TO: Mayor Shaun Sipma  
Members of the City Council

FROM: Lance Meyer, PE, City Engineer

DATE: May 18, 2020

SUBJECT: CITY HALL RETAINING WALL – MATERIAL PAYMENT REQUEST (4398)

I. RECOMMENDED ACTION

1. Authorize payment to be made to Wells Concrete in the amount of $1,104.11.

II. DEPARTMENT CONTACT PERSONS

Lance Meyer, City Engineer  857-4100
Emily Huettl, Assistant City Engineer  857-4100

III. DESCRIPTION

A. Background
   At the April 6th council meeting, council made the decision to delay the retaining wall project until the 2022 construction season. Consequently, the City could not enter into a contract with Strata Corporation for the work.

B. Proposed Project
   When the City chose to award the contract to Strata Corporation at the March 3rd meeting, their material supplier Wells Concrete, ordered formliner materials to begin production on the test panels for the project. This was a time sensitive material order and was an at risk purchase due to a contract not being signed, but awarded by the City. Wells concrete has requested to be compensated for this purchase.

   The City has not been in a position like this where a contract was awarded, but later rescinded. Thus, a precedent does not exist for a situation like this. In staff’s opinion, it would be fair to compensate the supplier for this cost. However, since a signed contract does not exist, the City has right to not pay the cost.

C. Consultant Selection
   KLJ was selected using a competitive qualifications based selection.

IV. IMPACT:

A. Strategic Impact:
   The City Hall/Auditorium complex is a critical asset to the City. The site houses primary government functions and services the public in multiple ways.

B. Service/Delivery Impact:
   N/A

C. Fiscal Impact:
The payment for this invoice would come from funds previously allocated to this project.

V. ALTERNATIVES

The Council could chose not to pay the invoice. In this alternative, the supplier would have to absorb the cost of the material.

VI. TIME CONSTRAINTS

The supplier is requesting payment for this material. If approved by the Council, a check will be written on the next check run.

VII. LIST OF ATTACHMENTS

A. Customrock Formliner Invoice