-Luitjohan prepare a final bill.

Backstops

Phil told the commissioners that he had discussed the backstops with the TBSL board and that they had recommended a different design **ATTACHED**.

Phil also talked about just installing one Tball backstop and using the existing temporary backstop. That would allow the park to move the temporary backstop out of the way after the season. The permanent backstop would be located to the southwest of the new pavilion.

Motion: Accept this new diagram as configuration plan for baseball diamonds and for Phil to investigate purchasing backstops including one backstop at 15 feet in height and one Teeball backstop to be portable. Terry/Randy 4-0 Ayes

8:30 Motion: Adjourn the meeting. Randy/Doug 4-0 Ayes

Submitted by
Terry Ball, Secretary

*Approved
1/14/04
Dink*