

COMMISSION FILE NO: 16-131-10 **DATE INTRODUCED:** October 10, 2016

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Policy, Finance, and Personnel Committee

RELATING TO: Executive Director Authorization for Future Contract Modifications, Contract M01012C03, Milwaukee River Flushing Station Building Restoration

SUMMARY:

The Commission is requested to authorize the Executive Director to approve future modifications on Contract M01012C03, Milwaukee River Flushing Station Building Restoration, in a cumulative amount not to exceed \$50,000.

The District owns the Milwaukee River Flushing Station, located at 1701 North Lincoln Memorial Drive. As the building and landowner, the District is responsible for major capital improvements or repairs. The District identified that the building and its foundation settled, resulting in cracks in bricks and mortar joint deterioration. The District contracted for and completed the foundation stabilization work under a previous construction contract, but has not yet restored the cracked mortar joints. In addition, the foundation stabilization work has resulted in the need to replace some concrete sidewalks and to restore landscaping disturbed during that work.

In September, District staff publicly bid and, using the Executive Director's authority to award contracts, awarded Contract M01012C03 to NuGen Johnson (NuGen) in the amount of \$94,417. NuGen was the lowest responsible and responsive bidder. The purpose of this contract is to perform the mortar joint restoration, concrete sidewalk repair, and landscaping restoration. NuGen intends to complete the mortar joint restoration and concrete sidewalk repair work this fall, with the landscaping restoration to follow in the spring. The Executive Director awarded the contract in September to help assure that the concrete and mortar work would be complete before winter.

ATTACHMENTS: BACKGROUND ☐ KEY ISSUES ☐ RESOLUTION ☒

FISCAL NOTE ☒ S/W/MBE ☐ OTHER ☐ _____

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COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Executive Director Authorization for Future Contract Modifications, Contract M01012C03, Milwaukee River Flushing Station Building Restoration

The Commission has delegated to the Executive Director the authority to approve contracts less than \$100,000 without Commission approval, which was done for Contract M01012C03; however, under Commission Policy 1-78.08, Contract Award Authority, in the event that the contract and cumulative modifications exceed \$100,000 in total, the Executive Director shall seek the approval of the Commission. There is reasonable chance that this could occur given that the contract value is only \$5,583 less than the threshold for Commission approval. Even small modifications could require the contractor to stop work while staff requests the necessary authority from the Commission. This could result in contractor claims and additional costs to the District, along with the restoration work not being completed this fall.

Per Commission Policy 1-78.02, Contract Modifications Authority, the Executive Director has been delegated the authority to authorize up to \$50,000 in contract modifications for contracts awarded by the Commission that were originally less than \$500,000. This request is to authorize the Executive Director to approve future contract modifications in a cumulative amount not to exceed \$50,000 is consistent with this Commission Policy.

RESOLUTION

Executive Director Authorization for Future Contract Modifications, Contract
M01012C03, Milwaukee River Flushing Station Building Restoration

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to approve future contract modifications in a cumulative amount not to exceed \$50,000 for Contract M01012C03, Milwaukee River Flushing Station Building Restoration.