

AGENDA
SHAWNEE MUNICIPAL AUTHORITY
November 18, 2013 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

1. Consider approval of Consent Agenda:
 - a. Minutes from the November 4, 2013 meeting
 - b. Request permission to advertise for bids on repair and restoration of river bank failure at water treatment plant and water treatment plant sludge removal.
2. Presentation on fluoride by HDR Engineering.
3. New Business

(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)
4. Administrative Reports
5. Adjournment

Respectfully submitted

Phyllis Loftis, CMC, City Clerk

Shawnee Municipal Authority

1. a.

Meeting Date: 11/18/2013

Minutes

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Minutes from the November 4, 2013 meeting

Attachments

Minutes

THE TRUSTEES OF THE SHAWNEE MUNICIPAL AUTHORITY OF THE CITY OF SHAWNEE, COUNTY OF POTTAWATOMIE, STATE OF OKLAHOMA, MET IN REGULAR SCHEDULED SESSION IN THE COMMISSION CHAMBERS AT CITY HALL, 9TH AND BROADWAY, SHAWNEE, OKLAHOMA, MONDAY, NOVEMBER 4, 2013, DURING THE BOARD OF CITY COMMISSIONERS MEETING AT 6:30 P.M., PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW. UPON ROLL CALL, A QUORUM WAS DECLARED WITH THE FOLLOWING MEMBERS IN ATTENDANCE:

PRESENT: Stephens, Agee, Harrod, Mainord, Hall, Winterringer, Smith

ABSENT: None

Call to Order

Declaration of a Quorum

AGENDA ITEM NO. 1: Consider approval of Consent Agenda

a. Minutes from the October 21, 2013 meeting.

A motion was made by Trustee Smith, seconded by Trustee Hall, to approve the Consent Agenda item No. 1(a). Motion carried 7-0.

AYE: Smith, Hall, Winterringer, Stephens, Agee, Harrod, Mainord

NAY: None

AGENDA ITEM NO. 2: New Business (Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)

There was no new business.

AGENDA ITEM NO. 3: Administrative Reports

There was no Administrative Reports.

AGENDA ITEM NO. 4: Adjournment

There being no further business to be considered, the meeting was adjourned

by power of the Chair. (8:11 p.m.)

ATTEST:

(SEAL)

WES MAINORD
CHAIRMAN

PHYLLIS LOFTIS, CMC, CITY CLERK
SECRETARY

Shawnee Municipal Authority

1. b.

Meeting Date: 11/18/2013

Request bids

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Request permission to advertise for bids on repair and restoration of river bank failure at water treatment plant and water treatment plant sludge removal.

Attachments

Bid Request

Steve Nelms
Utility Director
405-273-1960

Lyndsay Pickens
Administrative Assistant
Phone: 405-273-1960
Fax: 405-878-1550

Mayor
WES MAINORD



111 S. Kickapoo, Shawnee, OK 74801

Greg Price
Plant Manager
405-878-1662

Brad Schmidt
Maintenance Manager
405-878-1513

Commissioners
Pam Stephens
Linda Agee
James Harrod
Keith Hall
John Winterringer
Steve Smith

MEMORANDUM

To: Brian McDougal, City Manager.
From: Steve Nelms, Utility Director
CC: Mayor and City Commission Cindy Sementelli, Finance Director
Date: 11/6/2013
Re: Requesting authorization to seek bids for repairing the WTP river bank failure.

Nature of the Request:

Staff is requesting authorization from the City Commission to seek bids for the Repair and Restoration of River Bank failure at the Water Treatment Plant. In addition staff would also like to request that the City Commission authorize staff to include the removal of the Water Treatment Plant Sludge combining, the two projects as one.

Staff Analysis, Considerations:

The River Bank failure was caused by an uncontrollable act of nature, that has compromised capital project (SMA 14-02) Water Treatment Plant Sludge Removal. Due to the river bank failure Nutri-Ject was not communicating with staff after the removal contract (SMA 14-02) was awarded to Nutri-Ject. Staff tried to contact Nutri-Ject on several occasions and had no success doing so. Due to Nutri-Jects failure to commence work in accordance with the notice to proceed agreement and lack of communication I cancelled their contract for \$208,000.50 by doing so I believe the city will have a substantial savings if the City Commission approves the request to combine (two) projects SMA 14-02 / SMA 14-03 as (one). I have attached supporting documentation of the cancelled contract.

Recommendation:

Staff is respectfully requesting that the City Commission approve the request to seek bids to repair the river bank and combine the (two) projects as (one).

Budget Consideration:

River Bank Repair was not budgeted for, SRB Engineer has an estimated repair cost of \$200,000 FEMA will pay up to 80% of the repair cost.
WTP Sludge Removal budgeted amount \$223,000

Steve Nelms
Utility Director
405-273-1960

Lyndsay Pickens
Administrative Assistant
Phone: 405-273-1960
Fax: 405-878-1550



111 S. Kickapoo, Shawnee, OK 74801

10-25-2013

Greg Price
Plant Manager
405-878-1662

Brad Schmidt
Maintenance Manager
405-878-1513

Scott Wienands
Nutri-Ject Systems, Inc
PO Box 398
Hudson, IA 50643-0398

Re: Project No: SMA-14-02 Water Plant Sludge Removal/Bond No. GROK36027A

Dear Mr. Wienands:

Due to Nutri-Ject Systems, Inc failure to commence work in accordance with the Notice to Proceed Agreement; by the due date of September 19th, 2013; and lack of communication with City of Shawnee staff. We are hereby cancelling the Construction Contract and will rebid the project.

Steve Nelms, Utility Director
Shawnee Municipal Authority

cc: Brian McDougal, City Manager, City of Shawnee
Mary Ann Karnes, City Attorney, City of Shawnee
Jonathan Pate, Attorney-in-Fact Granite Re, Inc.
Pate Bonding, Inc.

Steve Nelms
Utility Director
405-273-1960

Lyndsay Pickens
Administrative Assistant
Phone: 405-273-1960
Fax: 405-878-1550



111 S. Kickapoo, Shawnee, OK 74801
10-25-2013

Greg Price
Plant Manager
405-878-1662

Brad Schmidt
Maintenance Manager
405-878-1513

Jonathan Pate, Attorney-in-Fact
Granite Re, Inc.
14001 Quailbrook Drive
Oklahoma City, OK 73134

Re: Project No: SMA-14-02 Water Plant Sludge Removal/Bond No. GROK36027A

Dear Mr. Pate:

Due to Nutri-Ject Systems, Inc failure to commence work in accordance with the Notice to Proceed Agreement; by the due date of September 19th, 2013; and lack of communication with City of Shawnee staff. We are hereby cancelling the Construction Contract and will rebid the project.

Steve Nelms, Utility Director
Shawnee Municipal Authority

cc: Brian McDougal, City Manager, City of Shawnee
Mary Ann Karnes, City Attorney, City of Shawnee
Scott Wienands, President, Nutri-Ject Systems, Inc
Pate Bonding, Inc.

NUTRIJECT SYSTEMS, INC.

515 FIFTH STREET - PO BOX 398 - HUDSON, IA 50643

Phone: 319-988-4205 Toll Free: 1-800-798-4205 Fax: 319-988-3508

<http://www.nutriject.com>

November 4, 2013

Steve Nelms,
Utility Director
Shawnee Municipal Authority
111 S Kickapoo
Shawnee, OK 74801

Dear Steve:

We are in receipt of your letter dated October 25, 2013 which states that you are cancelling the Construction Contract and will rebld the project.

The project was originally bld as a Water Treatment Plant Sludge Removal with an estimate of 4,000,000 gallons. Between the bid date and before we signed the Construction Contract on August 16, 2013, Steve called to say that there had been a lagoon sidewall compromise and there will be less materlal to remove. Scott agreed to the same bid price for less quantlty as noted on the Construction Contract signed August 16, 2013.

We signed the notice to proceed on September 4, 2013 which states that the work is to start before September 19, 2013 and shall be completed by December 18, 2013. Although we did not start the project on or before September 19, we did visit the jobsite in preparation to start the job around September 17th. At this time the lagoon was completely dry and there were no gallons of liquid to remove from the lagoon. Pictures are attached.

Due to the fact that the nature of the project has changed from llquid removal to a dry removal of material which requires entirely dlfferent equipment we consider the contract to is vold based on the doctrine of frustration of purpose. In addition, the bank of the lagoon is structurally unfit to handle large equipment.

Based on the above information we consider this contract to be vold.

Sincerely,



Scott Wienands
President

Shawnee Municipal Authority

2.

Meeting Date: 11/18/2013

Fluoride Presentation

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Presentation on fluoride by HDR Engineering.

Attachments

Fluoride

Steve Nelms
Utility Director
405-273-1960

Lyndsay Pickens
Administrative Assistant
Phone: 405-273-1960
Fax: 405-878-1550

Mayor
WES MAINORD



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MEMORANDUM

To: Brian McDougal, City Manager.
From: Steve Nelms, Utility Director
CC: Mayor and City Commission Cindy Sementelli, Finance Director
Date: 11/6/2013
Re: Candy Staring, HDR Engineering Fluoride Presentation

Staff has worked closely with HDR Engineering to put together an informational fluoridation presentation. The presentation includes historical facts about fluoridation at the Shawnee Water Treatment Plant (WTP), as well as the team's perspective on the benefits versus risks of fluoridation. The natural fluoride concentration was tested and the results are included in the presentation.

The presentation offers information regarding the feasibility of adding fluoridation feed, housing, and storage facilities at the WTP. Three optional layouts for a new system are identified and planning level costs are estimated. Evaluation factors were developed and weighed from the perspective of Shawnee's Utility staff. The evaluation resulted in an overall scoring for whether or not to add fluoridation facilities.

Fluoridation trends in Oklahoma are also presented, along with a chart showing American Dental Association's recommended daily fluoride intake.