



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Minutes - Final

### City Council

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Wednesday, June 16, 2021

6:00 PM

Council Chambers

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#### Approval of Contracts

**Public Comment Provisions during COVID-19:** The meeting will be live streamed. The link to the meeting can be found on the city website with the agenda and legislation at <https://www.allentownpa.gov>. Council will receive comments on the legislation prior to the meeting and will consider all comments from city residents. All comments must include your name and address, including your city, and be emailed to [Michael.Hanlon@AllentownPa.gov](mailto:Michael.Hanlon@AllentownPa.gov) by 2 PM on the date of the meeting. Comments can also be registered using the ecomment provision on each agenda item found on the city website. Comments received from city residents by that deadline will be forwarded to the Mayor and Council members prior to the meeting and will also be noted at Courtesy of the Floor or Public Comment periods of the meeting. These timely received comments will also be posted on the City's webpage as a supporting document to the meeting. Any comments received on the meeting day, after the 2:00 pm deadline, will be forwarded to the Mayor and Council as soon as practicable. In addition, if you would like to speak during the meeting, please send your name, address, including municipality, and telephone number to the email address above indicating what issue you would like to speak on or call the office at 610.437.7555 and do the same, and you will be called during the meeting.

#### Roll Call: Council President Guridy

**Present:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

#### RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-4348](#)

R81

Authorization for Contract with Asphalt Maintenance Solutions, LLC for \$619,583.50 to perform various street surface treatments and roadway maintenance applications; competitively bid, one bid, work to be completed in 90 days unless extended by agreement.

**Sponsors:** Administration

**Attachments:** [R81 Contract Asphalt Maintenance Solutions](#)  
[Resolution #30220](#)

Mr. Julio Guridy asked if there were any comments from the administration.

He asked if Ms. Baraket was there.

Ms. Jessica Baraket stated that it was done as Bid #2021-05. It was advertised on Public Purchase. It was accessed by 16 vendors. Only one bid was received. The bid price was determined to be fair and reasonable and an award is being recommended to the sole bidder. The city has done business with them before.

Mr. Julio Guridy asked if there were any comments from the dais on this.

Mr. Ed Zucal stated that his concern is that it says the work will be completed in 90 days unless extended by agreement. He stated that he can tell numerous time he was here for projects and it comes to the time when the job suppose to be done and it is not done and they need another \$40,000 or \$60,000 and more time to finish the job.

Mr. Julio Guridy stated with Change Orders. He asked if there were any comments from Ms. Baraket on this.

Ms. Jessica Baraket stated that she would let Craig speak to that one.

Mr. Craig Messinger stated that the list of streets are right in the agreement itself. There is not going to be any addition to any other streets that are there. It is done by cost by square yard. All of the roadways have been measured out already and the estimate of square yard was put in the bid itself. As far as the price itself, they feel confident that the amount will be where it is. They put in 90 days because they want to make sure that it is done in the effective when the weather is good for it. They agreed that they will do it. He stated that he feels confident that they will not be coming back with anything with a Change Order unless all of a sudden the crude barrel turns up to \$400 a barrel. Like everything else, it goes by the asphalt price index which went up a little bit. It has been staying a little bit stable. It was a list of streets that were given out in the contract. Only those streets will be getting done.

Mr. Julio Guridy thanked Mr. Messinger and asked another question in regards to the street list. What area in he city are you looking to resurfacing.

Mr. Craig Messinger stated that what they are trying to do is go into certain areas and mostly all the streets at one time. They are in the Springwood Drive, Chew Street, 37th, Aster Court, Evening Star, Park Vista, 36th and S. 12th Street. They have some other ones that are longer stretches such as S. 12th Street, 17th, Sumner to Walnut. Sumner to 6th and 17th. They have to do some throughout the city that are longer stretches that need

them done. They try to do certain areas all at one time so they can be in there and maintain everything and make sure we are not missing anything with it. The list of streets that he talked about are the areas they will be in.

Mr. Julio Guridy asked if there were any further comments from the dais.

Mr. Daryl Hendricks asked Mr. Messinger if these include any of the roadways that were disrupted by UGI or separate from that.

Mr. Craig Messinger stated that these are all separate. He said 5.85 miles of separate roadways. All the roadways that are being done by UGI are mill and overlay streets. These are maintenance projects.

Mr. Julio Guridy stated that he thought he saw them in his neighborhood. Is this additional? They already doing that throughout the city. They pouring some of the asphalts and covering the gaps that are created by the weather.

Mr. Craig Messinger stated that crack sealant is the first part of it and Public Works handles the crack sealant.

Mr. Julio Guridy asked if there were any further comments from the dais or the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30220

[15-4349](#)

R82

Authorization for Engagement of Professional Services with McMahon Associates for \$3,500 to provide conceptual design services for the intersection of Hanover Street and Linden Street- relative to the upcoming DCED-MTF grant submission due July 31, one quote per requirements.

**Sponsors:** Administration

**Attachments:** [R82 McMahon Associates](#)

[Resolution #30221](#)

Ms. Jessica Baraket stated that it is required one quote that is required for this dollar amount was received for this service.

Mr. Julio Guridy asked if there are any comments from the dais or the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30221

[15-4353](#)

R83

Authorization for contract with J. Smucker Contracting for \$117,925.00 for the City to perform roof repairs on three (3) sections of the Allentown Police Academy Building, competitively bid, two bids.

**Sponsors:** Administration

**Attachments:** [R83 Contract J Smucker](#)  
[Resolution #30222](#)

Ms. Jessica Baraket stated that this was done as Bid #2021-06. It was advertised on Public Purchase. It was accessed by 16 vendors. Two bids were received and an award was being recommended to the lowest bidder.

Mr. Julio Guridy asked if there were any comments from the dais or the public. Obviously, this one is needed.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30222

[15-4351](#)

R84

Authorization for Engagement of Professional Services with McMahon Associates for \$9,750 to prepare the submission of various grants to the State, Lehigh Valley Planning Commission and Federal programs; two attempted quotes, one firm declined, one year contract.

**Sponsors:** Administration

**Attachments:** [R84 McMahon Associates](#)  
[Resolution #30223](#)

Ms. Jessica Baraket stated that she does not have any additional information on this one or the next one. The required amount of quotes were received.

Mr. Julio Guridy stated that McMahon Associates is an Engineering Company. Are they an Engineering Company?

Mr. Craig Messinger stated yes, they are.

Mayor Ray O'Connell stated that the city used them before.

Mr. Julio Guridy stated that their name sounds familiar. No relations. He asked if there were any comments from the dais or the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30223

[15-4352](#)

R85

Authorization for Engagement of Professional Services with McMahon Associates for \$6,450 for design services for the crosswalk at the intersection of MLK Dr. and 4th Street, two quotes.

**Sponsors:** Administration

**Attachments:** [R85 McMahon Associates](#)  
[Resolution #30224](#)

Mr. Julio Guridy asked if there were any comments from the dais or the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30224

[15-4350](#)

R86

Change Order for \$55,900.30 with Spohn Ranch, Inc. for Jordan Skatepark work; the change is a result of \$12,427.68 due to the increase of Davis Bacon Wage Rates and \$43,472.62 for unforeseen drainpipe installation; the Change Order Committee approved the increase.

**Sponsors:** Administration

**Attachments:** [R86 Change Order Spohn Ranch](#)  
[Resolution #30225](#)

Mr. Julio Guridy stated that he can understand the Davis Bacon Wage Rates increase and some materials, but he is not sure why they had an unforeseen drainpipe installation when that should have been explained and dedicated to when the actual Engineering Study and the architectural plans. He asked Ms. Baraket if she can talk a little bit about that part.

Mayor Ray O'Connell stated that it is the bid.

Ms. Karen El-Chaar stated that she is going to ask Rick Holtzman who is also on the line. It deals with construction that is currently happening and the portion of Phase I at the Skate Park and the portion of Phase II is beneficial at this time.

Mr. Rick Holtzman stated that if they recall the Jordan Skate Park Plan is broken out in two Phases. We currently have Phase I in progress. Through this process, basically, through Phase I, the consultant drew a line as the Phase I project. On a flat piece of paper that looked all well and good until they started putting pipes in the ground and realized that if they don't put the additional drain line in we would be burying it with an additional 15 feet of

soil. When they go back to do Phase II, they will have to excavate through 15 feet of additional soil plus another three feet of soil under the ground disturbing the entire area. In fact, this should have been in Phase I. It definitely was a miss, but in their best interest putting the drainpipe in now it is going to relieve a lot of pressure and problems moving forward to Phase II project. It allows them to bring materials in to work on the Phase II Project. It is necessary and moving forward to the Phase II Project will reduce the cost.

Mr. Julio Guridy stated that the Phase II Project was not part of the initial plan design.

Mr. Rick Holtzman stated correct. They put some drainage for Phase I and there was a hard line drew of the plans and the grading of the plans on that flat piece of paper did not identify that drain pipe. If they do not put the drain pipe in now, they will bury it under basically 18 feet of soil.

Mr. Daryl Hendricks asked why the rate increases to the employees. Was this something that was delayed for a certain period of time.

Ms. Jessica Baraket stated that it was delayed. The original bid was scheduled to open back in March 6th. That is literally right when Covid. They did not know how to plan for how long they were going to be closed down. How long construction was going to be closed down. They knew it was not a project that needed to be taken right away. They wanted to delay that bid opening. Get us through some of the major problems they were experiencing with Covid and get through some of the construction time. It wasn't something that was an actual emergency. They ended up delaying the bid opening up until October. Those rates expired. They are only good for a certain amount of days, but because that bid was extended out for so long because of the uncertainty due to that Covid time period.

Mr. Julio Guridy stated that it happened a lot with other construction projects as well.

Mr. Daryl Hendricks stated really and asked normally you would not re-bid that project as a result of that. What was the overall cost of the entire project?

Ms. Jessica Baraket stated technically no. The original contract was awarded for \$499,766.81.

Mr. Ed Zucal started that the city had a contract with them. As an example, they will get \$15 an hour and unfortunately the project wasn't started and

now they get \$18 an hour. he stated that he does not feel that it is the city's responsibility. They signed a contract for the current rate that they are being paid.

Ms. Jessica Baraket stated that Davis Bacon Wage Rates are a little bit different. Those wages are out of the city's control. The city has to submit when they go out for bid they have to go online and request what they are under Davis Bacon Wage Rates. They are required to pay those rates. That is not up to us. Those rates aren't set by us. We are required by law to pay those rates.

Mr. Julio Guridy stated that is a federal law. We have experienced that in other contractual contracts that he is involved in. He asked if there were any further questions from the dais or the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30225

[15-4368](#)

R87

Authorization for a contract with Lamar Advertising for \$49,115.20 for the Health Bureau's Opioid Billboard Campaign; two bids.

**Sponsors:** Administration

**Attachments:** [R87 Lamar Advertising](#)

[Resolution #30226](#)

Mr. Julio Guridy asked where is the funding from this emanating from and will the ads be in the city only or outside of the city.

Ms. Vicky Kistler stated that the funding is coming from grant funds and the ads are in the city. She thinks most of the ads are in the city, but the ads on 22 are actually will technically be over the city line. These billboards directs people to the single county authority which is the Lehigh County which access the drug and alcohol treatment services.

Mr. Julio Guridy stated that the reason he asked that question is because if it is outside the city line, it should be a county issue. He asked if they are helping in any way.

Ms. Vicky Kistler stated that this is grant funded by the state. They have not helped other than make staff available when people call. They are serving on the city's Heroin and Opioids Prevention Taskforce and the city's Heroin, Opioid Death Review Team.

Mr. Ed Zucal asked how many billboards are there and for what actual time.

Ms. Cynthia Mota stated as everyone knows we have an opioid epidemic. The more people are aware of what's going on and the more people get. If those billboards can direct people for help, why not?

Mr. Julio Guridy stated that it is actually stating that the period will be lasting for 14 months.

Ms. Jessica Baraket stated that she can definitely confirm that time until August of 2022, but she does not have the number.

Mr. Julio Guridy asked if there were any further comments from the dais or the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30226

**ADJOURNED: 6:30 PM**