COOKEVILLE CITY COUNCIL
REGULAR MEETING
APRIL 18, 2013
5:30 P.M.

The Council of the City of Cookeville met in regular session on Thursday, April 18, 2013, at 5:30 p.m., in the Municipal Building, 45 East Broad Street. Mayor Swallows called for a moment of silent prayer, and led the audience in the Pledge of Allegiance. Mayor Swallows then called the meeting to order and asked the City Manager to call the roll. Present and answering roll call were:

Mayor Matt Swallows
Vice-Mayor Larry Epps
Councilman Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

Also present: Jim Shipley, City Manager, serving for City Clerk; and Dan Rader, City Attorney.

CONSIDER APPROVAL OF AGENDA AS PRESENTED

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the agenda as submitted. Upon call for a vote, the following voted aye:

Mayor Matt Swallows
Vice-Mayor Larry Epps
Councilman Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

The City Manager announced that the motion carried.

OLD BUSINESS:

CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD ON APRIL 4, 2013

Councilman Anderson made a motion to dispense with the reading of the minutes and approve said minutes as submitted. The motion was seconded by Councilman Woodford. Upon call for a vote, the following voted aye:

Mayor Matt Swallows
Vice-Mayor Larry Epps
Councilman Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

The City Manager announced that the motion carried.

NEW BUSINESS:

CONSIDER APPROVAL TO PURCHASE ONE (1) 2012 CHEVROLET IMPALA (PRE-OWNED) FOR THE POLICE DEPARTMENT

FORD OF Murfreesboro
Tennessee Automotive Group Selection, Savings and Your Satisfaction

APRIL 11,2013

COOKEVILLE POLICE DEPT

2012 CHEVROLET IMPALA LT (pre-owned)

STOCK # G1729 VIN# 2G1WG5E38C1124282

MILES: 22,158

ALLOY WHEELS, SPOILER,POWER SEAT,SUN ROOF,
KEYLESS ENTRY,BLACK IN COLOR

PRICE : $16,500

PURCHASE SHOULD BE TO :
CHEVROLET OF MURFREESBORO
1422 N W BROAD ST
MURFREESBORO, TN 37129

THANKS,

DONALD STOCKTON
FLEET SALES MGR
931-261-5698
cell #

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the purchase of one (1) 2012 Chevrolet Impala as requested. Upon call for a vote, the following voted aye:

Mayor Matt Swallows
Vice-Mayor Larry Epps
Councilman Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

The City Manager announced that the motion carried.

CONSIDER APPROVAL TO PURCHASE A FORENSICS COMPUTER/SOFTWARE FROM DIGITAL RECONNAISSANCE FOR THE POLICE DEPARTMENT

April 8, 2013

Major Honeycutt,

As you are aware, we are the recipient of a $15,000 Internet Crimes Against Children (ICAC) grant for the current fiscal year. Due diligence has been used to determine the most efficient manner to spend these funds. The accompanying quote from Digital Reconnaissance for a forensics computer will need the City Council's approval. The computer described in the quote is a sole-source item and as such cannot be purchased elsewhere. I have conducted research and determined that no other forensic computer of this value can be purchased for this price.

Other documents accompanying this memo include: a copy of the email indicating the State of Tennessee's, as well as Metro-Nashville's, approval for the expenditure/reimbursement of $15,000 worth of ICAC equipment; a copy of the grant contract between the City of Cookeville and the Metro-Nashville government.

Another of the purchases is of an amount that requires the City Manager's approval. That item is for software produced by Katana Forensics called Lantern iOS Forensic Software. This software assists in the forensic examination of Apple/Mac systems and the iPhone/iPad/iPod devices. The government price for that item is $599.00. None of the remaining items to be purchased require outside approval.

Once all items have been purchased, the receipts will be submitted to Metro-Nashville and a reimbursement check issued to the City of Cookeville for $15,000. No funds will be spent until the State re-approves the revised purchase list.

Please cause this issue to be placed on the first available City Council agenda.

Sincerely,

Cookeville PD - Revised 2012-2013 ICAC Grant Purchases

Digital Reconnaissance: Forensic Workstation		$13,000.00
APC Power Supply		$164.00
Weibetech Industries: Driver Erazur Ultra		$249.00
	Shipping	$11.00
Weibetech Industries: Hardware Write Blocker		$299.00
	Shipping	$11.00
Kanguru Encrypted Secure Thumbdrive		$68.01
Katana Forensics: Lantern 2 iOS Forensic Software		$599.00
WD 2 TB Portable External HD		$149.99
Microsoft Office 2010 Professional		$449.00
		$15,000.00

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the purchase of a forensics computer/software as recommended. Upon call for a vote, the following voted aye:

Mayor Matt Swallows
Vice-Mayor Larry Epps
Councilman Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

The City Manager announced that the motion carried.

CONSIDER AWARDING BID FOR BUILDING RENOVATIONS FOR PUBLIC WORKS FACILITY AT 1115 E. SPRING STREET

RCR&A

RICHARD C. RINKS & ASSOCIATES, INC.
Engineers - Roof Consultants - Architects
Building Envelope Consultants - Moisture Analysts
ASCE - NSPE - TSPE - AIA - RCI - EDI
30 North Jefferson Avenue - P.O. Box 691 - Cookeville, Tennessee 38503-0691
Telephone 931-528-5543 Richard@Rinks-Consulting.com Facsimile 931-528-5544

April 12, 2013

Mr. Greg Brown, Director
City of Cookeville Public Works Department
45 East Broad Street
Cookeville, Tennessee 38501

Dear Mr. Brown:

On Thursday, April 4, 2013, bids were opened for the Building Renovations at the Cookeville Public Works Facility, 1115 East Spring Street in Cookeville, Tennessee. Three bids were received from General Contractors who attended the mandatory Prebid Conference.

King Construction Group, Inc. of Cookeville submitted the low Base Bid in the amount of $1,249,000.00. The Base Bid included a fire alarm system, therefore, we recommend that Deduct Alternate 8 to omit stand alone smoke and heat alarms be accepted in the deductive amount of $4,000.00. See attached Bid Tabulation.

We recommend that the City of Cookeville award a contract to King Construction Group, Inc. for the Project in the amount of $1,245,000.00 (Base Bid with Deduct Alternate 8).

King Construction Group, Inc. has agreed to modify their quoted unit prices to be in line with unit prices we are used to seeing on bids for this work. Wood blocking unit price will be $5.00 per board foot, 4,000 PSI concrete on grade will be $250.00 per cubic yard in place and unclassified excavation will be $18.00 per cubic yard.

All other known issues have been satisfactorily resolved.

Should you have any questions concerning this matter, or if I may be of assistance in the future, please contact me.

Respectfully submitted,

Richard C. Rinks, PE, AIA, RRC, RLS, CEIFSI, CMA
President

RICHARD C. RINKS ARCHITECT STATE OF TENNESSEE

D:\Dell2010\DDELL2010-DAA\CITY-PW\RECOMMENDATION OF AWARD kt.wpd

Councilman Anderson made a motion, seconded by Councilman Woodford, to reject all bids received & re-bid. Upon call for a vote, the following voted aye:

Mayor Matt Swallows
Vice-Mayor Larry Epps
Councilman Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

The City Manager announced that the motion carried.

CONSIDER AWARDING BID FOR PERSONAL PROTECTIVE EQUIPMENT – FIRE DEPT.

CITY OF COOKEVILLE
BID TABULATION SCHEDULE

PERSONAL PROTECTIVE EQUIPMENT

DATE OF BID OPENING: 04/12/13 TIME: 10:00 A.M.
BIDS OPENED BY: Roger Fugua
BIDS WITNESSED BY: Tom Brown
DEPARTMENT: Fire

BIDDERS	AMOUNT		
NAFECO	**$18,920.00 (11 sets)**		
Cumberland	$20,419.30		
MES	No Bid		
Safe Industries	No Bid		

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM NAFECO BE AWARDED
FOR THE FOLLOWING REASON: LOWEST BID MEETING SPECIFICATIONS.

Roger Fugua
RECOMMENDED: DEPARTMENT HEAD

BUDGET AVAILABILITY: FINANCE DIRECTOR

APPROVAL: CITY MANAGER

Councilman Anderson made a motion, seconded by Councilman Woodford, to award the personal protective equipment bid as recommended. Upon call for a vote, the following voted aye:

Mayor Matt Swallows
Vice-Mayor Larry Epps
Councilman Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

The City Manager announced that the motion carried.

CONSIDER APPROVAL OF PUMP REPAIR AT THE BOOGER SWAMP PUMPING STATION

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director RJK

DATE: April 11, 2013

SUBJ: Booger Swamp Pump Repair

During the next City Council meeting I will be requesting authorization to make payment for pump repair parts ordered for one of the four pumps located at the Booger Swamp Pumping Station.

The impeller on one of the four pumps located at the station needs to be replaced due to wear. We have contacted Guthrie Sales and Service, the Fairbanks Pump representative, and have ordered the material needed to replace the impeller. Due to delivery dates, we have ordered the parts due to the reduced flow (1700 gpm vs. 2800 gpm design) output of the pump. The cost of the parts total $16,887.00. This is a sole source purchase and would recommend your approval for payment.

If you have any questions concerning this matter please give me a call.

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the pump repair as recommended. Upon call for a vote, the following voted aye:

Mayor Matt Swallows
Vice-Mayor Larry Epps
Councilman Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

The City Manager announced that the motion carried.

CONSIDER APPROVAL OF WATER TREATMENT PLANT ENGINEERING CONTRACT AMENDMENT #3

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director RJK

DATE: April, 11, 2013

SUBJ: Engineering Contract Amendment #3 – Water Treatment Plant Project

During the next City Council meeting I will be seeking Council approval of an amendment to the Water Treatment Plant engineering construction contract with Consolidated Technologies, Inc. (CTI) Consulting Engineers.

The City of Cookeville entered into an engineering agreement with CTI in August of 2010, to perform professional engineering services in connection with the design and construction phase of upgrading the existing water treatment plant facilities. After the project bids were opened the City Council rejected all bids. Council then approved engineering amendment #1, which totaled $21,000, to redesign and rebid the project.

The first bid contained a ten (10) month construction schedule. During the second bid, the bid form requested that the contractors enter an amount to extend the project to a twelve (12) month construction schedule vs. a ten (10) month schedule. The low bidder offered a $30,000 deduct if the City of Cookeville selected the twelve (12) month construction schedule. Council approved the re-bid project and accepted the contractor's $30,000 deduct for a twelve (12) month project. The original engineering contract was negotiated on a ten (10) month construction schedule so a 2nd engineering contract amendment was required. Engineering contract amendment #2 was approved by the City Council, which added $27, 000 to the engineering contract. This increase was offset by the $30,000 deduct offered by the contractor in the construction contract.

The original construction project was scheduled for completion on March 15, 2013. That completion date was extended to April 12, 2013 per a City Council approved construction change order. Approved engineering fees were sufficient to cover engineering costs up to the end of the approved April 12th construction contract extension. The contractor's construction schedule now indicates a completion date of June 2013. This will necessitate an engineering contract amendment #3 to increase the engineering fees to cover the remainder of the project.

Engineering contract amendment #3, adds three (3) additional months, in whole or prorated as partial months, of engineering services to reach the completion of the project. The contract allows for the City of Cookeville to charge liquidated damages for each consecutive calendar day of delay until the project is "substantially completed". The amount stipulated in the contract is $500.00 per consecutive calendar day. Assuming that no days are added to the construction contract by change order, the $500 per day will cover the additional engineering fees contained in amendment #3.

The contractor has also requested that they deviate from their established work schedule and work overtime to finish the project. Per the construction contract, any additional cost incurred by the City of Cookeville, due to the deviation from the established work week, will be borne by the Contractor. The construction contract documents state that the City of Cookeville is to deduct, as a separate line item on the contractor's next progress payment request, unless otherwise stated, the Engineer's field representative's time at $60.00 per hour for regular time and $90.00 per hour for overtime.

To accommodate the contractor's request to deviate from their established work schedule, Part 4, of the engineering contract amendment #3, states that "all overtime above 40 hours per week for Resident Project Representation will be invoiced at the rate of $74.21 per hour, which the City of Cookeville will collect from the Contractor in accordance with the terms contained in the project Contract Documents".

If you have any questions or comments please feel free to give me a call.

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve Amendment #3 to the Water Treatment Plant Engineering Construction Contract as recommended. Upon call for a vote, the following voted aye:

Mayor Matt Swallows
Vice-Mayor Larry Epps
Councilman Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

The City Manager announced that the motion carried.

CONSIDER AWARDING BIDS FOR TRANSFORMERS, WIRE & CONCRETE FOUNDATIONS FOR BUSINESS/INDUSTRIAL PARK – ELECTRIC DEPT.

COOKEVILLE CITY COUNCIL
MINUTES
APRIL 18, 2013

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 13031202

DATE OF BID OPENING: 4-2-2013 TIME: 2:00 PM CST
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Brandon Jones
DEPARTMENT: Electric

BIDDERS	50 Kva Pad Transformer
QTY	4
Utilicor	$ 1,380.00 $ 5,520.00
HD Supply	$ 1,753.00 $ 7,012.00
Deco	$ 1,584.00 $ 6,336.00

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Utilicor

BE AWARDED FOR THE FOLLOWING REASON: low bid meeting specs.

RECOMMENDED: DEPT. HEAD APPROVAL: CITY MANAGER

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 13022701

DATE OF BID OPENING: 3-20-2013 TIME: 2:00 PM CST
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Brandon Jones
DEPARTMENT: Electric

BIDDERS	1/0 URD PRIMARY
QTY	5000'
Stuart Irby	$2.40/ft $ 12,000.00
Wesco	$2.44/ft $ 12,200.00
Power Supply	$2.49/ft $ 12,450.00
Deco	$2.42/ft $ 12,100.00

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Stuart Irby

BE AWARDED FOR THE FOLLOWING REASON: low bid meeting specs.

RECOMMENDED: DEPT. HEAD APPROVAL: CITY MANAGER

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 13041101

DATE OF BID OPENING: 3-29-2013 TIME: 2:00 PM EST
BIDS OPENED BY: Charles Dykes
BIDS WITNESSED BY: Kay Weaver
DEPARTMENT: Electric

BIDDERS	Concrete Foundations
QTY	Industrial Park
Elk Mountain	$84,485.00
Earth Born	$71,648.00
MPS	$98,563.00
Aubrey Silvey	$195,000.10
Service Electric	$214,750.00

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Earth Born

BE AWARDED FOR THE FOLLOWING REASON: low bid meeting specs.

RECOMMENDED: DEPT. HEAD APPROVAL: CITY MANAGER

Councilman Anderson made a motion, seconded by Councilman Woodford, to award the Electric Department bids as recommended. Upon call for a vote, the following voted aye:

Mayor Matt Swallows
Vice-Mayor Larry Epps
Councilman Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

The City Manager announced that the motion carried.

HEARING OF CITIZENS AND/OR DELEGATIONS:

Vice-Mayor Epps thanked everyone for their thoughts & prayers for the people injured/killed during the Boston Marathon on Monday, April 15, 2013.

There being no further business to discuss, Councilman Woodford made a motion, seconded by Councilman Albrecht, to adjourn the meeting at 6:00 p.m. Upon call for a vote, the following voted aye:

Mayor Matt Swallows
Vice-Mayor Larry Epps
Councilman Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

The City Manager announced that the motion carried.

_____
Matt Swallows, Mayor

ATTEST:

_____
Cathy McClain, City Clerk