

SPECIAL BOARD OF CONTROL
Meeting Minutes

A Special Board of Control meeting was held Tuesday, October 6, 2020 at 10:30 AM in the Mayor's Conference Room. Board President, Mayor Bernabei called the meeting to order at 10:31 AM. Director of Public Safety Andrea Perry and Director of Public Service John Highman were present. Board Secretary Katie Wise was also present.

There were no visitors present.

The following items were for review/approval by the Board of Control:

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1. Ordinance 270/2018

Enter into Change Order No. 3 with Northstar Asphalt, Inc. for a cost reduction in the amount of \$24.28 for the 2019 Paving Program, GP1301, resulting in a new contract amount of \$3,050,617.53.

Discussion: Per Director Highman, this charge order essentially closes out the work for this project, however there is a discrepancy with Northstar regarding the project. Northstar Asphalt has referred to language in the old construction contracts that the City no longer uses. That language used to quote the terms and conditions from the ODOT construction manual. It said if a lesser quantity than estimated was used, the price goes up and if a greater quantity than estimated was used, the price goes down. That language was taken out of our contract documents when we revised our bid packets a few years ago. Now the contracts state simply that the price is the price, no matter what. Northstar is saying that since we had less concrete work done than estimate, that we still owe them approximately \$40,000.00. The City paved more than what was bid. Dan Moeglin has spoken with Northstar about this matter. The City has paid what we owe on this project. The period to submit a claim has passed. As a result of this matter, this change order does not say "Final".

Motion: Director Highman made a motion to approve the above referenced contract.
Director Perry seconded.

Vote: 3 yeas 0 nays Motion carried.

Adjournment:

Mayor Bernabei made a motion to adjourn the meeting.
Director Perry seconded.

Vote: 3 yeas 0 nays Meeting adjourned: 10:35 AM