

MILFORD CITY COUNCIL
MINUTES OF MEETING
June 14, 2010

A Meeting of the Public Works Committee of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, June 14, 2010.

PRESIDING: Chairman Owen Brooks, Jr.

IN ATTENDANCE: Committee Members-Council Members Katrina Wilson and Jason Adkins
Mayor Joseph Ronnie Rogers

ALSO: City Manager David Baird and City Clerk Terri Hudson

Public Works Director Brad Dennehy and City Engineer Mark Mallamo

Public Works Chairman Brooks called the Public Works Committee meeting to order at 6:01 p.m.

Erik Retzlaff of Davis, Bowen and Friedel, Incorporated (DBF) was also present.

Mr. Brooks turned the meeting over to City Manager Baird.

Mr. Baird then advised the purpose of the meeting is to update the committee on the projects occurring within the city and for them take the action to proceed as needed. He then asked the city engineer to comment on the projects.

Washington Street Bridge

City Engineer Mallamo reported the Washington Street Bridge is one of three owned by city and is in the worst condition. He recalled the Church Street bridge being replaced not long ago; the Southwest Front Street bridge has a low load rating but is not in a critical state at this time. The Washington Street bridge has a beam that is corroding resulting in some really serious weight restrictions being applied. Some delineators are being installed to divert traffic off the weak beam.

He advised that beam alone has a three-ton load rating. Restricting the bridge to three-tons was considered though that would not permit vehicles such as school buses from crossing it. Mr. Mallamo said it is a heavily-traveled school route with approximately 5,000 vehicles per day accessing it according to the last traffic count.

The city engineer reported the bridge is still safe and has an overall twenty-ton load rating. It does have some restrictions adding that a fully loaded tractor trailer weighs forty tons which is twice as much as the bridge can carry safely.

Mr. Mallamo emphasized it will not fall down when a heavy truck uses it, but after repeated uses, it will begin to break. To preserve it for a short period of time, the delineators will be installed to remove traffic from the area of the weak beam.

This morning, he said a meeting with held with representatives of DelDOT, Federal Highway Administration, Historic Preservation and some contractors to discuss the bridge. The next step will be to replace the bridge with a similar type bridge. The bridge is listed as potentially historic though it is outside the historic district of town by one block. The objective of the Historic Preservation Office is to preserve bridges though they realize

there comes a time when it must be replaced. In this case, repairs are no longer practical. The new bridge, will look similar and will meet all the new safety standards and carry forty ton loads.

The project will take a little more than two years to complete with the clock starting this morning with the paperwork. Mr. Mallamo added that potentially, the bridge should be completed by December 2012.

Because of the historic issues, there will be some additional reviews and other work that will affect the schedule and the reason it will take slightly longer. In addition, the city engineer advised it could also impact costs. It is a steel girder bridge and if it was installed today, a steel girder bridge would not be used because of the tidal water that contains potential salt water. He noted that steel rusts in salty environments. Because it is listed as a steel girder bridge, Mr. Mallamo explained they may have to compromise with a similar bridge though it should have some special coatings for some long term metalizing of the structure to prevent rust.

The Federal Highway Administration will potentially provide 80% of the costs with the city paying 20%. The city engineer recalled that in 2008, some bridge engineers provided replacement costs which have been budgeted. He feels if the estimates were correct and we can hold the line on the historic issues, that should keep the costs within budget. However, they also realize that safety is of primary importance.

Ms. Wilson asked if the Historic Preservation has funds to support their recommendations. Mr. Mallamo said he does not believe there are any funds available through Historic Preservation. Two different types of funding are being pursued. One involves standard highway funds from the federal government and other is called Highways for Life.

The city engineer explained this bridge is potentially a candidate for innovative construction materials with an orthotropic deck. He said that is a term for combining steel and concrete in a different fashion. Some of the consultants they met with this morning are proposing to use that technology. In that manner, they are able to get funding from the other program though there is only \$600,000 available for the State of Delaware. DelDOT wants to pursue it because every state is expected or offered to get one bridge in this program. The Washington Street bridge has been selected in Delaware.

Mr. Mallamo feels it will not save any money and is only coming from a different funding source on the federal side. It will be a unique structure that will not only get a lot of attention in the engineering world, but will be monitored by eight months by Perdue University after it is put in service.

He noted that though it is a city-owned bridge, federal funding has to come through DelDOT. Therefore, they will take the lead and handle the bidding process.

The meeting today was to meet the Highways for Life funding schedule which requires a letter verifying the city is on board and willing to fund the 20%. However, this does not tie the city into a deal should we decide not to proceed for some odd reason. The letter must be provided within a week to stay on schedule.

Mr. Mallamo then advised that Verizon has fiber optics running beneath the bridge which needs to be preserved. The city has a sewer force main adjacent to the bridge. He said work can be done around it but extra care is needed to protect it to prevent any jostling during construction.

Recapping what Mr. Mallamo had reported, Mr. Baird said initial improvements will be through the placement of the delineators. Financially, the city is in good shape based on the capital funding already in place.

Mr. Mallamo is hoping no additional money will be needed and believes the initial estimates of \$700,000 to \$800,000 will handle it because no substructure is needed and should keep the costs down. He hopes the actual bridge replacement will be very fast with the bridge being out of service for a month or less.

Ms. Wilson asked if any transportation or related businesses need to be contacted; Mr. Mallamo has recommended the school district and any major trucking companies such as Atlantic Concrete be contacted. If it became a three-ton restriction, all businesses would need to be notified because anything larger than an SUV would be over limit. When the plan is set, notifications will be sent.

He said that with the addition of the delineation, the road will still have two twelve-foot lanes which are capable of handling any vehicle and should have a calming effect. If they are run over, they will bounce back but will eventually need to be replaced. Their estimated cost is \$350 to \$400.

No action was needed on this matter by the committee at this time.

I&I Project

Mr. Mallamo reported the I&I Study is on going and is currently in Phase 3. That phase involves jet cleaning and video inspections of the zones identified in Phase 2 and will also include smoke testing. This project is covered by the bonds and is not being funded from the operating budget.

He expects Phase 3 to be completed in July. At that time, a bid package will be prepared to construct the repairs and replacements identified. Roots, cracked pipe and water seepage have been found to name a few problems. An actual gusher was found on Marshall Street while it was being paved by DelDOT. DelDOT was unable to delay their paving schedule to allow the repairs to be made. As a result, a newly paved street will need to be cut to fix it.

Based on what they have found, he sees a number of streets that need to be torn up with new sewer pipes installed in the near future. He warned there may be some calls from residents who see smoke coming out of the roofs of their house. They will provide notices beforehand on all the doors stating that smoke testing will be done in the area. It will explain what needs to be done with drains and traps that are not used very often to prevent the smoke from coming into the house.

He added another benefit is the sewer is being cleaned as the work is done. He explained this is heavy-duty cleaning that our regular maintenance cannot handle. Mr. Mallamo suggests that once this is complete, the city set up a schedule where every couple of years, big jets are used to clean the sewers to identify the areas with sediment problems.

Mr. Baird said the schedule set forth in the project indicates this phase will be completed by the end of July at which time additional work will be needed based on their recommendations. Bids would then be awarded and the work completed.

Water Tower Maintenance

Mr. Baird reported the city maintains three water towers and all three require some work. An inspection was completed in the past two years outlining the current status of those tanks and the recommended improvements.

He said things have not changed much since that point but one of the two options to proceed must be decided.

The first is for the city to handle it. Put a capital project schedule together based on the improvements needed on the towers and bid each project. The drawback is the costs are unknown until the bids come in which will depend on the market condition at that time. In addition, someone will need to be dedicated to that project the first few years. That could be an employee in-house or someone contracted out to assist with the city engineer with that work.

The second option is to put together proposals to tank maintenance companies. This was considered several years ago and would allow the city to enter into a maintenance contract. The company selected would handle all the improvements needed on the three overhead storage tanks.

The city manager advised we are leaning in that direction. However, more information on the costs is needed before a final decision can be made. To get that, an RFP will need to be prepared to see what they are willing to put on the table from a contractual standpoint.

A copy of the RFP was included in the committee's packet. He explained that once the pricing is obtained, an accurate analysis can be made whether the work should be done ourselves or contractually.

Mr. Brooks asked the costs of RFP; Mr. Baird answered only the costs of advertising and a little time.

Mayor Rogers arrived at this time.

Mr. Baird asked for any feedback from previous committee members who were familiar with that process in the past.

Mr. Brooks recalled that council could not agree on who to award the bid to though there was a lot of work done by both companies; Ms. Wilson agreed.

Mr. Baird said that some cleaning was done on the towers thereafter, but the city did not move ahead with the necessary repairs. He stressed the importance of maintaining the towers as part of our infrastructure and recommends moving forward with the RFP in order to compare costs.

Public Works Director Brad Dennehy pointed out another benefit with contracting it out is the maintenance would be on a schedule and the city would know what was being done over the next ten years.

Mr. Baird agreed noting that if we do the work in-house, each year it would become a budget issue from the standpoint of deciding whether to make the investment though the improvement is needed. He said it does not make sense for tower maintenance programs to go out and borrow money because it would take longer to pay the loan back than the repairs would last.

The committee agreed to proceed as Mr. Baird recommended.

Street Paving Priorities

Mr. Mallamo referenced the following memo:

We have 15 potential streets for paving or restoration in the 2010 construction season as follows:

1. *Church from N Front to Banneker School*

2. *SE 3rd from S Washington to Montgomery*
3. *NE 7th from N Walnut to N Washington*
4. *Masten Circle*
5. *Bridgeham from 3rd to 4th*
6. *N Washington from NE 6th to Rehoboth Blvd*
7. *N Columbia*
8. *N McColley*
9. *N Marshall*
10. *Mispillion from Marshall to Fisher*
11. *10th from Walnut to Silicato Blvd*
12. *Evans*
13. *Airport Road single lane westbound from Mosquito Control to Cascades*
14. *Foster*
15. *Water*

He said that unfortunately, there is not enough money to pave all them. The costs are not broken out because the curbing and ADA ramps vary from street to street. Additional survey time will be needed to decide which curbs can be preserved and which can be replaced.

The city engineer explained we are working with a \$150,000 budget and blacktop overlay and Masten Circle alone can cost over \$100,000. Though it needs work, he does not want to spend the entire budget at that location. Therefore, it may need to be pared back and some repairs done instead of a total overlay.

Another option that may be considered is micro-surfacing which DelDOT recently did on Route 36 out to Cedar Beach Road. He explained it is a very thin surface and though it is thicker than paint, it is much thinner than a normal overlay. It can be done on the right road though it must be basically smooth. A road that is in bad shape would not qualify in Mr. Mallamo's opinion. It saves a lot of money though it will not get as long a life. Therefore, more evaluation is required on the cost benefit analysis.

In reviewing the list, he feels that Church Street is a priority as it needs a complete repaving. It receives a high volume of traffic particularly with Banneker School. If not fixed now, it will only get worse every year.

Mr. Mallamo emphasized a lot of the streets will not get done and priority is based on the volume of traffic in addition to the available money. They plan to structure the bid so that more work can be added if more money becomes available. If the state comes back with the money they used to allocate for streets and improvement programs, then more streets could be added.

They will bid out the streets that must be done and get unit pricing for additional streets for a period of one year. He added there is still the potential of adjustments for asphalt costs that must be added to the contract. With oil prices going up and down, no one is going to commit to a year-long contract without that flexibility.

He noted that a lot of the street paving occurring now is being done by DelDOT with the American Resource Recovery Act money from the federal government. They are required to spend their money within a certain time frame which is why they were unable to defer the work on Marshall Street to allow those repairs to be made.

By the end of the month, Mr. Mallamo expects bids on the selected streets. The paving will most likely not begin until August or September and will continue until it is spent. Also included are the ADA ramps and curbing on streets that have sidewalks. Roads and streets such as Masten Circle and Evans Street do not have sidewalks

adding Evans Street would be an easy project with a quick overlay. Other areas where handicapped ramps will need to tie into a broken sidewalk involve a great deal more work.

Mr. Baird added that whenever state or federal dollars are used on these projects, ADA improvements are required at the intersections which takes a great deal of our resources. If city dollars are used, those requirements do not apply.

The city manager reported that \$4 of the \$6 million normally allocated for municipal street aid is currently in the state budget. There is a chance the entire \$6 million is budgeted as well. Delaware League and SCAT are lobbying hard to maintain those dollars.

Representative Dan Short, who is the former Seaford Mayor, has presented a bill to restore the \$4 million lost last year. If that is approved, the city would receive another \$180,000 which could be used for additional paving or similar capital projects.

Mr. Brooks asked if the city is prepared to do any of the work. Mr. Baird said yes, the city is bidding the first couple of projects in order to have the numbers in case the funding is approved. In that case, the city would be in a position to award the project.

Mr. Brooks recalled Tim Webb and his crews doing some of the paving in the past. Mr. Baird said that only involved some of the smaller patching jobs but any major overlays will be bid out.

Southeast Milford Water Tower, Treatment Plant and Wells

Public Works Director Dennehy advised that Erik Retzlaff of Davis, Bowen and Friedel (DBF) is overseeing the acquisition of the easements from several property owners including Key Properties and Edgar Isaacs and possibly one or two other properties.

Mr. Baird confirmed that as of last week, there had been no commitment. Mr. Dennehy advised the city cannot do any work until those agreements are signed. Some test wells are needed to determine the quality of water. Additional work is needed in addition to a survey of the area.

In speaking with Mr. Retzlaff, Mr. Dennehy said those wells have a tendency to lose their capacity to produce water. Wells 5, 9 and 12 have dropped off slightly and the city does not want to lose water though we currently have a good supply.

He said the city needs a new water tower and the funding is in place.

Mr. Baird reported the sites have been determined and at this time, we are moving forward with a plan for the elevated storage tank on the west side of Route 1. The wells and treatment plant would be on the east side of Route 1 which helps protect the source water area as required by those laws passed by the federal and state governments. This will also provide good quality water to the east side of Route 1 because it will not have a dead end.

N. Front Street Sewer Project

Mr. Mallamo advised the first project was identified by Phase I of the I&I Study and is being funded through the bond money.

The city engineer reported the project is not going as smoothly as it should. It is behind schedule and has taken much longer than anticipated. He said the underground work is essentially done on the western end of Front Street where the concrete patches are in place. However, they are required to come back and smooth that off with a blacktop overlay. Some additional work to replace water service lines was done though that was unable to be included in the contract because the source of funding was for sewer only. The work is needed as a result of some bad lines and to prevent cutting brand-new blacktop to repair water leaks. When the work is done, Mr. Mallamo anticipates a cost of \$20,000.

The next side of the project is being done now from Rehoboth Boulevard to the Kent County Pump Station on Northeast Front. He said traffic control will be a major concern in that area because of access issues to the police department and other businesses in that area.

Mr. Mallamo anticipates some problems noting the contractor has already asked for some extra time and money though they were denied.

He explained there may be some areas they need to work around with the existing Kent County force main. He feels that getting around it or under it may be difficult. He emphasized that must be preserved and cannot fail as it did several years ago on its own.

Mr. Mallamo added that despite the problems, there is nothing wrong with the design, though it is difficult to build and the contractor has not performed as was expected. He predicts it will be back before council because of a number of potential issues.

Mr. Adkins asked if there is anything in the contract that states what happens if it takes longer than the time frame in which the price was guaranteed. Mr. Mallamo explained we have liquidated damages in the contract of \$500 a day if they go over the time frame. Reviewing their work, Mr. Mallamo feels it is impossible they will have the work done in time. He will assess those damages and though they will not actually be billed, he will keep track of the contract days and the additional days. He said as he tracks those dollars, they will ask for more money. They can hopefully come to balance of the final cost. If for example, they ask for an additional \$10,000, the city can say they overran by \$11,000 and the contractor owes the city money. Ultimately, they will not be paid for the work until they have satisfactorily completed the work and we still have retainage.

Mr. Baird said this has been an ongoing discussion with the contractor and probably sixty days into the contract back in March, they felt they would not meet their deadline. One of the major hurdles was the fact they wanted to modify the traffic plan but ran into a number of problems with DelDOT. The city offered to help out a number of ways to get that traffic plan through, but it took a lot of time. Unfortunately, it became lost time as they moved forward.

When asked if this contractor has been used before, Mr. Baird said he was on a project with them six to eight years ago. When the bids were opened and they were the low bidder, it gave him a reason to pause. He said there was a significant gap between this company and the second lower bidder and because of the difference, this contractor may be trying to get some of that back possibly through change orders or some other way. However, they said they could do the job for that amount and are now trying to find reasons to say they cannot fulfill the agreement.

Mr. Baird explained that is the bidding environment and they need to be competitive. If something is cut too much, the contractor will try and get it back.

Ms. Wilson said it appears a lot of checkpoints are needed not only in the field, but administratively and financially as well.

Mr. Dennehy agreed there are many eyes on the project including Mr. Mallamo, Mr. Baird and himself as well as DBF.

Mr. Baird said he will continue to keep the committee informed. If something needs to be brought before council, the committee will at least be familiar with it.

It was suggested the committee meet every other month for an update of the projects.

Adjourn

With no further business, Mr. Brooks adjourned the meeting at 6:57 p.m.

Sincerely,

A handwritten signature in black ink that reads "Terri K. Hudson". The signature is fluid and cursive, with the first name "Terri" being the most prominent.

Terri K. Hudson, CMC
City Clerk/Recorder