



CITY OF BLACK DIAMOND
October 20, 2011 Meeting Agenda
25510 Lawson St., Black Diamond, Washington

7:00 P.M. – CALL TO ORDER, FLAG SALUTE, ROLL CALL

PUBLIC COMMENTS: Persons wishing to address the City Council regarding items of new business are encouraged to do so at this time. When recognized by the Mayor, please come to the podium and clearly state your name and address. Please limit your comments to 3 minutes. If you desire a formal agenda placement, please contact the City Clerk at 360-886-2560. Thank you for attending this evening.

PUBLIC HEARINGS:
APPOINTMENTS, PRESENTATIONS, ANNOUNCEMENTS
UNFINISHED BUSINESS:

NEW BUSINESS:

- 1) **AB11-060** – Resolution Acceptance of SE 288th Street Overlay Project Mr. Boettcher
- 2) **AB11-061** – Resolution Acceptance of Boat launch Reconstruction Project Mr. Boettcher

DEPARTMENT REPORTS:
MAYOR’S REPORT:
COUNCIL REPORTS:
ATTORNEY REPORT:
PUBLIC COMMENTS:

CONSENT AGENDA:

- 3) **Claim Checks** – October 20, 2011, No. 37495 through No. 37550 in the amount of \$262,169.51
- 4) **Payroll Checks** – September 30, 2011 No. 17546 through No. 17570 (voided No. 17554) and ACH Payment for a total amount of \$272,208.44
- 5) **Minutes** – Special Council Meeting of October 6, 2011

EXECUTIVE SESSION:
ADJOURNMENT:

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT: Resolution No. 11-767, acceptance of the SE 288th Street Overlay Project	Agenda Date: October 20, 2011		AB11-060
	Department/Committee/Individual	Created	Reviewed
	Mayor Rebecca Olness		
	City Administrator –		
	City Attorney – Chris Bacha		X
	City Clerk – Brenda L. Martinez		
	Finance – May Miller		
	Public Works – Seth Boettcher	X	
	Economic Devel. – Andy Williamson		X
	Police – Jamey Kiblinger		
Court – Stephanie Metcalf			
Comm. Dev. – Steve Pilcher			
Attachments: Resolution No. 11-767, Cost Summary			
SUMMARY STATEMENT: This is a formal action required by State law that starts a 45 day waiting period to where an outside vendor, supplier or laborer would have an opportunity to file a claim against this project pursuant to RCW 60.28.011 (2). After 45 days the retainage being held by the City can be released once the City has received the following documents: <ul style="list-style-type: none"> • An affidavit of no liens • A release from the Department of Revenue that all taxes have been paid • A release from any claims from the Department of Labor and Industries, pursuant to RCW 60.28.051 Final costs will be known at project closeout.			
COMMITTEE REVIEW AND RECOMMENDATION:			
RECOMMENDED ACTION: MOTION to adopt Resolution No. 11-767, accepting the SE 288th Street Overlay Project by Watson Asphalt Paving Co., Inc. according to the contract documents.			
RECORD OF COUNCIL ACTION			
Meeting Date	Action	Vote	
October 20, 2011			

RESOLUTION NO. 11-767

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
REGARDING FINAL ACCEPTANCE OF THE SE 288TH
STREET OVERLAY PROJECT**

WHEREAS, Watson Asphalt Paving Co., Inc. has completed the SE 288th Street Overlay Project according to the contract and Council authorization; and

WHEREAS, RCW 60.28.011(2) allows a period of forty-five days to file any liens or claims with the City; and

WHEREAS, RCW 39.08.030 requires acceptance of a Public Works project as complete as a formal, public action in order to begin the forty-five day period;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City hereby accepts the SE 288th Street Overlay Project as complete and as set forth in that contract with Watson Asphalt Paving Co., Inc.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 20TH DAY OF OCTOBER, 2011.

CITY OF BLACK DIAMOND:

Rebecca Olness, Mayor

Attest:

Brenda L. Martinez, City Clerk

SE 288TH STREET OVERLAY PROJECT CONSTRUCTION SUMMARY

Five bids were received with the lowest bid coming from Watson Asphalt Paving Co., Inc. for the amount of \$105,493.75. The project was awarded to Watson Asphalt Paving Co., Inc. via Resolution 11-756, dated June 16, 2011. A change order was authorized to increase the contract amount by \$4,863.25 and to increase the overall project budget by \$5,000 via Resolution 11-762, dated July 21, 2011. Substantial Completion for the project occurred September 16, 2011. Physical completion, which included striping, occurred September 30, 2011, with no remaining punchlist items.

Budget Summary:

*TIB Grant:	\$101,183.00
Street Fund:	\$ 11,239.00
Additional from Res.11-762:	<u>\$ 5,000.00</u>
TOTAL BUDGET:	\$117,422.00

Construction Costs Summary:

Original Bid Amount:	\$105,493.75
Approved Change Orders (1):	<u>\$ 4,863.25</u>
TOTAL:	\$110,357.00

Actual Construction Costs: \$111,199.36 (\$842.36 over)

Other Costs:

Parametrix:	\$ 505.12
RK Graphics:	\$ 135.84
Kenyon Disend, PLLC (Legal)	<u>\$ 585.00</u>
TOTAL:	\$ 1,225.96

Total Project Costs:

Construction Costs:	\$111,199.36
Other Costs:	<u>\$ 1,225.96</u>
TOTAL:	\$112,425.32 (\$4,996.68 under)

*The TIB Grant had an original budget of \$101,149. Due to an increase in construction costs, TIB increased its contribution amount to \$101,183.

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT: Resolution No. 11-768, acceptance of the Boat Launch Reconstruction Project at Lake Sawyer	Agenda Date: October 20, 2011		AB11-061
	Department/Committee/Individual	Created	Reviewed
	Mayor Rebecca Olness		
	City Administrator –		
	City Attorney – Chris Bacha		X
	City Clerk – Brenda L. Martinez		
	Finance – May Miller		
	Public Works – Seth Boettcher	X	
	Economic Devel. – Andy Williamson		X
	Police – Jamey Kiblinger		
Court – Stephanie Metcalf			
Comm. Dev. – Steve Pilcher			
Cost Impact: Release of \$2,485.99 (retainage)			
Fund Source: Parks Capital Improvement			
Timeline: 45 days to clear any claims			
Attachments: Resolution No. 11-768; Cost Summary,			
SUMMARY STATEMENT: This is a formal action required by the State law that starts a 45 day waiting period to where an outside vendor, supplier or laborer would have an opportunity to file a claim against this project pursuant to RCW 60.28.011 (2). After 45 days the retainage being held by the City can be released once the City has received the following documents: <ul style="list-style-type: none"> • An affidavit of no liens • A release from the Department of Revenue that all taxes have been paid • A release from any claims from the Department of Labor and Industries, pursuant to RCW 60.28.051 Final costs will be known at project closeout.			
COMMITTEE REVIEW AND RECOMMENDATION:			
RECOMMENDED ACTION: MOTION to adopt Resolution No. 11-768, accepting the Boat Launch Reconstruction Project at Lake Sawyer by Pivetta Brothers Construction, Inc. according to the contract documents.			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
October 20, 2011			

RESOLUTION NO. 11-768

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
REGARDING FINAL ACCEPTANCE OF THE BOAT
LAUNCH RECONSTRUCTION PROJECT AT LAKE
SAWYER**

WHEREAS, Pivetta Brothers Construction, Inc. has completed the Boat Launch Reconstruction Project at Lake Sawyer according to the contract and Council authorization; and

WHEREAS, RCW 60.28.011(2) allows a period of forty-five days to file any liens or claims with the City; and

WHEREAS, RCW 39.08.030 requires acceptance of a Public Works project as complete as a formal, public action in order to begin the forty-five day period;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City hereby accepts the Boat Launch Reconstruction Project at Lake Sawyer as complete and as set forth in that contract with Pivetta Brothers Construction, Inc.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 20TH DAY OF OCTOBER, 2011.

CITY OF BLACK DIAMOND:

Rebecca Olness, Mayor

Attest:

Brenda L. Martinez, City Clerk

BOAT LAUNCH RECONSTRUCTION PROJECT AT LAKE SAWYER

One Bid was received with the initial bid advertisement. This original bid was for \$89,004.01 and was rejected by City staff. The project was sent out to contractors for a second round of bidding and received one bid from Pivetta Brothers Construction, Inc. The project was awarded to Pivetta Brother Construction, Inc. via Resolution 11-763, dated July 21, 2011. Construction began September 6, 2011 and was complete September 16, 2011. Upon completion, there were no outstanding punchlist items.

Budget Summary:

2011 Budget (Carryover):	\$49,244.00
Additional from Res. 11-763:	<u>\$45,757.00</u>
TOTAL BUDGET:	\$95,001.00

Construction Summary:

Bid Amount:	\$50,940.43
Change Order Amount:	<u>\$ 0.00</u>
TOTAL BUDGET:	\$50,940.43

Actual Construction Amount:	\$52,601.31
Total Change Orders (1):	<u>\$ 0.00</u>
TOTAL COSTS:	\$52,601.31 (\$1,660.88 over)

Other Costs:

Parametrix (Environmental permitting and biological assessment):	\$21,750.13
Duncanson Company (Survey):	\$ 950.00
DNR Right of Entry:	\$ 500.00
Administrative (Public Notices, etc.):	\$ 14.65
Kenyon Disend, PLLC (Legal)	\$ 90.00
Fish and Wildlife (Planks):	<u>\$17,250.00</u>
TOTAL	\$40,554.78

Projected Costs Remaining:

Duncanson Company (Asbuilt):	\$ 1,000.00
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Total Projected Project Costs (2011):

Construction:	\$52,601.31
Other:	\$40,554.78
Projected Remaining:	<u>\$ 1,000.00</u>
TOTAL:	\$94,156.09 (\$844.91 under)