

BOARD OF PUBLIC WORKS

Date of Meeting: August 8, 2022, at 10:30 a.m. in the Council Chambers

Members Present: Eric Lindman, Anne Jacobson

Also Present: Scott Boers, Lori Wunsch, Steve Opatik – Becher Hoppe

In compliance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and received by the *Wausau Daily Herald* in the proper manner.

Discussion and possible action on Change Order #8 with Miron Construction for the Drinking Water Treatment Facility

Lindman stated this change order is for a deduct in the amount of \$250,775. Over the course of the project there was an issue with ductile iron fittings, well over 300 of them, that were delivered to the site. These were to be installed in the new Water Treatment Facility. The ductile iron fittings have a coating and the coating failed. An investigation was completed to determine why the coating failed. It was the responsibility of the contractor to mitigate and address that failure and make the city whole. We could not flow water through the plant until this was done. In consequence the construction timeline was delayed. The original substantial completion date was August 16, 2022, which is delayed to October 4, 2022 according to this change order. Everything is now to be 100% complete by November 18, 2022. There are provisions in the contract that allow the city to be made whole monetarily if we incur any damages due to contract extensions that are not our fault. This is the reason for the deduct. This amount was agreed to by the contractor to make the city whole for the contract delays.

Jacobson stated this is for costs incurred to date. She questioned if it still leaves open our ability to collect legal counsel fees in the future. Lindman confirmed and added that at this point we do not anticipate any. This change order also increases liquidated damages after October 4th from \$2,500 to \$4,500 a day.

Lindman moved to approve Change Order #8. Jacobson seconded and the motion passed.

Lindman moved to adjourn the meeting. Seconded by Jacobson. Meeting adjourned at approximately 10:35 am.