

**PUBLIC WORKS COMMITTEE REPORT**  
**November 16, 2011 1:40 PM**  
**City Council Chambers**

**Members Present:** Jason Wiener (chair), Ed Childers, Dick Haines, Lyn Hellegaard, Bob Jaffe, Marilyn Marler, Renee Mitchell, Dave Strohmaier, Pam Walzer, Jon Wilkins, Cynthia Wolken

**Members Absent:**

**Others Present:** Steve King, Kevin Slovarp, Monte Sipe, Doug Harby, Gregg Wood, Pat Brook

**I. ADMINISTRATIVE BUSINESS**

A. Approval of the minutes of – November 9, 2011 Approved as submitted

B. Announcements – Steve King, City Public Works Director, announced that the Record of Decision (ROD) for the Russell and S. 3<sup>rd</sup> Street Reconstruction and Environmental Impact Statement (EIS) is completed. Public Works has been working with the Montana Department of Transportation (MDOT) on implementation of the construction of Russell and working on Draft Memorandums of Understanding (MOU) between the City and the Montana Department of Transportation (MDOT), the Record of Decision (ROD) allows us to bring this forward to the Council and the public to consider, and we could be ready as soon as November 30, 2011 with a referral to go with Bob Jaffe's referral on next steps for the Russell Street Memorandum of Understanding (MOU).

The Public Works staff, Kevin Slovarp, Doug Harby, and Monte Sipe are also working on a local project, the 3<sup>rd</sup> Street reconstruction, this is a City contract and the Request for Proposal (RFP) for design services for 3<sup>rd</sup> Street is ready. The Request for Proposal (RFP) process for Consultant Services to design 3<sup>rd</sup> Street will include intensive public participation and property owner participation. This update is to keep the Council informed about the ad for the Request for Proposal (RFP) for 3<sup>rd</sup> Street; and the Memorandum Of Understanding (MOU) will be linked to a referral very soon.

C. Public Comment on Non-Agenda items – None

**II. CONSENT AGENDA ITEMS**

1. Reject all bids and return bid bonds for the installation of 75 feet of 36 inch diameter cure in place sewer pipe liner. (memo)—Regular Agenda (Starr Sullivan) (Referred to committee: 11/14/11)  
**(REMOVE FROM AGENDA)**

**Motion: The committee recommends the City Council reject all bids and return bid bonds for the installation of 75 feet of 36 inch diameter cure in place sewer pipe liner.**

Pat Brook, Collections Supervisor, explained that seventy-five feet of sewer pipe required repairs and the original bid did not include the bypass pumping that is required to do this project. Wastewater Division thought this would save added overhead if they contracted with a bypass pumping company separately and because it would be less than \$10,000.00 it would not require a bidding process. The quotes received from the bypass companies were well over that amount and would require bidding. It was determined that the best option would be to re-bid the project to include both the liner and bypass pumping. They are asking the committee to reject all bids and return bid bonds.

Jon Wilkins made the motion to recommend the City Council reject all bids and return bid bonds for the installation of 75 feet of 36 inch diameter cure in place sewer pipe liner.

The motion passed unanimously.

2. Approve and authorize an Encroachment Permit for an overhead sign at 221 East Front Street (The Trail Head). (memo)—Regular Agenda (Doug Harby) (Referred to committee: 11/14/11) (REMOVE FROM AGENDA)

**Motion: The committee recommends the City Council approve and authorize an Encroachment Permit for an overhead sign at 221 East Front Street (The Trail Head).**

Doug Harby, Project Manager, stated the Trail Head would like to install a new sign and because the sign would hang over the sidewalk they are required to get an encroachment permit. He supplied a diagram of the proposed sign, plans of the sign, and the encroachment right-of-way application. Public Works supports this request.

Renee Mitchell made the motion to recommend the City Council approve and authorize an Encroachment Permit for an overhead sign at 221 East Front Street (The Trail Head).

Jason Wiener asked if the ordinance concerning this type of encroachment had been amended, Doug Harby replied it is currently in draft form.

Dick Haines asked if there was any conflict in this particular instance and decision verses what was done with the Elks Club sign in the same area; they had some additional requirements they had to meet, changing the wording, the letters on the sign, etc. He is requesting Public Works follow up with the Design Review Board to see that everyone is treated fairly.

Doug Harby replied that the requirements that were made for the Elks Club were not required by City Engineering. The reason this encroachment permit is being done is because it is a requirement of the Design Review Board, the Board may have different or additional requirements. A Memorandum of Understanding (MOU) will need to be done and if the Design Review Board has any requirements they would be included in the MOU.

The motion passed unanimously.

**These two referrals were discussed and voted on together.**

3. Approve Amendment No. 2 to the existing City / DJ&A Professional Services Agreement on the Lower Miller Creek Road Curb and Sidewalk Project. (memo)—Regular Agenda (Monte Sipe) (Referred to committee: 11/14/11) (REMOVE FROM AGENDA)

**Motion: The committee recommends the City Council approve and authorize the Mayor to sign Amendment No. 2 to amend the City / DJ&A Professional Services Agreement in the amount not to exceed \$9,699.50 for construction engineering services on the Lower Miller Creek Road Curb and Sidewalk Project.**

Approve and authorize mayor to sign Change Order #2 to Lower Miller Creek Road Curb and Sidewalk contract. (memo)—Regular Agenda (Monte Sipe) (Referred to committee: 11/14/11) (REMOVE FROM AGENDA)

**Motion: The committee recommends the City Council approve and authorize the Mayor to sign Change Order #2 to modify the Contract between the City of Missoula and LS Jensen for Project 09-039 Lower Miller Creek Rd. Curb & Sidewalk in the amount of \$39,195.23.**

Monte Sipe, Project Coordinator, gave background information starting with the 2009 initiation of the project with a funding agreement with Western Federal Lands Highway Division in the amount of \$537,548.47 and approximately \$13,000.00 from the Gas and Tax fund, to complete a new improvements project from the roundabout project to Linda Vista Boulevard.

Kevin Slovarp, City Engineer, stated the money from Western Federal Lands originally came from the remainder of the five million dollar earmark that the County received to do an Environmental Impact Study (EIS) study for a secondary access for Miller Creek Road. The overall money for the design and construction came from the original earmarked money.

Monte Sipe continued explaining that DJ&A was hired to do the design services. In May 2011 the construction contract was awarded to LS Jensen for the base bid only for \$411,558.85, with the understanding that there would be some improvements added later to the project. Along with the award of the project to LS Jensen, Amendment No. 1 was added to DJ&A and authorized by Council for construction engineering work. In July 2011 Change Order # 1 was added to LS Jensen's original contract for an additional four foot shoulder paving width combination bike lane, some additional improvements and striping. On November 4, 2011 the City issued a substantial completion to LS Jensen for work that was completed to date.

He asked the committee to approve Amendment No. 2 to the DJ&A Service Agreement for additional construction engineering services during LS Jensen's construction contract. A breakdown of those costs was attached to the referral. He also asked for approval of Change Order # 2 to LS Jensen to modify the contract between the City and LS Jensen which allowed the City to complete a full asphalt overlay of Lower Miller Creek Road. An itemized description and costs were attached to the referral.

Dave Strohmaier made the motion to recommend the City Council approve and authorize the Mayor to sign Amendment No. 2 to amend the City / DJ&A Professional Services Agreement in the amount not to exceed \$9,699.50 for construction engineering services on the Lower Miller Creek Road Curb and Sidewalk Project **AND** approve and authorize the Mayor to sign Change Order #2 to modify the Contract between the City of Missoula and LS Jensen for Project 09-039 Lower Miller Creek Rd. Curb & Sidewalk in the amount of \$39,195.23.

Both motions passed unanimously.

**These two referrals were discussed and voted on together.**

4. Approve Montana Department of Commerce Treasure State Endowment Program (TSEP) Contract # MT-TSEP-PE-12-677. (memo)—Regular Agenda (Gregg Wood) (Referred to committee: 11/14/11) (REMOVE FROM AGENDA)

**Motion: The committee recommends the City Council approve and authorize the Mayor to sign Montana Department of Commerce Treasure State Endowment Program (TSEP) Contract # MT-TSEP-PE-12-677 for the Airport Interceptor Sewer Project.**

Approve Amendment No. 1 to the existing agreement for professional services with Morrison-Maierle, Inc. in the amount, not to exceed, of \$25,500.00 for additional Professional Engineering services on the Airport Interceptor Sewer Project. (memo)—Regular Agenda (Gregg Wood) (Referred to committee: 11/14/11) (REMOVE FROM AGENDA)

**Motion: The committee recommends the City Council approve and authorize the Mayor to sign Amendment No. 1 to the existing Agreement for Professional Services with Morrison-Maierle, Inc. in the amount, not to exceed, of \$25,500 for additional Professional Engineering services on the Airport Interceptor Sewer Project.**

Gregg Wood, Utility and Project Coordinator, discussed the two referrals together; the first referral is a Treasure State Endowment Program (TSEP) contract that Public Works applied for and received for \$15,000.00, this Grant requires a \$15,000.00 match from the City. The Airport Interceptor Sewer Project is required to address capacity limitation on the existing sewer system; and represents required mitigation to accommodate growth in the Wye area as required by the 2007 Interlocal Agreement with Missoula County on the Wye Area Sanitary Sewer Project. The intent for getting the TSEP grant was to use it and the matching funds to complete a Preliminary Engineering Report for the project that

could then be used to submit for a larger grant. The Amendment No. 1 to the existing agreement with Morrison-Maierle is for additional Professional Engineering Services on the Airport Interceptor Sewer Project and is not to exceed \$25,500.00.

Steve King gave an overview of the whole project by explaining that we need to build a relief line for growth to the west, the Airport Interceptor Project. The Treasure State Endowment Grant (TSEP) is a State grant from the Coal Tax money. They have both a planning grant which is what they are recommending today, the approval of the \$15,000.00; and they have construction grants up to \$750,000.00. This is a nominal four million dollar project so what they are hoping to do is use this \$15,000.00 grant to do the reporting necessary to be a strong contender for the \$750,000.00 construction grant in the next State Legislative process.

Jason Wiener asked where we would be at this stage on this project without the grant.

Gregg Wood answered that at this stage they have Engineering completed to let us know where we need to focus our priorities and the next step would be to find funding to continue the project.

Ed Childers made the motions to recommend the City Council approve and authorize the Mayor to sign Montana Department of Commerce Treasure State Endowment Program (TSEP) Contract # MT-TSEP-PE-12-677 for the Airport Interceptor Sewer Project; AND recommends the City Council approve and authorize the Mayor to sign Amendment No. 1 to the existing Agreement for Professional Services with Morrison-Maierle, Inc. in the amount, not to exceed, of \$25,500 for additional Professional Engineering services on the Airport Interceptor Sewer Project.

Both motions passed unanimously.

Dick Haines, for the record pertaining to the Coal Tax, stated there were a number of people protesting the coal being hauled out of Montana, and that pays for these types of projects. The Coal Tax does wondrous things for Montana and to use those funds takes a three quarters vote in both the House and Senate in the State Legislature, TSEP has been around for a long time and they (Coal Tax) fund it each year. If we stopped mining coal it would stop a lot of development in Montana.

### III. HELD AND ONGOING AGENDA ITEMS

1. Discussion on the sizes of grease interceptors for the restaurant industry ([Grease Interceptor PowerPoint](#)) ([memo](#)).—Regular Agenda (Stacy Rye and Bob Jaffe) (Referred to committee: 04/21/08)
2. Review infrastructure conditions at the locations of serious and fatal traffic accidents: 2007-2009 ([memo](#)).—Regular Agenda (Jason Wiener) (Referred to committee: 01/25/10)
3. T4 America partner support ([memo](#)) – Regular Agenda (Stacy Rye) (Referred to committee: (Referred to committee: 08/16/10)
4. Resolution to change the speed limit on Reserve Street between Brooks and 39<sup>th</sup> Street. ([memo](#))—Regular Agenda (Wayne Gravatt) (Referred to committee: 01/24/11)
5. Approve the agreement for consultant services with Eli & Associates, Inc. on Project 10-034 England Boulevard right turn lane improvements. ([memo](#)) - Regular Agenda (Kevin Slovarp) (Referred to committee 05/16/2011)
6. Infrastructure condition inventory and maintenance requirements. ([memo](#))—Regular Agenda (Ed Childers) (Referred to committee: 07/11/11)
7. Discuss the timing of various traffic lights around the city. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 09/26/2011)

### IV. ADJOURNMENT

The meeting adjourned 2:20 PM

Respectfully Submitted,  
Peggy Diamond, Program Specialist  
City Public Works Department