



**NORTON CITY COUNCIL
SPECIAL COMMITTEE WORK SESSION
THURSDAY, FEBRUARY 4, 2010**

Roll Call: Todd Bergstrom
 Don Nicolard
 Brenda Hlas
 Bill Mowery
 Ken Braman
 Scott Pelot
 Mike Zita

Also Present:
Mayor David Koontz-Excused
Rick Ryland
John Moss
Pete Kostoff-Excused
Karla Richards
Ann Campbell

The Special Committee Work Session convened on Thursday, February 4, 2010 at 7:02 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Mike Zita, President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

INTRODUCTION OF NEW LEGISLATION:

Mr. Zita stated that Council has just received this new information at the Committee Work Session earlier this week, and we need the opportunity to address the documents. Mr. Zita indicated there are some further questions before authorizing the contract. Mr. Bergstrom questioned the subcontractors part of the agreement, and questioned when does the General Contractor make it known who he is using for subcontractors? Mr. Bergstrom indicated that the owner (the city) has a right to reject those subcontractors, but they have to have a really good reason as to why. Mr. Nicolard stated that he initially had an issue with this, but after review of the bid documents he no longer has a problem with the process. Mr. Zita indicated that Intec was the next lowest bidder, however they would have to use three (3) subcontractors. Mr. Bergstrom indicated that we would also save approximately \$30,000.00 with the hiring of one construction manager looking over one general contractor instead of a construction manager looking over four (4) primes. It makes going with one general contractor even more attractive. Mr. Zita stated that in discussions with Mr. Kostoff, the legislation Council had previously requested to award the contract and for the note financing would not be on the agenda for Monday's Council meeting. Mr. Moss indicated the funding has to be in place before the city can award a contract for the construction. Mr. Ryland briefly discussed our financing options and advised Council that the price for steel just went up seven (7) percent on Tuesday. Mr. Ryland stated if the prices keep going up, he may ask Council to hold a Special Council Meeting just to address these two items. There was discussion as to construction costs generally start to increase around the first of February, and these bid prices were guaranteed until March 1, 2010. Mr. Bergstrom stated that as long as the process is being done correctly, which it is, we really are not that involved in the start of the process. Mr. Ryland stated we spent over twenty hours going over the bid document details and for some of you to question our recommendations, it quite frankly gets under his craw. Mr. Zita stated part of the questions or issues may have come because the documents release by Mr. Ryland were released during the meeting and not prior to. Mr. Nicolard stated that no offense was intended he only felt that there was something that should have been included in the bid document, when in fact it was not.

Mr. Nicolard noted that apparently the legislation on the books is not worth anything in that regard and a newer piece of legislation would be forthcoming. In the future if we ever have another \$2,000,000.00 project this would be in place to protect that. Mr. Pelot clarified the Seitz Bothers bid contract states the price is guaranteed sixty (60) days from the date the bids were due and construction must be completed within 208 days from the date construction begins. There is also a \$500.00 penalty per day of not met. Mr. Pelot added that we don't want to be paying a higher fee just because it's a local contractor. Mr. Nicolard stated it's more than just paying a slightly higher contractor, the money also stays here. Mr. Ryland stated that in his conversations with Mr. Bob Seitz, he has three (3) 44203 subcontractors working with his company for this project. Their company is in the habit of looking for local contractors when working outside their own community. Mr. Nicolard stated this has been his whole concern to use local businesses. Mr. Bergstrom discussed small business enterprise zones and pre-qualified and screened companies as a way to promote the community for smaller projects. Mr. Ryland stated that since he was on board, we have really expanded our search area for bids, and the bids seem to set a pattern of coming in under bid.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:35 PM.

Mike Zita, President of Council

I, Karla Richards, CMC-Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on February 22, 2010.

Karla Richards, CMC-Clerk of Council

****NOTE: THESE MINUTES ARE NOT VERBATIM****

All Council & Committee Meetings will be held at the Norton Safety Administration Building, unless otherwise noted.