



4393 Collins Road
Rochester, MI 48306
(248) 651-9260
(248) 601-0106 (FAX)
www.paintcreektrail.org

JOINT MEETING of the OAKLAND TOWNSHIP PARKS AND RECREATION COMMISSION and the PAINT CREEK TRAILWAYS COMMISSION

City of Rochester Municipal Offices
400 Sixth Street, Rochester, Michigan 48307

CALL TO ORDER: The Tuesday, May 21, 2019 Joint Meeting was called to order by Chairperson Becker at 6:30 p.m.

PLEDGE OF ALLEGIANCE: All rose and recited the pledge.

ROLL CALL FOR EACH GOVERNMENTAL BODY:

Oakland Township Parks & Rec Commission:

Present: Emily Barkham, Daniel Bukowski, Colin Choi, Cathy Rooney (*enter 6:38 p.m.*), Dan Simon

Absent: Craig Blust, Hank Van Agen

Quorum present

Paint Creek Trailways Commission:

Voting Members Present: Rock Blanchard, Susan Bowyer, Frank Ferriolo, Linda Gamage, Kim Russell, Donni Steele (*enter 7:00 p.m.*)

Voting Alternates Present: None

Non-Voting Alternates Present: David Becker, Lynn Loeb

Village of Lake Orion Non-Voting Member Present: Brad Mathisen (*enter 7:00 p.m.*)

Voting Members Absent: Jeff Stout, Hank Van Agen

Alternates Absent: Chris Barnett, Robin Buxar, Ben Giovanelli, Chris Hagen, Martha Olijnyk, Dave Walker

Village of Lake Orion Non-Voting Member Absent: None

Village of Lake Orion Non-Voting Alternate Absent: Vacant

Quorum present

Others Present: Melissa Ford, Trail Manager, Chris Gray, Assistant Trail Manager, Mindy-Milos Dale, Oakland Township Parks Director, Sandi DiSipio, Recording Secretary

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA: Mr. Louis Carrio, President of the Friends of the Paint Creek Trail, came forward and commented the area near Dillman & Upton is an eyesore; the fencing and a few mature trees have been removed. Large stones have also been placed there and are hazardous to bike riders. There is also an area near the Rochester Park that is lower than the surrounding ground with standing water. The Moosejaw store at the Village of Rochester Hills sponsored a trivia event with \$500 in proceeds going toward the Friends Group. Ms. Russell explained the City of Rochester did some work on an interceptor near Dillman & Upton requiring the removal of the fence and trees, and the trail resurfacing should take care of the stones. She will bring this issue to the City Council, but does not know if the trees can be replaced.

FOR APPROVAL BY OAKLAND TOWNSHIP PARKS AND RECREATION COMMISSION:

Award of Contract for Marsh View Park 2019 Fertilizer and Herbicide Application Services: PRC staff would highly recommend for the 2019 Marsh View Park Athletic Fields A, B, C and D Fertilizer and Herbicide Applications that OTPR contract with Davey Sports Turf for those services according to the specifications, schedule and costs in their bid dated May 17, 2019.

MOTION by Barkham, seconded by Simon, *Moved*, to approve the contract to Davey Sports Turf.

Ayes: All Nays: None

MOTION CARRIED.

Hiring of Recreational Program Assistant: Ms. Milos-Dale asked that the Commission defer this item until their regular June 12, 2019 meeting.

Hiring of Parks and Recreation Casual Worker: Contingent upon receipt of satisfactory references, she recommends hiring Rafe Jamison III as a Parks and Recreation part-time casual worker, starting May 28th at the pay rate of \$15.23 per hour and under the conditions stated in the draft employment offer dated May 21, 2019.

MOTION by Simon, seconded by Bukowski, *Moved*, to hire Rafe Jamison at the rate of \$15.23/hr. starting on May 28, 2019.

Ayes: All Nays: None

MOTION CARRIED.

REVIEW OF MAY 16, 2019 BID RESULTS AND CONTRACT AWARD RECOMMENDATION FOR PAINT CREEK TRAIL RESURFACING/OBSERVATION DECK – Mannik Smith Group:

Mr. Kevin McDevitt, Mannik Smith Group, indicated he compiled a spreadsheet showing all items that were bid. He included the two lowest bidders, but not the third. They are all high, but the third one was extremely high, and he felt it was not important to review their numbers. Both Anglin Civil and WCI are reputable contractors, and if you add the base bid items, Bear Creek Nature Park and the trail resurfacing, they were within \$5,000 of each other. He spoke with both contractors – they both bid it to win it. There was a thought that because it was late in the bidding season that the prices came in really high, but that does not seem to be the case – it's just what they thought it was going to cost to do the job. MSG's estimate for everything, including the alternate bid items, was around \$600,000. The lowest bid was well above that, by 50%. Mr. Becker commented for the resurfacing alone, the lowest bid was roughly \$808,000. Mr. McDevitt indicated MSG's resurfacing estimate was \$482,000. He stated across the board, most of the numbers were higher compared to MSG's. Mr. Choi asked what happened between the estimate and the high bid. Mr. McDevitt said they underestimated the access issues along the trail and what that would do to the bid prices. Both contractors said the difficulty with getting materials to the worksite caused a vast increase to the unit prices. He used MDOT's unit prices from their estimating software and used the high end of the range in all cases, but found out that wasn't high enough for this type of job. Mr. McDevitt indicated there are some things we can look at to reduce some of the cost – these are highlighted in gray on the spreadsheet, and are luxury items. This is a trail resurfacing project, but added in timber approach rails, the reconstruction of the steps, bollards, and the split rail fence at the pond. There are a lot of items included - \$160,000 to \$200,000 – that could reduce the price if cut back to just a resurfacing project, similar to what was done in 2003. Mr. Blanchard is disappointed the bids came back so high, but thinks we should look at cutting out some of the items and look at just resurfacing as the trail does need it. For some of the other work, grants could be pursued at a later date. He is not in favor of rebidding the project because of the cost, but would like to look at the possibility of reducing some of the cost with the contractors. Mr. McDevitt did raise this possibility with them, but contractors put their profit in different items. If we were to cut out particular items, it changes who the low bidder is, so someone will be complaining. Ms. Russell commented these prices seem high, e.g. parking blocks, and asked how many feet this is for. Mr. McDevitt said these are not standard plastic or concrete parking blocks, they are for timber parking blocks for the rustic nature of the trail. Ms. Russell said maybe we should just do the resurfacing at this point, and is disappointed the bids are so far off. This just kills small entities, like the trail. She sees things in the bid that the unit price is staggering. Mr. Ferriolo commented this is the second project that bids have come in much higher. We hired a general contractor for guidance, and it seems the blind is leading the blinder. He agrees with cutting some of the items. If there are elements in the bid for safety concerns, these should be done, but any of the other things listed in the gray area – take them out. Mr. Becker commented that we are \$190,000 short of the lowest bid. Ms. Ford confirmed we are \$196,684. Mr. Becker said even if we eliminate \$197,000 from the bid, that does not leave anything for contingency – we need 10% for contingency. Ms. Ford said the \$190,000 shortage is for both the bridge and the resurfacing projects. For just the resurfacing, we are \$570,000 short when not accounting for the grant.

Mr. McDevitt said there are other items we can look at controlling tightly – one being the restoration cost; one bidder at \$58,000 and the other at \$68,000. That right there is the 10% contingency amount. He doesn't anticipate either bidder will use most of this as the resurfacing will not affect land off the trail if done correctly. The only place you will need restoration is near retaining walls, the deck, stairs and drainage structures. So, potentially there's up to \$50,000 savings in that item. If you control the work appropriately, this will not have to be paid out. He is confident this can be done. Relative to reducing the lowest bid, Mr. McDevitt indicated if we take out the items in gray saving \$150,000, and skim off some of the other items saving another \$50,000, we could get the bid down to low \$600,000's. The only problem would be the contingency at that point. Mr. Choi asked if we go back and ask the contractors to cut these costs, will they do that? Mr. McDevitt said he doesn't know. If it's not a major item of work per MDOT specs, you can remove non major items of work and the contractor can't renegotiate. However, if we remove enough items that the contractor put profit into, he can say he's not doing the project – he has that option. In response to a question about where the concrete sidewalk is, Mr. McDevitt indicated this for the trailhead at Tienken Road which is now a gravel pathway down to the trail and is not ADA accessible. This could be cut from the project at this stage. Another item that could be cut back is the timber approach rails, which is quite expensive. Chairperson Becker suggested the Commission ask Mr. McDevitt to talk to the contractors and see how the costs can be reduced, and come back with the results as soon as possible. Mr. Ferriolo said in addition to this request, Mr. McDevitt should be asked to come back with rationale as to why we can do without the items that are removed. We don't want to remove anything that's a safety issue. Mr. McDevitt indicated he will give a justification for each item. Relative to a question on the parking blocks, Mr. McDevitt explained there are parking blocks located at the Dutton Road, Silverbell, Clarkston/Kern and Gallagher parking lots which need to be removed and replaced when the parking lots are resurfaced. This item could be renegotiated and changed to concrete blocks for some cost savings. He will also look at the replacing the retaining wall with something other than a timber wall to save money. Mr. Blanchard asked if the grant foundation was aware the Commission was in trouble with coming up with funds, is there a chance we could approach them? Ms. Ford indicated she would have to have that conversation with them. Mr. Becker said they may be sympathetic to the fact that costs are coming in much higher than anticipated. Ms. Milos-Dale said the Commission may need to go back to the Foundation – if they see all the work we are doing to get the costs down to the minimum, they might be willing to fund more. It is the consensus of the Commission to ask Mr. McDevitt to come back and present new/adjusted bid documents as soon as possible to enable the Commission to complete the project. Mr. McDevitt is hoping to have the information from both contractors within a few weeks. Mr. Ferriolo stated we have a \$400,000 grant, which was for both projects. The resurfacing costs are spread over four municipalities, while the bridge is the responsibility of Oakland Township. How is this going to be distributed/allocated between the two projects – one is to offset the cost to four municipalities, and the other is offsetting the cost to one municipality. He feels a discussion needs to take place about how this is allocated between the two projects in terms of its hit on Oakland Township versus the hit on four municipalities. Ms. Bowyer asked if we don't complete the resurfacing this year and re-bid the project in the fall, will the grant money still be available. Mr. McDevitt is not sure there will be any decrease in price if we re-bid the project in the fall. Mr. Blanchard is in favor of trying to figure out where the savings are and go forward from there. Ms. Steele agreed. It is the consensus of the Commission to wait to hear from Mr. McDevitt, and then schedule a special meeting or take care of this issue at the June meeting.

REVIEW OF MAY 16, 2019 BID RESULTS AND CONTRACT AWARD RECOMMENDATION FOR THE PAINT CREEK TRAIL RESURFACING/BEAR CREEK NATURE PARK – Mannik Smith Group: Mr. McDevitt indicated one problem on Bear Creek is there are no luxury items – the vast majority is resurfacing. Both contractors came in almost double what the estimate was. MSG's engineer's estimate was a little over \$36,000. The low bidder for the overall project was Anglin Civil, but they were not the low bidder on the Bear Creek Nature Park – they were about \$68,000; and WCI was almost \$64,000. This particular part of the contract only has six total items listed in it – the only one not directly part of the resurfacing is minor traffic devices, erosion control/silt fence and mobilization. Chairperson Becker indicated the two items are a package; splitting this one off is not permitted. Mr. McDevitt indicated this is correct. If Oakland Township doesn't want to award the Bear Creek resurfacing contract and the Commission wants to award the resurfacing contract, he will have to look to see if this is allowed. The contractors can withdraw their bid if they are not happy with the award. Mr. Simon asked why every project we've been looking at is severely underestimated. Something is amiss in these estimates and he doesn't understand it. Mr. McDevitt offered that they did underestimate. Mr. Choi indicated the Park certainly needs resurfacing, but at these prices he can't sign up for it right now. We need to go back with the other resurfacing project and see what the contractors are willing to do with the contract. At this point, the price is way too high. In comparing the bids, Ms. Milos-Dale stated they are very different in where they put the

costs. Anglin Civil has their big cost in the surface profit, and WCI is more in the aggregate. Depending on which one ends up being the low bidder for the trail portion of the project, she suggests the Park Commission try and work with that bidder and see if there's a way to get the big cost items down. She indicated their staff has already done a lot of surface prep. Chairperson Becker commented since a lot of surface prep has been done, would this affect the bid. Mr. McDevitt said the portion that was worked on was from the Township Hall into the park; it's the shortest section of the resurfacing, but the most challenging. Upon a question if MSG has been this far off on their other estimates, Mr. McDevitt said no – not by this much. This is quite unusual. He's seen bid pricing coming in between 10-20% high, so this is not normal. Some of the senior construction engineers looked at this, and they said MSG should have had higher estimate prices due to the access issues. A lot of this is based on the fact that we're using bid prices from last year to estimate future years. Mr. McDevitt was asked to see what can be done about reducing the costs and bring this information back to the members.

Ms. Russell added that the Observation Deck is not a necessary thing, it's a want. The Commission needs to consider this - it takes a lot to keep the graffiti off – that is something Rochester City Council is trying to do, but not a big fan, because it will cost them more money. On the prep versus the aggregate, she wants to understand why these costs are so off. Chairperson Becker assumed the Observation Deck and Rochester improvements are off the table because of the bids. Ms. Ford explained these projects are included in the bid as alternate items.

Mr. McDevitt indicated it will probably take two weeks to get revised bids. Ms. Milos-Dale suggested it could be combined with the June 12th Parks Commission meeting if ready.

REVIEW OF SECURED PROJECT FUNDING: OTPRC and PCTC Staff:

FOR REVIEW AND RECOMMENDATION BY OAKLAND TOWNSHIP PARKS AND RECREATION COMMISSION: Bear Creek Nature Park Resurfacing Contract Award:

FOR APPROVAL BY PAINT CREEK TRAILWAYS COMMISSION: Award of Contract for Paint Creek Trail Resurfacing, Paint Creek Trail Observation Deck and Bear Creek Nature Park Resurfacing: Chairperson Becker indicated these three items have been covered in the discussion on the last two items. We will await revised bids before taking action.

PRESENTATION OF PAINT CREEK TRAIL RESURFACING CONSTRUCTION ADMINISTRATION

PROPOSAL: Mannik Smith Group: Mr. McDevitt indicated this item can wait until the next meeting. If things are eliminated from the project, their price might come down too.

FOR APPROVAL BY PAINT CREEK TRAILWAYS COMMISSION: Paint Creek Trail Resurfacing Construction Administration Contract: Chairperson Becker indicated this item is moot as well.

PROGRESS REPORT ON PAINT CREEK TRAIL BRIDGE 33.7 RENOVATION PROJECT: Mannik Smith Group: Mr. McDevitt reported nothing is being done right now. The bridge is scheduled for fabrication the first week of June. They will get out there mid to late June to start working on the abutments and get things ready. The contractor doesn't have any issues right now with completing the project in September. Things are on track. The trail will likely be closed near the end of June, early July.

ADJOURNMENT BY OAKLAND TOWNSHIP PARKS AND RECREATION COMMISSION: The next Joint Meeting could be held in combination with the Parks and Recreation meeting on June 12th. A meeting could also be scheduled for June 4th or earlier if the information is available. Ms. Steele asked if the bids come back and are still high, is there a proactive solution. Chairperson Becker indicated not yet. Ms. Steele asked if this is something that should be brought back to the member communities for possible additional money. It was suggested to wait to see what happens, and then take it back to the communities if necessary. It was also suggested that we could go back to the Wilson

Foundation to explain the difficulties we are experiencing – possibly they might be sympathetic and award additional funds.

MOTION by Bukowski, seconded by Simon, *Moved*, to adjourn the Joint Meeting at 7:45 p.m.

Ayes: All Nays: None

MOTION CARRIED.

ADJOURNMENT BY PAINT CREEK TRAILWAYS COMMISSION:

MOTION by Gamage, seconded by Blanchard, *Moved*, to adjourn the Joint Meeting at 7:45 p.m.

Ayes: All Nays: None

MOTION CARRIED.

Respectively submitted,

EMILY BARKHAM, Secretary
OT Parks & Recreation Commission

HANK VAN AGEN, Secretary
Paint Creek Trailways Commission