



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Minutes - Final

### City Council

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Wednesday, August 16, 2017

6:30 PM

Council Chambers

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#### Special Meeting: Contract Review and Approval

#### Roll Call: Council President O'Connell

**Present:** 7 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, Julio Guridy, and Cynthia Mota

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

[15-1799](#)

R156

Authorization for Change Order with MidAtlantic Construction & Design Associates d/b/a MidAtlantic Commercial Aquatics in the amount of \$29,132.80 for additional work related to the micro-pile project.

**Attachments:** [R156 Midatlantic Construction CO No. 8](#)

Mr. Brent Hartzell stated that he would have Frank Clark from Keystone Engineers to explain the change that is involved in this particular Change Order.

Mr. Frank Clark stated that the entire change order has to do with the micropiles that support the tanks that will be filtering with the surge tank. We had to go with a T&M Contract because there were a few unknowns. The was a savings passed along.

Mr. Ray O'Connell asked if there were any comments from my colleagues from a change order from Cedar Beach Pool.

Mr. Julio Guridy stated that he is assuming this is the last Change Order.

Mr. Ray O'Connell stated that we never assume. Not in Chambers. He stated that he can assume that the pool will not open this summer.

Mr. Frank Clark stated that he will be cautiously optimistic and hoping that we will see a little bit of activity. We do expect to have everything operational this summer. The seven day break test will take place tomorrow. We are very close to the tail end of the project.

Mr. Roger MacLean asked with the \$6,000 what percentage of the percent

is that.

Mr. Brent Hartzell stated that it is very small. They wanted to make sure the micropiles solid.

Ms. Cynthia Mota asked if the pool is made of gold because we have spent so much money there should be some gold around it.

Mr. Ray O'Connell stated that we are making light of this, but you are not making light of this. Some of us made light of it, me included. This is sad. This is very, very sad for the people and the kids of Allentown that don't have a place to swim. Kids have to be busy. We take down rims, we don't fill pools. What is going on?

Ms. Cynthia Mota stated that she agrees with Mr. O'Connell.

Dr. David McGuire stated that you are putting the tiles in that needs to be cured.

Mr. Frank Clark stated not in the sense that the adhesive we have the basecoat in there now. We have the grout to set the tile in. Once that grout dries and that is a day and then the plastering of the pool and the scratch coat.

Dr. David McGuire asked if then the pumps working. Then you are ready to fill the pool.

Mr. Frank Clark stated yes, the pumps will be tested and everything will run. Once the plaster is installed we will begin to fill the pool immediately. The plaster has to cure under water.

Dr. David McGuire stated that then we have to wait six or seven days before.

Mr. Frank Clark stated three to four days for the brushing of the plaster. He stated that you have to brush it to get the haze off.

Dr. David McGuire asked how many more days after that if all proceeds. He stated that it sounds like 12 days to me.

Mr. Frank Clark stated that once you get the chemistry right there is no more waiting. Where we are now we are about three to four weeks out.

Dr. David McGuire asked can we resolve to get some benefit as for example on weekends for September once the pool is certified and have

sufficient lifeguards. What is the present outlook on that?

Ms. Lindsay Taylor stated that we are still waiting to put together a solid staff of ourselves and our own guards. We reached out to the Parkland Aquatics Club which we have a relationship with. We are searching for staff and get them trained.

Mr. Brent Hartzell stated to that extent un-surprisingly as Mr. O'Connell had mentioned, we had not had high expenses that we budgeted for pool support. There is enough there to cover for September.

Ms. Candida Affa stated that her and her colleagues had an opportunity to inspect the pool a couple of weeks ago. With that we also had engineers and professionals giving us the rundown of everything they do and everything that happens. We are aware of everything. She congratulated them. You are doing your best.

Mr. Julio Guridy commended them for keeping up and being forceful to make sure the pool is open. He asked if the city will be able to open the pool this year.

Mr. Julio Guridy commended them for keeping up and being forceful to make sure the pool is open. He asked if the city will be able to open the pool this year.

Mr. Frank Clark stated that he believes so. He has every confidence that we will. His best estimate is three to three and a half weeks.

Mr. Julio Guridy asked if we are expecting to have it open this year.

Ms. Lindsay Taylor stated that we are very hopeful to have it open this year. If it is done on time and we staff it properly and safely.

Mr. Julio Guridy stated we are spending more money and then it is false hope.

Ms. Lindsay Taylor stated that we are doing everything we possibly can to open it this year.

Mr. Julio Guridy stated that is uncertainty, but thank you very much.

Mr. Ray O'Connell asked if anyone else of Council.

Mr. Daryl Hendricks asked what is the total cost to date, including this Change Order. He stated that in light of the indictment recently released

that he would strongly encourage any pending litigation that includes our Mayor as a defendant because he was the one that steered this to Spillman Farmer.

Mr. Roger MacLean stated \$3,495,434.96.

Mr. Julio Guridy stated that includes the Mack Pool.

Mr. Ray O'Connell stated and the Mack Pool.

Ms. Lindsay Taylor stated the Mack Pool as well.

Mr. Ray O'Connell asked if there were any other questions from Council. He asked if there were any questions from the public.

Mr. Lou Hershman, 405 N. Gilmore Street, stated that he looked at the Change Order. You go from six to eight, what happened to Number seven? He asked if the bonding is in order for these Change Orders.

Mr. Brent Hartzell stated that number seven did not have to come before Council. It extends the period of the contract to August 31. We had to do that legally so that everything is to continue. What we are doing in this contract is covering everything like we would normally do to make sure that the city's position is safe no matter what happens. What transpires once the pool is complete a lot of things could change.

Mr. Lou Hershman stated that there is a lot of Change Orders. There are eight Change Orders which means there are a lot of changes that have to open the bonding.

Mr. Frank Clark stated that the contractors bonding company is on board with every Change Order and every increase.

Mr. Lou Hershman asked if the bonding will be in place. Are we going to raise the rates?

Mr. Frank Clark stated that there is a performance bond and a maintenance bond.

Mr. Ray O'Connell stated that it is in place. He stated to Mr. Hershman we are not going there tonight.

Mr. Glenn Hunsicker, 844 S. 11th Street, stated that five years ago we talked about the floating pool. Council has to step up and put the brinks on this. He recommended Council have a special committee and they present

all the data that they need. Let them present their data at a special meeting. You have the power to stop it.

Mr. Ray O'Connell stated that he doesn't disagree, but you can't open a pool until it is completed. He stated that he has been filled in as well as his colleagues every step of the way.

Ms. Candida Affa asked Mr. Hunsicker was he listening to what she had to say. We were all there and they gave us step by step what happened. We are informed constantly.

Mr. Roger MacLean stated that Mr. Clark they have to fill the pool in order for the plaster to cure. Whether it is open or not they pool has to be filled.

Mr. Julio Guridy stated that the Water Lease the pool will be filled for free.

Mr. Glenn Hunsicker stated that we get 92 million gallons a year. It would come of that account. You have a meter on that, don't you?

Mr. Julio Guridy stated to Mr. Hunsicker to read the Lease.

Dr. David McGuire stated that Mr. Hunsicker brings up good questions, but as the president has said and as the history has unfolded at different times different problems emerged. They were explained to us the what, why and therefore. We cannot give and I don't expect to get outside experts to be able to say it will be another \$22,932. This is where we are and progress. The pool after it has been filled with water, sits, etc. to let everything settle the pool has to be filled for the whole year.

Mr. Frank Clark stated that we will keep it filled for as long as we can if the contractor and the structural engineer wants to empty it for the wintertime we can do that. We will be looking at different provisions. We will take a look at it for any bugs so we won't have any delays next year.

Mr. Ray O'Connell asked if there were any other questions from the public.

**Yes:** 7 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, Julio Guridy, and Cynthia Mota

Enactment No: 29541

**ADJOURN**