

## **Minutes March 07, 2018**

### **Demmer Library Design and Construction Committee**

Committee Attendance: Tom Asbeck, Erica Brewster, Janet Dixon, Catherine Marshall, Rosie Obukowicz, Mary Sowinski (arrived 4:24 PM)

Absent: Vicki Reuling

Others: None

Tom Asbeck called the meeting to order at 4:02 p.m.

**Report on agenda posting:** Erica reported on the agenda posting in accordance with Wisconsin Open Meeting Law.

**Agenda approval:** Motion by Catherine, seconded by Janet to approve the agenda in any order. All ayes, motion carried.

**Review and approval of minutes from February 19, 2018 meeting:** Motion by Rosie, seconded by Catherine to approve the February 19, 2018 minutes as corrected. All ayes, motion carried.

**Approve construction bills:** Motion by Rosie, seconded by Catherine, to approve payment of construction bills listed on the disbursement journal: Hoffman invoice 17221-8 in the amount of \$9,035.86 for design services and reimbursables and NorthStar Environmental for asbestos and lead paint testing in the amount of \$1,885.00. All ayes, motion carried.

**Report – town board action on bid award:** Following the DCC meeting, the recommendation for Greenfire was taken to the library board and the town board on 2/20/2018. Both boards approved the recommendation unanimously with minor discussion.

**Contract negotiations - report:** The library board recommended Greg Harrold, town attorney, for the contract management. Tom Asbeck has been working with Mr. Harrold on the Consensus document supplied by Hoffman. Following the public announcement of the bid, Erica received a phone call from a citizen asking if the board/foundation was aware of sovereign immunity of tribal entities – that a tribal entity cannot be sued in U.S. court, but would be litigated in tribal court. Following this, Tom worked with Mr. Harrold and contacted Greenfire. Greenfire readily supplied documentation that they cannot claim sovereign immunity as they are incorporated as Greenfire Management, LLC in the state of Delaware and their incorporation papers includes a waiver of sovereign immunity. Attorney Greg Harrold further reviewed the tribal constitution plus several additional documents and feels comfortable that sovereign immunity is not an issue that can affect this contract. Performance and payment bonding were part of the bid and bid qualification process, so the town cannot be held financially accountable should Greenfire dissolve as a company in the middle of the construction project.

Tom should receive the updated contract from Mr. Harrold by the end of the day 3/6 and will send draft contract to Hoffman and Greenfire immediately for their review. Hoffman will review for content and to release copyright permissions for use of the Consensus document. The library board and town board will meet on 3/20 and would be best to have the contract ready for approval by that date. We are working to

have a quick turn around so construction can start as close to April 1 as possible.

In addition to the contract several additional documents need to be formalized per recommendation of Greg Harrold:

- Written agreement between the Three Lakes Public Library Foundation and the Town of Three Lakes specifying the amount of money to be committed to the project by the foundation.
- Written agreement between the Historical Society an/or the Town of Three Lakes/Three Lakes Public Library Foundation for the amount and process by which funds will be committed to the project.
- Formal designation of contact between town and the DCC – Tom suggests Vicki Reuling as she is the chair of the DCC.
- Determine whether we should pursue “owner purchase of materials” for avoiding sales tax that a contractor would need to pay. Question of whether the savings would be worth any extra bookkeeping for direct payment, and still awaiting a response from Hoffman. Tom will pursue this with Greenfire as appropriate.

**Update – IT/low voltage:** Tom and Erica met with Jahn Martin from Pieper Power/System Technologies to review the bid estimate and deeper discussion of the actual needs and to get a better understanding of the functionality of the systems. After adjusting, received an updated bid on 3/6, but Erica and Tom haven't had time to review in depths.

The library board also expressed concern about the cost of the security system as the part of the package. Erica had a conversation with Police Chief Lea who would be happy to review the system specifications and meet with the library board if needed. Jahn Martin from System Technologies is also available for those discussions. This will be placed on the coming library board agendas.

Hearing Loop was not included in the bid from Pieper Power as they are not certified. Erica will work on contacting a certified installer and getting an estimate.

At Tom and Erica's request, Jahn Martin created a quote for meeting room equipment. This will likely be a project separate from the construction/FF&E budget.

**Asbestos/lead paint testing and abatement:** Received the report on asbestos/lead presence in building. There is no lead paint in the building, but there would be asbestos abatement needed for the large meeting room, front entry stairs, and the lower level bathrooms.

Tom received a list of asbestos abatement companies from Hoffman and Greenfire. Mary will contact 3-4 from the official list and get quotes for the work, and approval at the next DCC meeting.

**FF&E budget - update:**

Briefly reviewed the FF&E budget estimate as available to date. Best estimate is at \$188,000, compared to Hoffman's estimate of \$177,000. Moving costs are still estimates, low voltage estimates have been included but not updated per estimate received on 3/6. Erica is still working on getting costs for the interior furnishings and shelving. FF&E budget worksheet includes amounts of money pledged to specific areas of the project as well as known project estimates.

No further updates on the book arch design and construction.

**MOU with historical society – update:** Working on a supplement to define the process for payment between the historical society and/or the library foundation and the town (see contract negotiations above).

**Construction management:** Tom has contacted and had some interest from Patrick McCabe, builder with Chequamegon Builders, but hasn't had interest back from other. Tom will meet with him and determine interest, qualifications, and price for hiring him as an owner's representative.

**Update – reclamation plan:** Have made contact with Habitat Restore in Rhinelander. Will need to schedule for a window between moving out and asbestos abatement. Tom will work with Dave Kirby to reclaim ceiling tiles for the workout room at school. Janet and library staff will mark items for reclamation.

**Public Comments:** None

**Agenda for next meeting:**

- Review/approve recommendation the final of the construction contract

**Next Meeting: Wednesday, March 20, 8:30 AM in the town board room.** There being no further business, Mary made a motion to adjourn, seconded by Janet. All ayes, motion carried. The meeting adjourned at 5:36 p.m.

Respectfully submitted: Erica Brewster