

**ENROLLED MINUTES OF THE  
HIGHLAND WATERWORKS BOARD OF DIRECTORS  
THURSDAY, OCTOBER 25, 2018**

Study Session. The Highland Water Works Board of Directors convened in study session immediately before the Regular Meeting at 6:30 p.m. on Thursday, October 25, 2018 in the upper meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland Indiana, in order to discuss the final agenda of the regular meeting.

**ROLL CALL:** Present on silent roll call were Directors Ed Dabrowski, George A. Smith, Larry Kondrat, and Curt Schroeder. Director George Georgeff was absent with prior notice given. Also present were Derek Snyder, NIES Engineering, Inc.; John Bach, Public Works Director; Mark Knesek, Operations Director; Rhett Tauber, Board Attorney; Bernie Zemen, Highland Town Council; Michael Griffin, Clerk Treasurer; and Kim Webb, Recording Secretary.

1. The Board discussed Resolution No. 2018-13, a Resolution approving and authorizing Change Order No. 1 to the construction contract between the Highland Water Works Board of Directors and Gough, Inc. for the 5<sup>th</sup> Street Water Main Replacement Project – 98<sup>th</sup> St. to 45<sup>th</sup> St.
2. The Board discussed the Action to approve Pay Request No. 5 for the Wicker Park Manor Water Main Replacement and Street Improvement Project in the amount of \$177,752.05 to Rex Construction Co., Inc.
3. The Board discussed the Action to approve Pay Request No. 2 for the 5<sup>th</sup> Street Water Main Replacement Project – 98<sup>th</sup> Street to 45<sup>th</sup> Street in the amount of \$16,092.32 (\$17,880.35 less \$1,788.03 retainage) to Gough, Inc.
4. The Board discussed the date of the November 2018 Waterworks meeting due to the Thanksgiving Holiday. The November meeting will be Thursday, November 29, 2018.

Regular Meeting. The Highland Water Works Board of Directors met in its Regular Session on Thursday, October 25, 2018 at 7:00 p.m. in the upper meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland Indiana. Director Dabrowski opened the meeting. The minutes were recorded by Kim Webb, Recording Secretary. The session was opened with the Pledge of Allegiance.

**ROLL CALL:** Present on roll call were Directors Ed Dabrowski, George A. Smith, Larry Kondrat, and Curt Schroeder. Director George Georgeff was absent with prior notice given. Also present were Derek Snyder, NIES Engineering, Inc.; John Bach, Public Works Director; Mark Knesek, Operations Director; Rhett Tauber, Board Attorney; Bernie Zemen, Highland Town Council; Michael Griffin, Clerk Treasurer; and Kim Webb, Recording Secretary.

**MINUTES:** President Dabrowski, President *Pro Tempore*, asked if there were any corrections to the Minutes of the Regular Meeting of September 27, 2018 as prepared and posted. Director Smith moved to approve the minutes of the Regular Meeting on September 27, 2018. Director Kondrat seconded. On a vote *viva voce*, the motion passed.

**Special Orders:** None

**Communications:** None

**Unfinished Business and General Orders:**

- 1. Highland Waterworks  
Board of Directors  
Resolution No. 2018-13

A Resolution approving and authorizing Change Order No. 1 to the construction contract between the Highland Water Works Board of Directors and Gough, Inc. for the 5<sup>th</sup> Street Water Main Replacement Project – 98<sup>th</sup> St. to 45<sup>th</sup> St. Director Kondrat moved to approve Resolution 2018-13. Director Smith seconded. Upon a roll call vote, there were (4) affirmations and no negatives, 1 absent. The motion passed.

**WATERWORKS DISTRICT OF HIGHLAND  
Board of Directors  
Resolution No. 2018-13**

**A Resolution Approving and Authorizing Change Order No. One to the Construction Contract between the Highland Water Works Board of Directors and Gough, Incorporated for the 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Water Main Replacement Project – Phase 2 in the amount of \$3,832.64.**

**Whereas**, the Waterworks District of Highland (District) is governed by its Board of Waterworks Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

**Whereas**, IC 8-1.5-4-4 specifically provides that the Board of Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

**Whereas**, The Town of Highland, Board of Works, had determined to make certain improvements to the intersection of 45<sup>th</sup> Avenue and 5<sup>th</sup> Street and has implemented the 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Intersection Project; and

**Whereas**, the District had heretofore determined a need to replace the existing water main on 5<sup>th</sup> Street from approximately 100 feet north of 45<sup>th</sup> Avenue to 98<sup>th</sup> Street and on 45<sup>th</sup> Avenue from

approximately 250 feet west of 5<sup>th</sup> Street to approximately 250 feet east of 5<sup>th</sup> Street, due to its condition, in conjunction with the intersection improvement project and had engaged NIES Engineering, Incorporated to prepare plans and specifications for the water works improvements, to be known as 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Water Main Replacement Project (Project); and

**Whereas**, NIES Engineering, Inc. had prepared plans and specifications for both Phase 1 and Phase 2 of the Project on behalf of the Water Works District and Phase 2 of the Project was bid in accordance with IC 36-1-12 *et seq.* with notice being published in accordance with IC 5-3-1; and

**Whereas**, on April 26, 2018, the Waterworks District adopted Resolution No. 2018-08 and awarded the Project to Gough, Incorporated in the amount of One Hundred Sixty-nine Thousand Six Hundred Eighty-six Dollars and 38/100 (\$169,686.38) to be the lowest responsive and responsible bid; and

**Whereas**, during the course of construction of the Project, it has become necessary to change or alter the original specifications of the project and/or to increase or decrease the planned material quantities; and

**Whereas**, NIES Engineering, Inc., a licensed engineer performing construction engineering services on this project, has specifically identified and presented Change Order No. 1, attached herewith, which details the changes and alterations to the Project which have a net increase in the contract amount of *Three Thousand Eight Hundred Thirty-two Dollars and 64/100 Cents (\$3,832.64)*; and

**Whereas**, The Waterworks District of Highland, through its Board of Directors, now desires to approve and authorize the Change Order as described.

**Now Therefore Be it Resolved** by the Board of Directors of the Waterworks District of Highland, Lake County, Indiana, as follows:

**Section 1.** That the First Addendum to the Construction Contract with Gough, Incorporated for the 45<sup>TH</sup> AVENUE AND 5<sup>TH</sup> STREET WATER MAIN REPLACEMENT PROJECT – PHASE 2, as prepared by NIES Engineering, Incorporated, a licensed engineer performing construction engineering services on this Project, is hereby determined to be directly related to the original project and is hereby approved, adopted, and ratified in each and every respect;

**Section 2.** That this addendum is hereby ordered to be known as Change Order No. 1, issued to increase net changes to the original agreement in the amount of *Three Thousand Eight Hundred Thirty-two Dollars and 64/100 Cents (\$3,832.64)*; bringing the total value of the entire agreement with any and all change orders approved to date to One Hundred Seventy-three Thousand Five Hundred Nineteen Dollars and 02/100 (\$173,519.02); and

**Section 3.** That the total of all change orders issued that increases the scope of this Project may not exceed twenty percent (20%) of the amount of the original contract, that amount being of Two Hundred Three Thousand Six Hundred Twenty-three Dollars and 66/100 Cents (\$203,623.66), pursuant to IC 36-1-12-18(d); and

**Section 4.** That the Proper Officers are hereby authorized to execute the necessary documents with their signatures.

**Duly Approved and Adopted** by the Board of Directors of the Waterworks District of Highland, Lake County, Indiana this 25<sup>th</sup> day of October, 2018 by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

**BOARD of WATERWORKS DIRECTORS  
WATERWORKS DISTRICT of HIGHLAND, INDIANA**

/s/Ed Dabrowski, President *Pro Tempore*

Attest:

/s/George A Smith, Secretary of the Board of Directors

2. An Action to approve Pay Request No. 5 for the Wicker Park Manor Water Main Replacement and Street Improvement Project in the amount of \$177,752.05 to Rex Construction Co., Inc. Director Kondrat moved to approve the action. Director Schroeder seconded. Upon a roll call vote, there were (4) affirmations and no negatives, 1 absent. The motion passed.
  
3. An Action to approve Pay Request No. 2 for the 5<sup>th</sup> Street Water Main Replacement Project – 98<sup>th</sup> Street to 45<sup>th</sup> Street in the amount of \$16,092.32 (\$17,880.35 less \$1,788.03 retainage) to Gough, Inc. Director Schroeder moved to approve the action. Director Smith seconded. Upon a roll call vote, there were (4) affirmations and no negatives, 1 absent. The motion passed.

**New Business:**

There was discussion on a new business opening at 3309 45<sup>th</sup> St. There is an issue of the unpaid water bill from the previous owner. Director Smith moved to add the matter to the agenda. Director Kondrat seconded. On a vote *viva voce*, the motion passed. Director Smith moved to instruct staff to investigate and delay both collection and shutoff until the Board receives further information on the account. Director Kondrat seconded. On a vote *viva voce*, the motion passed.

**Reports:**

1. Waterworks Superintendent – No Report.
2. Waterworks Attorney – The lawsuit against Mr. Marks (Re: Resolution 2018-10) was served by Sheriff on September 27, 2018.
3. Waterworks Engineer – The 45<sup>th</sup> Street Project (Phase 1) was completed with the final asphalt paving in early October. Punchlist work remains to be completed for both the Wicker Park Manor project and the 5<sup>th</sup>/45<sup>th</sup> projects (Phases 1 and 2).
4. Fire Department – No Report.

**Business from the Floor:** NONE

**Claims:**

Per the docket in the amount of:

061	Water Works District	\$0.00
062	Consumer Deposits	\$45.95
064	Waterworks Operating	\$189,432.29
066	Water Improvements	\$208,685.83
068	Water Capital	\$0.00
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Total		\$398,164.07

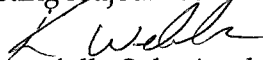
Director Kondrat moved to approve the claims per the October 25, 2018 docket in the amount of \$398,164.07. Director Schroeder seconded. On a vote *viva voce*, the motion passed.

**Next Meeting:**

The next Public Meeting will be held on Thursday, November 29, 2018 at 7:00 p.m. following a regular study session at 6:30 p.m. at the Town Hall.

**ADJOURNMENT:** With no other business to come before the Board of Waterworks Directors, Director Schroeder moved to adjourn.

Meeting Adjourned at 7:20 p.m.

  
Respectfully Submitted,  
Kim Webb, Recording Secretary