

**CITY OF WATERTOWN, NEW YORK**  
**AGENDA**  
**Monday, October 03, 2022**  
**7:00 p.m.**

This shall serve as notice that the next regularly scheduled meeting of the City Council will be held on Monday, October 3, 2022, at 7:00 p.m. in the City Council Chambers, 245 Washington Street, Watertown, New York.

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**ADOPTION OF MINUTES**

**COMMUNICATIONS**

**PRIVILEGE OF THE FLOOR**

**RESOLUTIONS**

- |                    |                                                                                                                                                          |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Resolution No. 1 - | Approving Change Order No. 1 for the William T. Field Dr. Road Reconstruction Project - CCI Construction, Inc.                                           |
| Resolution No. 2 - | Accepting Bid for Water Treatment Plant Pump House & Process Complex EPDM Roof Replacement Project - J & B Installations, Inc.                           |
| Resolution No. 3 - | Accepting Bid for Academy, High, Mill Streets Pavement Rehabilitation & ADA Ramp Project - Luck Bros., Inc.                                              |
| Resolution No. 4 - | Accepting Bid for the Alex T. Duffy Fairgrounds Grandstand Steel Repair Project - Mattessich Iron Works                                                  |
| Resolution No. 5 - | Accepting Bid for the Thompson Street & Division Street East Water Main Replacement Project Edge Civil Corporation                                       |
| Resolution No. 6 - | Supporting the Construction of a Multi-Purpose Event Center in the Town of Watertown Proposed by the 1000 Islands Regional Local Development Corporation |

Resolution No. 7 - Sponsoring and Supporting an Application for Restore NY Funding for the 75-79 Public Square Project

Resolution No. 8 - Sponsoring and Supporting an Application for Restore NY Funding for the Globe Building, 302 Court Street - Special Project

## **ORDINANCES**

## **LOCAL LAW**

## **PUBLIC HEARING**

7:15 p.m. Public Hearing for Restore NY Grant Application Public Hearing – 302 Court Street- Special Project

7:15 p.m. Public Hearing for Restore NY Grant Application Public Hearing – 75-79 Public Square

## **OLD BUSINESS**

Tabled Resolution Approving Professional Grant Writing Agreement with MSPEN Consulting

## **STAFF REPORTS**

1. Grant St./Seward St./Henry St. Street Reconstruction Project

## **NEW BUSINESS**

## **EXECUTIVE SESSION**

1. To discuss Collective Bargaining
2. To discuss Proposed, Pending, or Current Litigation

## **WORK SESSION**

Next Work Session is scheduled for Tuesday, October 11, 2022, at 7:00 p.m.

## **ADJOURNMENT**

**NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING IS MONDAY, OCTOBER 17, 2022**

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, City Manager

Subject: Approving Change Order No. 1 for William T. Field Drive Road  
Reconstruction Project – CCI Construction, Inc.

At the May 16, 2022 meeting, City Council awarded the contract for the William T. Field Drive Road Reconstruction Project to CCI Construction, Inc., in the amount of \$333,982.

CCI Construction, Inc. has submitted Change Order No. 1 in the amount of \$81,597.98 for additional work, which brings the project construction cost to \$415,579.98. The additional work is described in the attached document.

A resolution approving this change order has been prepared for City Council consideration.

# RESOLUTION

Page 1 of 1

Approving Change Order No. 1  
for William T. Field Drive  
Road Reconstruction Project -  
CCI Construction, Inc.

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V. C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total .....

YEA	NAY

## *Introduced by*

WHEREAS on May 16, 2022 the City Council awarded the contract for the William T. Field Drive Road Reconstruction Project to CCI Construction, Inc. for \$333,982, and

WHEREAS CCI Construction, Inc has submitted Change Order #1 requesting \$81,597.98 for additional work performed,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Order #1, which is attached and made part of this resolution, in the amount of \$81,597.98.

## *Seconded by*

# Change Order

No. 1

Date of Issuance: Sept. 19, 2022

Effective Date: Sept. 19, 2022

Project: WT Field Dr. Road Reconstruction

Owner: City of Watertown

Owner's Contract No.: 2022-13

Contract: WT Field Dr. Road Reconstruction Project

Date of Contract: 05/27/2022

Contractor: CCI Contractors Inc.

Engineer's Project No.: 2022-13

## The Contract Documents are modified as follows upon execution of this Change Order:

Description: The road reconstruction area was widened at the end of the road near the arena. The road was widened to allow Easier access to the road for tractor trailers. The road was also lengthened by 25 feet to deal with drainage issues. Additional Work around handicap ramps was done to increase drainage from the road, and modified for new road width and location.

Attachments: (List documents supporting change):

Attached is the invoice for the added work. The invoice gives a breakdown of the added work cost.

### CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 333,982.00

[Increase] [Decrease] from previously approved Change Orders No. \_\_\_\_\_ to No. \_\_\_\_\_:

\$ \_\_\_\_\_

Contract Price prior to this Change Order:

\$ 333,982.00

[Increase] of this Change Order:

\$ 81,597.98

Contract Price incorporating this Change Order:

\$ 415,579.98

### CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working days ☐ Calendar days

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): \_\_\_\_\_

[Increase] [Decrease] from previously approved Change Orders No. \_\_\_\_\_ to No. \_\_\_\_\_:

Substantial completion (days): \_\_\_\_\_

Ready for final payment (days): \_\_\_\_\_

Contract Times prior to this Change Order:

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): \_\_\_\_\_

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): \_\_\_\_\_

Contract Times with all approved Change Orders:

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): \_\_\_\_\_

RECOMMENDED:

By: Jeffrey C. Hammond  
Engineer (Authorized Signature)

Date: 9/26/2022

ACCEPTED:

By: \_\_\_\_\_  
Owner (Authorized Signature)

Date: \_\_\_\_\_

ACCEPTED:

By: \_\_\_\_\_  
Contractor (Authorized Signature)

Date: \_\_\_\_\_

Approved by Funding Agency (if applicable): \_\_\_\_\_

Date: \_\_\_\_\_

**WT Field Dr. - Change Order 1 Workup Sheet**

	<u>Original</u>					<u>New</u>			
Unclassified Excavation	25 CY @	\$15.00 =	\$375.00		190.67 CY @	\$15.00 =	\$2,860.05	\$2,485.05	
Backfill	25 CY @	\$50.00 =	\$1,250.00		127.11 CY @	\$50.00 =	\$6,355.50	\$5,105.50	
Street Excavation	1962 CY @	\$35.00 =	\$68,670.00		2066 CY @	\$35.00 =	\$72,310.00	\$3,640.00	
Curbing	500 LF @	\$42.00 =	\$21,000.00		576 LF @	\$42.00 =	\$24,192.00	\$3,192.00	
Binder	814 TN @	\$134.00 =	\$109,076.00		908.01 TN @	\$134.00 =	\$121,673.34	\$12,597.34	
Top Coat	414 TN @	\$150.00 =	\$62,100.00		656.23 TN @	\$150.00 =	\$98,434.50	\$36,334.50	
			<u>\$262,471.00</u>				<u>\$325,825.39</u>		
82542.98									
\$945.00						Less Original	\$262,471.00		
							<u>\$63,354.39</u>		
						Plus	<u>\$18,243.59</u>		
							<u>\$81,597.98</u>		



Date: 9/26/2022

Invoice# 375-CO1

Terms: Net 30

**Bill to:** City of Watertown  
Attn: Jeffrey Hammond  
245 Washington Street  
Watertown, NY 13601

**Job:** #375  
**Wm T Field Drive**  
Watertown, NY

- 1.02.03 Unclassified excavation – used for widening areas in the sewer plant (additional quantity was for larger size widening areas)  
- Total quantity 190.67 cy x \$15.00 = **\$2860.05**
- 3.03.00 Backfill – used for widening areas in the sewer plant (additional quantity was for larger size widening areas)  
- Total quantity 127.11 cy X \$50.00 = **\$6355.50**
- 5.00.00 Street Excavation total - Added for additional 25 ft of road reconstruction  
- Total quantity 2066 cy x \$35.00 = **\$72310.00**
- 5.08.00 concrete curb – (over run due to added curb at intersection)  
'- Total quantity 576 lf x \$42.00 = **\$24192.00**
- 5.10.09 – asphalt binder course type 3 (over run due to widening issue and polygon issue)  
- Total quantity 908.01 ton x \$134.00 = **\$121673.34**
- 5.10.07 – asphalt top course type 7 (over run due to widening issue and polygon issue,  
shim course at intersection and parking lot before top course)  
- Total quantity 656.23 ton x \$150.00 = **\$98434.50**

**Overrun Items = \$325825.39**

**Less original = \$262471.00**

**Total Overrun = \$63354.39**

Agreed price work

Lowering structure at intersection after paving	\$880.95
milling and repaving after lowering structure	\$5,216.76
New frame and grate for drainage plus adjustment	\$ 1,438.97
Alter structure in widening area	\$980.20
Remove and Reinstall new sidewalks various locations	\$8,740.13
sign relocation at intersection	\$986.58
Total additional work	<b>\$18,243.59</b>

<b>TOTAL DUE:</b>	<b>\$81,597.98</b>
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Res No. 2

September 22, 2022

TO: The Honorable Mayor and City Council

FROM: Tina Bartlett-Bearup, Purchasing Manager

SUBJECT: Bid #2022-28 Water Treatment Plant (WTP) Pump House & Process  
Complex EPDM Roof Replacement Project Letter of Recommendation

The City's Purchasing Department advertised in the Watertown Daily Times for sealed bids from qualified bidders for the Water Treatment Plant Pump House & Process Complex EPDM Roof Replacement Project, per City specifications and publicly opened and read the sealed bids on September 7, 2022, at 2:00 p.m. EST.

The Purchasing Department received three (3) sealed bid submittals and the bid tabulations are shown below:

Vendor Name and Location	J&B Installations, Inc	Titan Roofing	Apple Roofing Corp.
	732 Visions Dr.	200 Tapley St.	124 Pickard Dr. E
	Skaneateles Falls, NY	Springfield, MA	Syracuse, NY
Point of Contact Name	Brian Anderson	Shawna Pazmino-Brook	David Dietz
Contact Information / email address	<a href="mailto:brian@jbinsallations.com">brian@jbinsallations.com</a>	<a href="mailto:mail@titanroofing.com">mail@titanroofing.com</a>	<a href="mailto:ddietz@appleroofing.com">ddietz@appleroofing.com</a>
Total Base Bid	\$519,750.00	\$835,900.00	\$559,339.00

The Purchasing Manager and Engineering Department reviewed the responses to ensure compliance with the specifications and hereby recommend that City Council award the total base bid for the WTP Pump House & Process Complex EPDM Roof Replacement Project to J & B Installations, Inc. as the lowest responsive responsible bidder at a total price of **\$519,750.**

The WTP Pump House & Process Complex EPDM Roof Replacement Project, as adopted in the Fiscal Year 2022-23 Capital Budget, will be funded through the issuance of a \$600,000 serial bond as approved by the City Council on August 1, 2022.

If there are any questions concerning this recommendation, please contact me at your convenience.



**RESOLUTION**

Page 1 of 1

Accepting Bid for Water Treatment Plant Pump  
House & Process Complex EPDM Roof  
Replacement Project J & B Installations, Inc.

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total .....

YEA	NAY

***Introduced by*** \_\_\_\_\_

WHEREAS the City desires to replace the existing roofs at the Water Treatment Plant (WTP) Pump House and Process Complex, and

WHEREAS the Purchasing Department advertised and received three (3) sealed bids for the WTP Pump House & Process Complex EPDM Roof Replacement Project, and


WHEREAS on Wednesday, September 7, 2022 at 2:00 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering Department and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by J & B Installations, Inc., and


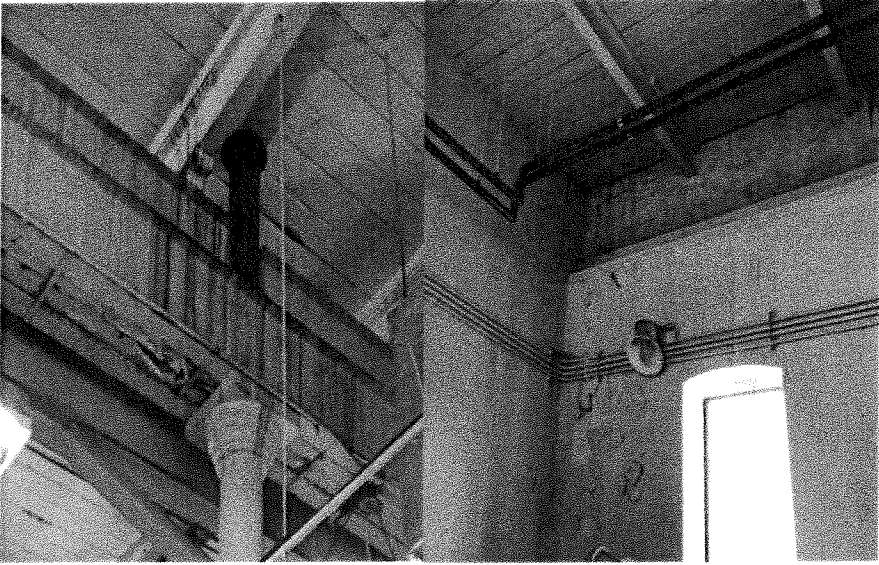
NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from J & B Installations, Inc. in the amount of \$519,750.00, and

BE IT FURTHER RESOLVED that the City Manager of the City Watertown is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.


***Seconded by*** \_\_\_\_\_

	CITY OF WATERTOWN, NEW YORK								
	CITY HALL								
	245 WASHINGTON STREET								
	WATERTOWN, NEW YORK 13601-3380								
			WTP Pump House & Process Complex EPDM Roof Replacement						
		Bid #2022-28							
Bid Opening Date:		09/07/22 @ 2:00 PM							
<i>The following results are bids as presented at the bid opening and do not represent an award.</i>									
Vendor Name and Location	J&B Installations, Inc	Titan Roofing	Apple Roofing Corp.						
	732 Visions Dr.	200 Tapley St.	124 Pickard Dr. E						
	Skaneateles Falls, NY	Springfield, MA	Syracuse, NY						
Point of Contact Name	Brian Anderson	Shawna Pazmino-Brook	David Dietz						
Contact Information / email address	<a href="mailto:brian@jbinsallations.com">brian@jbinsallations.com</a>	<a href="mailto:mail@titanroofing.com">mail@titanroofing.com</a>	<a href="mailto:ddietz@appleroofing.com">ddietz@appleroofing.com</a>						
Total Base Bid	\$519,750.00	\$835,900.00	\$559,339.00						

**FISCAL YEAR 2022-2023  
CAPITAL BUDGET  
FACILITY IMPROVEMENTS  
PURIFICATION**

PROJECT DESCRIPTION	COST
<p><b>Pumphouse Roof Replacement</b></p> <p>The flat sections that are cover with EDPM membrane roof. The current roof was installed in the early 2000's and has developed leaks. The flat sections are approximatly 7200 sqft.</p>   <p>Funding to support this project will be a 10-year serial bond with Fiscal Year 2023-24 debt service of \$25,500.</p>	<p><b>\$200,000</b></p>
<p style="text-align: right;"><b>TOTAL</b></p>	

FISCAL YEAR 2022-2023  
CAPITAL BUDGET  
FACILITY IMPROVEMENTS  
PURIFICATION

PROJECT DESCRIPTION	COST
<p><b>Process Complex Building Roof Replacement</b></p> <p>The flat sections that are cover with EDPM membrane roof. The current roof was installed in the early 2000's. The roof has developed some ponding and small leaks have developed. The flat sections are approximatly 13,200 sqft.</p>  <p>Funding to support this project will be from a 10-year serial bond with Fiscal Year 2023-24 debt service of \$51,000.</p>	<p><b>\$400,000</b></p>
<b>TOTAL</b>	<b>\$400,000</b>

September 22, 2022

TO: The Honorable Mayor and City Council

FROM: Tina Bartlett-Bearup, Purchasing Manager

SUBJECT: Bid #2022-31 Academy, High, Mill Streets Pavement Rehabilitation & ADA Ramp Project Letter of Recommendation

The City's Purchasing Department advertised in the Watertown Daily Times for sealed bids from qualified bidders for the Academy, High, Mill Streets Pavement Rehabilitation & ADA Ramp Project, per City specifications and publicly opened and read the sealed bids on September 20, 2022, at 2:00 p.m. EST.

The Purchasing Department received three (3) sealed bid submittals and the bid tabulations are shown below:

Vendor Name and Location	Costello Blacktop Paving	Luck Bros. Inc.	Barrett Paving Materials
	1 Technology Blvd. Canastota, NY 13032	73 Trade Rd. Plattsburgh, NY 12901	26572 NYS Rte 37 Watertown, NY
Point of Contact Name	Nancy Costello	Jeffrey Luck	Brandon Machen & Patrick O'Bryan
Contact Information / email address	<a href="mailto:nancy@costellopaving.com">nancy@costellopaving.com</a>	<a href="mailto:jeff@luckbros.com">jeff@luckbros.com</a>	<a href="mailto:pdewey@barrett paving.com">pdewey@barrett paving.com</a>
Total Base Bid	\$1,057,084.00	\$969,319.00	\$1,088,064.60

The Purchasing Manager and Engineering Department reviewed the responses to ensure compliance with the specifications and hereby recommend that City Council award the total base bid for the Academy, High, Mill Streets Pavement Rehabilitation & ADA Ramp Project to Luck Bros., Inc. as the lowest responsive responsible bidder at a total price of **\$969,319.**

The Academy, High, Mill Streets Pavement Rehabilitation & ADA Ramp Project, as adopted in the Fiscal Year 2022-23 Capital Budget, will be funded through the Touring Route Funded Paving Program 2022-23.

If there are any questions concerning this recommendation, please contact me at your convenience.

**RESOLUTION**

Page 1 of 1

Accepting Bid for Academy, High, Mill Streets  
Pavement Rehabilitation & ADA Ramp Project  
Luck Bros., Inc.

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total .....

YEA	NAY

***Introduced by*** \_\_\_\_\_

WHEREAS the City desires to rehabilitate Academy, High, and Mill Streets to include paving and reconstructing sidewalk corner ramps to comply with current ADA guidelines, and

WHEREAS the Purchasing Department advertised and received three (3) sealed bids for the Academy, High, Mill Streets Pavement Rehabilitation & ADA Ramp Project, and


WHEREAS on Tuesday, September 20, 2022 at 2:00 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering Department and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Luck Bros., Inc., and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Luck Bros., Inc. in the amount of \$969,319, and

BE IT FURTHER RESOLVED that the City Manager of the City Watertown is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

***Seconded by*** \_\_\_\_\_

		CITY OF WATERTOWN, NEW YORK								
		CITY HALL								
		245 WASHINGTON STREET								
		WATERTOWN, NEW YORK 13601-3380								
		Academy, High, Mill Streets Pavement Rehabilitation								
		Bid #2022-31								
Bid Opening Date:		09/20/22 @ 2:00 PM								
<i>The following results are bids as presented at the bid opening and do not represent an award.</i>										
Vendor Name and Location	Costello Blacktop Paving		Luck Bros. Inc.		Barrett Paving Materials					
	1 Technology Blvd.		73 Trade Rd.		26572 NYS Rte 37					
	Canastota, NY 13032		Plattsburgh, NY12901		Watertown, NY					
Point of Contact Name	Nancy Costello		Jeffrey Luck		Brandon Machen & Patrick O'Bryan					
Contact Information / email address	<a href="mailto:nancy@costellopaving.com">nancy@costellopaving.com</a>		<a href="mailto:jeff@luckbros.com">jeff@luckbros.com</a>		<a href="mailto:pdewey@barrettpaving.com">pdewey@barrettpaving.com</a>					
Total Base Bid	\$1,057,084.00		\$969,319.00		\$1,088,064.60					

**FISCAL YEAR 2022-2023  
CAPITAL BUDGET  
INFRASTRUCTURE  
STREETS – CHIPS PROGRAM**

<b>CHIPS STREET PAVING PROGRAM 2022-23</b>			
<b>STREET</b>	<b>FROM</b>	<b>TO</b>	<b>TOTAL COST</b>
Vanduzee St	West Main St	Black River Bridge	\$142,000
Lawrence Street	Vanduzee St	Sill St	\$46,000
South Massey St	Greensview Dr	City Limit	\$280,000
Cedar St.	Coffeen St	Arsenal St	\$183,000
Clay St	Academy St	Sterling St	\$50,000
Gale St	Cooper St	Mill St	\$24,000
Gotham St	Thompson Blvd	City Limit	\$340,000
		<b>TOTAL</b>	<b>\$1,065,000</b>

<b>TOURING ROUTE FUNDED PAVING PROGRAM 2022-23</b>			
<b>STREET</b>	<b>FROM</b>	<b>TO</b>	<b>COST</b>
Mill St	West Main St	Phelps St	\$288,000
High St	Factory St	State St	\$182,000
Academy St	Park Circle	William St	\$242,000
Academy St	Washington St	Gotham St	\$61,000
		<b>TOTAL</b>	<b>\$773,000</b>

All street paving projects include reconstructing sidewalk corner ramps that are not in compliance with current ADA guidelines.

\*\* Pin-on curbing will be included with projects where conditions allow for proper drainage.



Res No. 4

September 26, 2022

TO: The Honorable Mayor and City Council

FROM: Tina Bartlett-Bearup, Purchasing Manager

SUBJECT: Bid #2022-29 Alex T. Duffy Fairgrounds Grandstand Steel Repair Project  
Letter of Recommendation

The City's Purchasing Department advertised in the Watertown Daily Times for sealed bids from qualified bidders for the Alex T. Duffy Fairgrounds Grandstand Steel Repair Project, per City specifications and publicly opened and read the sealed bids on September 14, 2022, at 2:00 p.m. EST.

The Purchasing Department received three (3) sealed bid submittals and the bid tabulations are shown below:

Vendor Information	Mattessich Iron Works	Bette & Cring	Powis Contracting
	1484 Route 31	18438 US Rte 11	9421 Number Three Rd
	Memphis, NY 13112	Watertown, NY 13601	Copenhagen, NY 13626
Description			
Total Base Bid Price	\$100,985.00	\$199,000.00	\$108,000.00

The Purchasing Manager and Engineering Department reviewed the responses to ensure compliance with the specifications and hereby recommend that City Council award the total base bid for the Alex T. Duffy Fairgrounds Grandstand Steel Repair Project to Mattessich Iron Works as the lowest responsive responsible bidder at a total price of **\$100,985.**

The Alex T. Duffy Fairgrounds Grandstand Steel Repair Project, as adopted in the Fiscal Year 2022-23 Capital Budget, will be funded using funds from the American Rescue Plan Act of 2021.

If there are any questions concerning this recommendation, please contact me at your convenience.

**RESOLUTION**

Page 1 of 1

Accepting Bid for the Alex T. Duffy  
Fairgrounds Grandstand Steel Repair Project  
Mattessich Iron Works

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total .....

YEA	NAY

***Introduced by*** \_\_\_\_\_

WHEREAS the City desires to remove and replace portions of all corroded angled Rakers and Main Supported Carrier Beams beneath the Fairgrounds Grandstand Bleachers at the Fairgrounds Complex, and

WHEREAS the Purchasing Department advertised and received three (3) sealed bids for the Alex T. Duffy Fairgrounds Grandstand Repair Project, and

WHEREAS on Wednesday, September 14, 2022, at 2:00 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering Department and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Mattessich Iron Works, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Mattessich Iron Works in the amount of \$100,985, and

BE IT FURTHER RESOLVED that the City Manager of the City Watertown is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

***Seconded by*** \_\_\_\_\_



CITY OF WATERTOWN, NEW YORK

CITY HALL

245 WASHINGTON STREET

WATERTOWN, NEW YORK 13601-3380

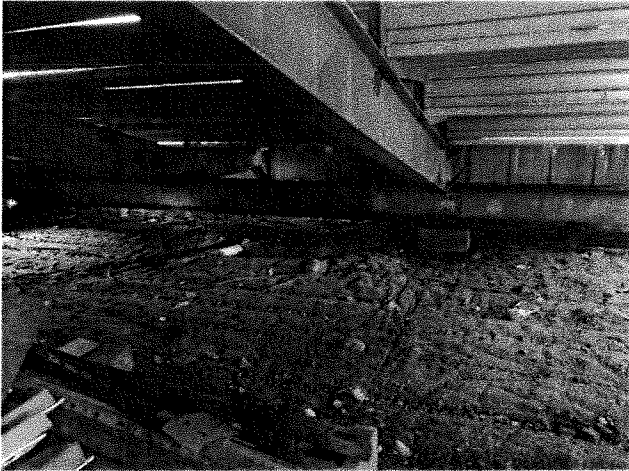
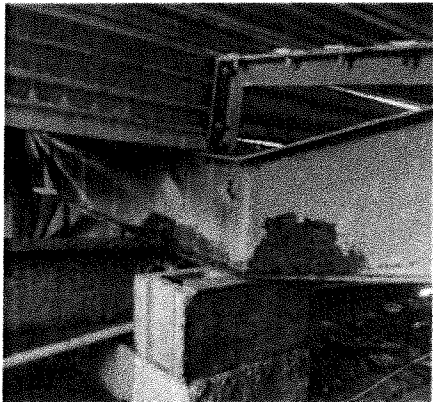
Bid Opening Date:

Bid #2022-29
Fairground Grandstand Steel Repair Project
Wednesday, September 14, 2022 @ 2:00 PM

*The following results are bids as presented at the bid opening and do not represent an award.*

Vendor Information	Mattessich Iron Works	Bette & Cring	Powis Contracting		
	1484 Route 31	18438 US Rte 11	9421 Number Three Rd		
	Memphis, NY 13112	Watertown, NY 13601	Copenhagen, NY 13626		
Description					
Total Base Bid Price	\$100,985.00	\$199,000.00	\$108,000.00		

FISCAL YEAR 2022-2023  
CAPITAL BUDGET  
FACILITY IMPROVEMENTS  
ATHLETIC FACILITY MAINTENANCE

PROJECT DESCRIPTION	COST
<p data-bbox="188 464 722 499"><b>Fairgrounds Grandstand Steel Repair</b></p> <p data-bbox="188 535 1214 674">This project includes the removal and replacement of portions of all corroded angled Rakers and Main Supported Carrier Beams beneath the Fairgrounds Grandstand Bleachers. Several of the Rakers and Beams have significant corrosion and deterioration beyond repair and will require replacement.</p> <div data-bbox="394 741 1019 1209">  </div> <div data-bbox="501 1247 930 1646">  </div> <p data-bbox="183 1759 1211 1791">Funding to support this project will be from the American Rescue Plan Act of 2021.</p>	<p data-bbox="1271 464 1422 499"><b>\$300,000</b></p>
<p data-bbox="1068 1801 1219 1843" style="text-align: right;"><b>TOTAL</b></p>	<p data-bbox="1271 1801 1422 1843"><b>\$300,000</b></p>

Res No. 5

September 27, 2022

TO: The Honorable Mayor and City Council

FROM: Tina Bartlett-Bearup, Purchasing Manager

SUBJECT: Bid #2022-30 Thompson Street & Division Street East Water Main Replacement Project Letter of Recommendation

The City's Purchasing Department advertised in the Watertown Daily Times for sealed bids from qualified bidders for the Thompson Street & Division Street East Water Main Replacement Project, per City specifications and publicly opened and read the sealed bids on September 23, 2022, at 11:00 a.m. EST.

The Purchasing Department received four (4) sealed bid submittals and the bid tabulations are shown below:

Vendor Name and Location	Edge Civil Corporation	JL Excavation	Luck Bros.	Powis Contracting
	2723A Co RT26	13489 Case Rd	73 Trade Road	9421 Number Three Rd.
	Parish, NY 13131	Chaumont, NY 13622	Plattsburgh, NY 12901	Copenhagen, NY 13626
	Edward Banach	Kristi Linstruth	Chris Kempney	Hollie Powis
	<a href="mailto:ed@edgecivilcorp.com">ed@edgecivilcorp.com</a>	<a href="mailto:kristi@jlexcavation.com">kristi@jlexcavation.com</a>	<a href="mailto:ckempney@luckbros.com">ckempney@luckbros.com</a>	<a href="mailto:powiscontracting1@gmail.com">powiscontracting1@gmail.com</a>
Total Base Bid	\$914,790.00	\$925,000.00	\$961,759.80	\$1,212,520.32

The Purchasing Manager and Engineering Department reviewed the responses to ensure compliance with the specifications and hereby recommend that City Council award the total base bid for the Thompson Street & Division Street East Water Main Replacement Project to Edge Civil Corporation as the lowest responsive responsible bidder at a total price of **\$914,790.**

The Thompson Street & Division Street East Water Main Replacement Project, as added to the Fiscal Year 2021-22 Capital Budget and adopted by resolution on September 7, 2021, will be funded using funds from the American Rescue Plan Act of 2021.

If there are any questions concerning this recommendation, please contact me at your convenience.

**RESOLUTION**

Page 1 of 1

Accepting Bid for the Thompson Street &  
Division Street East Water Main Replacement  
Project Edge Civil Corporation

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total .....

YEA	NAY

***Introduced by*** \_\_\_\_\_

WHEREAS the City desires to replace approximately 2500 linear feet of water main and appurtenances on Thompson Street and Division Street East, and

WHEREAS the Purchasing Department advertised and received four (4) sealed bids for the Thompson Street and Division Street East Water Main Replacement Project, and


WHEREAS on Friday, September 23, 2022, at 11:00 a.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering Department and in consultation with Barton & Loguidice and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Edge Civil Corporation, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Edge Civil Corporation in the amount of \$914,790, and

BE IT FURTHER RESOLVED that the City Manager of the City Watertown is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

***Seconded by*** \_\_\_\_\_

		CITY OF WATERTOWN, NEW YORK					
		CITY HALL					
		245 WASHINGTON STREET					
		WATERTOWN, NEW YORK 13601-3380					
		Thompson St & Division St East Water Main Replacement					
		Bid #2022-30					
Bid Opening Date:		9/23/22 @ 11:00 AM					
<b><i>The following results are bids as presented at the bid opening and do not represent an award.</i></b>							
Vendor Name and Location	Edge Civil Corporation	JL Excavation	Luck Bros.	Powis Contracting			
	2723A Co RT26	13489 Case Rd	73 Trade Road	9421 Number Three Rd.			
	Parish, NY 13131	Chaumont, NY 13622	Plattsburgh, NY 12901	Copenhagen, NY 13626			
	Edward Banach	Kristi Linstruth	Chris Kempney	Hollie Powis			
	<a href="mailto:ed@edgecivilcorp.com">ed@edgecivilcorp.com</a>	<a href="mailto:kristi@jlexcavation.com">kristi@jlexcavation.com</a>	<a href="mailto:ckempney@luckbros.com">ckempney@luckbros.com</a>	<a href="mailto:powiscontracting1@gmail.com">powiscontracting1@gmail.com</a>			
<b>Total Base Bid</b>	\$914,790.00	\$925,000.00	\$961,759.80	\$1,212,520.32			

Res No. 4

September 1, 2021

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, City Manager

Subject: Readopting Fiscal Years 2021-22 through 2025-26 Capital Budget

At the August 9, 2021 Work Session, the City Council discussed city projects proposed for ARPA funding. There was agreement that top priority water main projects, including those that are undersized for fire protection, be funded.

The highest priority water main projects are:

Barben Ave/Holcomb St/Bugbee Dr	\$1,400,000
Division Street East Water Main	\$ 500,000
East Street Water Main	\$ 200,000
Henry Street/Grant Street Water Mains	\$ 400,000
Ohio Street Water Main	\$ 900,000
Pratt Street Water Main	\$ 650,000
Sherman Street Water Main	\$ 390,000
Thompson Street Water Main	\$ 350,000
Tilden Street Water Main	\$ 400,000
Winslow Street Water Main	<u>\$1,000,000</u>
TOTAL	\$6,190,000

A resolution readopting the Capital Budget to include these projects is attached for the City Council's consideration.

The Burlington Street and Seward Street water mains are also high priorities but are not included in the list above because they are part of complete street re-constructions. Those total projects will be presented at a future meeting for approval.

There was also agreement at the Work Session on funding tree planting, the match for the Water Street Trail, a stormwater management plan and a backflow prevention program. A resolution for the tree planting is included within this agenda. There will be follow-up reports on the other items at future meetings.

Below is a summary of the total committed from ARPA funds if the attached Resolution and the General Fund tree resolution are adopted:

Coagulation Basin Generator (Adopted Budget)	\$ 530,000
East Reservoir Relining (Adopted Budget)	\$ 500,000
Water Plant Building Repointing (Adopted Budget)	\$ 80,000
Harrison St. San. Sewer (5/3/21 Budget Amend)	\$ 475,000



Proposed General Fund Tree Amendment	\$ 50,000
Proposed Capital Budget Water Main Amendment	<u>\$6,190,000</u>
TOTAL	\$7,825,000

**RESOLUTION**

Page 1 of 1

Readopting Fiscal Years  
2021-22 through 2025-26  
Capital Budget

Council Member HENRY-WILKINSON, Ryan J.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Council Member SPAZIANI, Leonard G.

Mayor SMITH, Jeffrey M.

Total .....

YEA	NAY

***Introduced by***

WHEREAS on May 24, 2021 the City Council adopted the Fiscal Years 2021-22 through 2025-26 Capital Budget, and

WHEREAS the City was awarded \$22,265,728 in funding from the American Rescue Plan Act of 2021, and


WHEREAS City Council discussed at the work session on August 9, 2021 funding certain water infrastructure projects from the American Rescue Plan, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby amends the Fiscal Years 2021-22 through 2025-26 Capital Budget to include in the FY 2021-22 Capital Budget the following projects:


Barben Ave/Holcomb St/Bugbee Dr	\$1,400,000
Division Street East Water Main	\$ 500,000
East Street Water Main	\$ 200,000
Henry Street/Grant Street Water Mains	\$ 400,000
Ohio Street Water Main	\$ 900,000
Pratt Street Water Main	\$ 650,000
Seward Street Water Main	\$ 200,000
Thompson Street Water Main	\$ 350,000
Tilden Street Water Main	\$ 400,000
Winslow Street Water Main	\$1,000,000

***Seconded by***

FISCAL YEAR 2021-2022  
CAPITAL BUDGET  
INFRASTRUCTURE  
WATER MAIN

PROJECT DESCRIPTION	COST
<p><b>Division Street East Water Main</b></p> <p>This project includes the replacement of 1443' of 10" transite pipe on East Division Street, from Woodbury Street to Starbuck Avenue. The pipe was installed in 1951-1955 and has been in service beyond its use expectancy.</p>  <p>Funding to support this project will be from the American Rescue Plan of 2021.</p>	<p><b>\$500,000</b></p>
<p style="text-align: right;"><b>TOTAL</b></p>	<p><b>\$500,000</b></p>

FISCAL YEAR 2021-2022  
CAPITAL BUDGET  
INFRASTRUCTURE  
WATER MAIN

PROJECT DESCRIPTION	COST
<p><b>Thompson Street Water Main</b></p> <p>This project includes the replacement of 938' of 8" transite pipe on Thompson Street, from West Lynde Street to Gale Street. The pipe was installed in 1958 and has been in service beyond its use expectancy.</p>  <p>Funding to support this project will be from the American Rescue Plan of 2021.</p>	<p><b>\$350,000</b></p>
<p style="text-align: right;"><b>TOTAL</b></p>	<p><b>\$350,000</b></p>

Res No. 6

September 27, 2022

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, City Manager

Subject: Supporting the Construction of a Multi-Purpose Event Center in the Town of Watertown Proposed by the 1000 Islands Regional Local Development Corporation

Council Member Hickey requested the attached resolution supporting the proposed Multi-Purpose Event Center in the Town of Watertown.

# RESOLUTION

Page 1 of 1

Supporting the Construction of a  
Multi-Purpose Event Center in the  
Town of Watertown Proposed by the  
1000 Islands Regional Local Development  
Corporation

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total .....

YEA	NAY

## *Introduced by*

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WHEREAS the 1000 Islands Regional Local Development Corporation proposes to build a 520,000 sq. ft. indoor Multi- Purpose Event Center to be a sports, recreation, entertainment, and special events venue on outer Arsenal Street in the Town of Watertown, and

WHEREAS the Center will serve the 1000 Islands and North Country Region and have a positive economic impact on the City of Watertown,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby supports the construction of the proposed Multi-Purpose Events Center.

## **Seconded by**

September 26, 2022

To: The Honorable Mayor and City Council

From: Jennifer L. Voss, Senior Planner

Subject: Sponsoring and Supporting an Application for Restore NY Funding for the 75-79 Public Square Project

The City Council has scheduled a Public Hearing to discuss the 75-79 Public Square Project being considered for an application for funding under Round 6 of the Restore NY Communities Initiative Municipal Grant Program for 7:15 p.m. on Monday, October 3, 2022. The application is due on October 11, 2022.

The City Council decided at its August 1, 2022, meeting to submit an “Intent to Apply” for the 75-79 Public Square Project. The grant funding, if awarded, will assist Michael Pierce and Kenneth Bodah of 629 Camp Ave. LLC, in transforming blighted, vacant properties in the center of Public Square into a three-story above ground and one-story below mixed-use building. The new development would accommodate uses for commercial spaces for restaurants, breweries, or pubs as well as professional office space.

The public hearing notice was published on September 27, 2022. In addition, a required Property Assessment Notice was published in the Watertown Daily Times for three consecutive days beginning on September 28, 2022.

After the public hearing, the City Council may consider the attached Resolution. The Resolution states that the City Council supports and sponsors an application for Restore NY funding for the 75-79 Public Square Project.

**RESOLUTION**

Page 1 of 1

Sponsoring and Supporting an Application  
for Restore NY Funding for the 75-79 Public  
Square Project

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total .....

YEA	NAY

***Introduced by*** \_\_\_\_\_

WHEREAS the City of Watertown is eligible for grant funding under Round 6 of the Restore NY Communities Initiative Municipal Grant Program, and

WHEREAS the City Council has considered proposals that qualify for funding under the program and selected one regular project to be included in an application that will be submitted to the Empire State Development Corporation (ESDC) as follows:

Redevelopment of 75-79 Public Square, Parcel Numbers 7-01-108.000 and 7-01-107.000. The project will transform the vacant and blighted properties into a three-story above ground and one-story below ground mixed-use building. The new development will accommodate uses for commercial space for restaurants, breweries or pubs, as well as market-rate apartments and professional office space.

WHEREAS this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in the City of Watertown,

NOW THEREFORE BE IT RESOLVED that the City Council hereby supports and will sponsor an application for Restore NY funding for the 75-79 Public Square Project and will administer the grant in accordance with all applicable rules and regulations established by ESDC, and

BE IT FURTHER RESOLVED that the City Manager is authorized to sign the application and any agreements required by ESDC for grant funding that results from the application.



September 26, 2022

To: The Honorable Mayor and City Council

From: Jennifer L. Voss, Senior Planner

Subject: Sponsoring and Supporting an Application for Restore NY Funding for the Globe Building, 302 Court Street - Special Project

The City Council has scheduled a Public Hearing to discuss the Globe Building, 302 Court Street - Special Project being considered for an application for funding under Round 6 of the Restore NY Communities Initiative Municipal Grant Program for 7:15 p.m. on Monday, October 3, 2022. The application is due on October 11, 2022.

An Intent to Apply was submitted for the Globe Building, 302 Court Street - Special Project on August 8, 2022. The grant funding, if awarded, will assist Dan Query of 5G Real Estate Group, LLC, in converting the vacant and abandoned Globe Building into 13-14 market rate apartments and commercial/retail space.

The public hearing notice was published on September 27, 2022. In addition, a required Property Assessment Notice was published in the Watertown Daily Times for three consecutive days beginning on September 28, 2022.

After the public hearing, the City Council may consider the attached Resolution. The Resolution states that the City Council supports and sponsors an application for Restore NY funding for the Globe Building, 302 Court Street – Special Project.

**RESOLUTION**

Page 1 of 1

Sponsoring and Supporting an Application  
for Restore NY Funding for the Globe Building,  
302 Court Street - Special Project

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total .....

YEA	NAY

***Introduced by*** \_\_\_\_\_

WHEREAS the City of Watertown is eligible for grant funding under Round 6 of the Restore NY Communities Initiative Municipal Grant Program, and

WHEREAS the City Council has considered proposals that qualify for funding under the program and selected one special project to be included in an application that will be submitted to the Empire State Development Corporation (ESDC) as follows:

Redevelopment of the Globe Building, 302 Court Street, Parcel Number 7-03-201.000.  
The project will transform the vacant and abandoned 28,000 square foot property into 13-14 market rate apartments and commercial/retail space.

WHEREAS this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in the City of Watertown,

NOW THEREFORE BE IT RESOLVED that the City Council hereby supports and will sponsor an application for Restore NY Special Project funding for the Globe Building, 302 Court Street Special Project and will administer the grant in accordance with all applicable rules and regulations established by ESDC, and

BE IT FURTHER RESOLVED that the City Manager is authorized to sign the application and any agreements required by ESDC for grant funding that results from the application.

***Seconded by*** \_\_\_\_\_

Public Hearing – 7:15 p.m.

September 26, 2022

To: The Honorable Mayor and City Council

From: Jennifer L. Voss, Senior Planner

Subject: Sponsoring and Supporting an Application for Restore NY Funding for the  
Globe Building, 302 Court Street - Special Project

The City Council has scheduled a Public Hearing to discuss the Globe Building, 302 Court Street - Special Project being considered for an application for funding under Round 6 of the Restore NY Communities Initiative Municipal Grant Program for 7:15 p.m. on Monday, October 3, 2022.

The grant funding, if awarded, will assist Dan Query of 5G Real Estate Group, LLC, in converting the vacant and abandoned Globe Building into 13-14 market rate apartments and commercial/retail space.

The public hearing notice was published on September 27, 2022. In addition, a required Property Assessment Notice was published in the Watertown Daily Times for three consecutive days beginning on September 28, 2022.

Public Hearing – 7:15 p.m.

September 26, 2022

To: The Honorable Mayor and City Council

From: Jennifer L. Voss, Senior Planner

Subject: Sponsoring and Supporting an Application for Restore NY Funding for the 75-79 Public Square Project

The City Council has scheduled a Public Hearing to discuss the 75-79 Public Square Project being considered for an application for funding under Round 6 of the Restore NY Communities Initiative Municipal Grant Program for 7:15 p.m. on Monday, October 3, 2022.

The grant funding, if awarded, will assist Michael Pierce and Kenneth Bodah of 629 Camp Ave. LLC, in transforming blighted, vacant properties in the center of Public Square into a three-story above ground and one-story below mixed-use building. The new development would accommodate uses for commercial spaces for restaurants, breweries, or pubs as well as professional office space.

The public hearing notice was published on September 27, 2022. In addition, a required Property Assessment Notice was published in the Watertown Daily Times for three consecutive days beginning on September 28, 2022.

Tabled Res No. 8

September 27, 2022

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, City Manager

Subject: Approving Professional Grant Writing Agreement with MSPEN Consulting

Council Member Olney requested the attached resolution. It approves an agreement with MSPEN Consulting for grant writing services. The term of the agreement is 1 year. MSPEN will be paid \$70 per hour on an as-needed basis.

After introduction and seconding, the attached resolution was tabled at the September 19, 2022 Council meeting.

# RESOLUTION

Page 1 of 1

Approving Professional Grant Writing  
Agreement with MSPEN Consulting

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total .....

YEA	NAY

***Introduced by*** Council Member Lisa A. Ruggiero

WHEREAS the City Council desires to hire the services of grant writer, and

WHEREAS MSPEN Consulting has submitted an agreement to provide grant writing services,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Professional Grant Writing Services with MSPEN Consulting, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the City Manager, Kenneth A. Mix, to execute the Agreement on behalf of the City Council.

***Seconded by*** Council Member Clifford G. Olney III

July 26, 2022

City of Watertown  
245 Washington Street  
Watertown, New York 13601

**Re: Professional Grant Writing Services**

Dear City of Watertown,

I would be happy to assist you with grant writing services in order to efficiently and effectively enhance the quality of life in our area.

The services include the following:

- Conducting research to identify potential grant opportunities on the City's behalf.
- Providing professional opinions.
- Gathering pertinent information for filing applications.
- Crafting text for grant applications and preparing necessary proposals.
- Creating letter of support guides for distribution.
- Meeting with the City of Watertown and funding authorities as needed.
- Attending development meetings as needed.
- Attending funding webinars as needed.
- Communicating with the funding authorities on behalf of the City of Watertown.
- Tracking the progress of grant applications.
- Performing grant administration as needed.

I will perform these services at the rate of \$70.00 per hour under the general terms and conditions presented. I will obtain permission from the City of Watertown prior to the pursuit of any funds. The City of Watertown will reserve the right to accept or reject any funding sources. I look forward to the opportunity to work with you.

By: Morgan Spencer  
Signature:



Date: July 26, 2022

By:  
Signature:

Date:

## General Terms and Conditions

July 26, 2022

**Entire Agreement** - The Letter of Agreement contains the entire agreement between the City of Watertown and MSPEN Consulting. Modifications and/or assignments to this agreement shall be approved in writing and signed by both the City of Watertown and MSPEN Consulting. If expanded services are required and authorized, that will be either charged at the current hourly rates of MSPEN Consulting or a negotiated as lump sum items corresponding to a specific scope of work. The current hourly rate of MSPEN Consulting workers for this contract is \$70.00 per hour.

**Term** - The term of this contract shall be effective from the date provided above and shall remain in full force and effect for one year, unless terminated earlier. If the City of Watertown wishes to terminate the contract earlier, the City of Watertown agrees to provide fourteen days advance written notice.

**Invoicing** - The City of Watertown agrees to compensate MSPEN Consulting at the rate of \$70.00 per hour. MSPEN Consulting will keep careful track of hours spent on City of Watertown business and submit an invoice on a monthly basis. Billable hours will include all activities mentioned in the scope of services along with correspondence. Time will be rounded to the nearest quarter hour. Invoices are submitted on a 30-day billing cycle. However, should the month's billings exceed \$10,000 in any billing period, MSPEN Consulting may, at its discretion, bill the City of Watertown on a fifteen day billing cycle to break up the invoice amounts into two separate billings. The City of Watertown will be notified in advance, whenever possible, prior to this change in billing cycles. Amount shall be paid to MSPEN Consulting within fifteen days of receipt of invoice. A late fee of 1.5% per day will be assessed for any payment not received within fifteen days of the submission of an invoice. MSPEN Consulting reserves the right to cease all work if an invoice is not paid within fifteen days.

**Written Reports** - The City of Watertown may request that progress reports be provided by MSPEN Consulting on a monthly basis.

**Publication Rights** - MSPEN Consulting is granted the right under this agreement to publish images and text for professional purposes, except and unless specifically requested otherwise in writing by the City of Watertown. MSPEN Consulting will notify the City of Watertown of the intent prior to publication.

**Termination** - The City of Watertown and MSPEN Consulting reserve the right to terminate this agreement at any time by fourteen working days written notice.

**Client Expectations** - It is expected that the City of Watertown will reasonably contribute to providing standard information that aids in the success of a grant application in a timely manner. The City of Watertown will be asked to contribute opinions relative to the budget and the projected timeline of projects, and to review applications before final submission.

**Disputes** - In the unlikely event that there is a dispute between MSPEN Consulting and the City of Watertown concerning this agreement, or the rights and duties in relation to this agreement, the parties will endeavor to resolve any dispute by mediation using guidelines of the American Arbitration Association. Laws of the State of New York shall control and the parties agree proper venue shall be in the County of Jefferson in any proceedings arising in the transaction described herein.

**Limitation of Liability** - To the fullest extent permitted by law and notwithstanding anything else in this Agreement to the contrary, the aggregate liability of MSPEN Consulting and its affiliates and subcontractors (collectively referred to in paragraph as MSPEN Consulting) for all claims arising out of this Agreement or services is limited to the compensation received by MSPEN Consulting under this Agreement.

**Expenses** - During the term of this Agreement, MSPEN Consulting shall bill, and the City of Watertown shall reimburse MSPEN Consulting for all reasonable and approved out-of-pocket expenses which are incurred in connection with the performance of the duties hereunder.

**Guarantees** - MSPEN Consulting shall use all resources at the company's disposal to perform duties as assigned and agreed to by both parties and shall submit work in good faith. However, no guarantee of receipt of funding is implied or promised.



September 27, 2022

To: The Honorable Mayor and City Council

From: Michael A. Lumbis, Planning and Community Development Director

Subject: Grant St./Seward St./Henry St. Street Reconstruction Project

Earlier this year, design work began on the Grant St./Seward St./Henry St. Street Reconstruction Project. Plans are currently 90% complete and as part of the design process, the City's consultant on the project, BCA Architects and Engineers has developed an estimate of probable cost for the project. The estimate is \$5.5 million.

The initial estimate for the project and approved budget amount is \$2.45 million. The project is funded from a variety of sources including Community Development Block Grant (CDBG) Funds, American Rescue Plan Act (ARPA) funds, Consolidated Highway Improvement Program (CHIPs) funds as well as funds from the City's Sewer Fund.

As with other recent projects, the higher-than-expected estimate is a result of higher fuel, asphalt, concrete, and other material prices as well as increased labor costs. The project scope is fairly straightforward without a lot of extras included. The scope includes the replacement of water and sewer lines, curbs, asphalt, and sidewalks (except the sidewalks on Grant St. which were previously completed).

Both BCA and Staff have looked at ways to reduce the project scope and cost but, as noted above, there are not many extras that can be removed from the project. Items that could be removed include decorative street lighting (\$282,000), porous pavement for stormwater mitigation (\$77,000) and some additional water main work along Lincoln St. that was not in the original scope (\$67,000). Even if all three of these items were removed, it would only reduce the total cost to \$5.1 million which is still twice the budgeted amount.

The \$5.5 million figure is only an estimate currently. Exact pricing will not be known until competitive bids from contractors are received. In the event that the bid prices are over the budgeted amount there are several options available to make up any shortfall. Those would include borrowing, de-obligating a previously approved ARPA project or utilizing the fund balance. Another option would be to split the project into two and only construct half at this time and budget for the remainder in an upcoming year.

Staff is recommending that the project go out to bid with everything included so that we can see what the actual pricing will be and decide once the bids are received. The project should be ready to go out to bid in the next month or two and the timing should be good to get competitive pricing for a spring project start.