



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Minutes - Final

### City Council

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Wednesday, July 12, 2017

5:00 PM

Council Chambers

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#### Special Meeting: Contract Review and Approval

#### Call to Order: Council President O'Connell

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

[15-1731](#)

R133

Authorization for Engagement of Professional Services with Artefact, Inc. in the amount of \$12,000 for professional guidance and staff support services in the administration and enforcement of the Historic District Ordinance.

**Attachments:** [R133 Request for Council Approval - Artefact- Quote 2017-12](#)

Ms. Beth Ann Strohl stated that this was a quote released by a buyer in my office. This was the only quote that was received for the advisement. This is to provide assistance and professional guidance staff support services in the city's administration and enforcement to the historic district enforcement.

Mr. Ray O'Connell asked Mr. Kimmerly if he wanted to add anything.

Mr. David Kimmerly stated that this consultant that we used in the past. They are extremely good and I would recommend them.

Mr. Ray O'Connell asked if there were any comments from my colleagues.

Mr. Julio Guridy stated that I also know them and they are a replicable organization. They also do the City of Bethlehem and the City of Easton as well.

Mr. Ray O'Connell asked any other questions from my colleagues or the public.

**Yes:** 6 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, and Julio Guridy

**Absent:** 1 - Cynthia Mota

[15-1732](#)

R134

Authorization for Engagement of Professional Services with Allentown Economic Development Corporation in the amount of \$21,250 for administration of the Enterprise Zone Loan Fund.

**Attachments:** [R134 Request for Council Approval - AEDC](#)

Ms. Beth Ann Strohl stated that this is a sole source contract and this is for the administration for the Enterprise Zone Fund. AEDC has just performed this service for decades.

Mr. Daniel Diaz stated that the City of Allentown and AEDC, a Pennsylvania nonprofit has been in a contractual agreement set for many years for the administration of two revolving loan funds as well as the Allentown Economic Development Loan Fund Program. Both of these funds are for economic development. usually they are for low interest loans. It's a significant of job creation, retention of business and expansion. They have a proven track record of administering these programs.

Mr. Ray O'Connell thanked Mr. Diaz.

Mr. Scott Unger stated if you have any questions, I will be happy to answer.

Mr. Ray O'Connell asked if there were any comments from my colleagues or the public.

**Yes:** 6 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, and Julio Guridy

**Absent:** 1 - Cynthia Mota

Enactment No: 29515

[15-1733](#)

R135

Authorization for Engagement of Professional Services with Allentown Economic Development Corporation in the amount of \$10,625 for an Administration of the Allentown Economic Development Revolving Loan Fund.

**Attachments:** [R135 Request for Council Approval- AEDC2](#)

Ms. Beth Ann Strohl stated that it is a sole source contract and it is the same explanation Mr. Diaz gave for the previous one.

Mr. Daniel Diaz stated that this particular loan fund is geared towards commercial projects, where the Enterprise Zone Fund is for manufacturing.

Mr. Ray O'Connell asked if there were any comments from my colleagues or comments from the public.

**Yes:** 6 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, and Julio Guridy

**Absent:** 1 - Cynthia Mota

Enactment No: 29516

[15-1734](#)

R136

Authorization for Engagement of Professional Services with Daniel E. Koplisch in the amount of \$39,000.00 for Professional consulting services relating to the EPA Administrative Order, tasks relating to the Concession Lease Agreement and other projects assigned to the Office of Compliance.

**Attachments:** [R136 Request for Council Approval - Koplisch](#)

Ms. Beth Ann Strohl stated that individual department released their own request for quotations. They did receive two responses and they elected to choose Mr. Koplisch to proceed with particular service.

Mr. Ray O'Connell asked Ms. Jennifer McKenna if she had anything to add.

Ms. Jennifer McKenna stated no, but she will be happy to answer questions.

Mr. Ray O'Connell asked how long is it for, one year?

Ms. Jennifer McKenna stated that it is for two years. She stated that they submitted five quotes and they got back three that responded. Mr. Koplisch was the lowest bidder.

Mr. Ray O'Connell asked if there were any comments from his colleagues.

Mr. Julio Guridy stated that it says event of December 31, 2018. Is it retroactive for two years or just a year and a half.

Ms. Jennifer McKenna stated it is a year and a half. It goes to the next year, 2018.

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

**Yes:** 6 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, and Julio Guridy

**Absent:** 1 - Cynthia Mota

Enactment No: 29517

[15-1735](#)

R137

Authorization for Contract with Barton & Loguidice in the amount of \$155,081 for professional services required as a result of a 1999 EPA Superfund Site agreement for groundwater sampling, analysis, 3rd party data validation and reporting on landfill monitoring and residential monitoring wells at the Dorney Road (Oswald) Landfill Site located on Dorney Road in Upper Macungie Township, 3 year contract with 2 additional three year extensions (9 year total), two bidders.

**Attachments:** [R137 Request for Council Approval - Barton Loguidice- RFP No 2016-44](#)

Ms. Beth Ann Strohl stated that this was released as a formal request for proposal. It was advertised on March 27. The technical proposals were opened on May 4. They were evaluated by an evaluation committee consisting of city employees. The cost proposals were opened on June 8. You have the results of those evaluations they elected to award to this particular company.

Mr. Ray O'Connell asked if this was a consortium with Upper Macungie or how does this work.

Mr. Craig Messinger stated that what happened this was an area that a whole lot of different counties are cities were dumping trash. It ended up becoming a superfund site. It is not something that was designed like newer areas that are dumped for the garbage. It was an agreement that was made that different areas would do different jobs to control this site. In 1999, it was the City of Allentown decided that we will do the monitoring.

Mr. Ray O'Connell asked any comments from my colleagues.

Mr. Daryl Hendricks asked if the city is on the hook with this until 2029 and it will be \$155,000 with two additional three year periods.

Mr. Craig Messinger stated yes. The contract itself has a little bit of increases through the terms. This is a different company from before. As long as it is meeting our needs, DEP and EPA needs.

Mr. Ray O'Connell asked where is Dorney Road.

Mr. Craig Messinger stated that it is by Dorney Park. It is considered a superfund site. We have to do this legally. It was a legal agreement.

Ms. Beth Ann Strohl stated that they are from Camp Hill.

Mr. Ray O'Connell asked any comments or questions or the public.

Mr. Lou Shupe, 625 N. Sixth Street, asked if there were any remediation strategy for the superfund site.

Mr. Craig Messinger stated that at this time there is no need. That's why we have to continue to monitor it.

**Yes:** 6 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, and Julio Guridy

**Absent:** 1 - Cynthia Mota

Enactment No: 29518

[15-1736](#)

R138

Authorization for Contract with Professional Construction Contractors, Inc. in the amount of \$68,034 for remediation repairs to the Schreiber's Stone Masonry Arch Bridge wing wall, along with incidental work, as may be authorized - four bidders.

**Attachments:** [R138 Request for Council Approval - Professional Construction Contractors Inc BID 2017-12](#)

Ms. Beth Ann Strohl stated that this was a formal invitation to bid that was advertised by the Purchasing Office. It was advertised on May 5, the public opening was held on June 12 and this is a prevailing wage project.

Mr. Ray O'Connell asked if the city used them before.

Mr. Craig Messinger stated that he believes the city used them for other items. This is directly for the area that was hit by the Schreiber's Bridge on the Northside on the westside. The repairs that are going to be made will match what is on the Southside of that bridge. We went out for bids and they came up really high. We figured we will do it both ways. It will be less expensive for us to do it the next time.

Mr. Ray O'Connell asked if there were any comments from his colleagues.

Mr. Roger MacLean asked if the total for the base bid for \$49,003 for the total and for the alternate #2 was for \$18,734. He stated that the total comes out to the \$68,000, but was wondering.

Mr. Craig Messinger stated that this was extending it a little more into the finished wall.

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

**Yes:** 6 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, and Julio Guridy

**Absent:** 1 - Cynthia Mota

Enactment No: 29519

[15-1737](#)

R139

Authorization for Engagement of Professional Services with Youth Education in the Arts in the amount of \$150 for two 15-minute dance performances as part of the Allentown Independence Celebration.

**Attachments:** [R139 Request for Council Approval - RCA XCAPE](#)

Ms. Beth Ann Strohl stated that R139 and R140 which is coming up next are for Engagements. We did come before you for the Independence Day Celebration with a bunch of them. These were two that were missed.

Mr. Ray O'Connell asked if there were any comments from his colleagues or the public.

**Yes:** 6 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, and Julio Guridy

**Absent:** 1 - Cynthia Mota

Enactment No: 29520

[15-1738](#)

R140

Authorization for Engagement of Professional Services with Scott Marshall's Highway Band. in the amount of \$1,800 for 50-minute band performances and provision of sound equipment at Allentown's Independence Celebration event.

**Attachments:** [R140 Request for Council Approval - SCOTT MARSHALL](#)

Mr. Ray O'Connell asked Ms. Strohl if it was the same thing.

Ms. Beth Ann Strohl stated the same thing.

Mr. Ray O'Connell asked if there were any comments from his colleagues or the public.

**Yes:** 6 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, and Julio Guridy

**Absent:** 1 - Cynthia Mota

Enactment No: 29521

[15-1739](#)

R141

Authorization for change order with MidAtlantic Construction & Design Associates d/b/a MidAtlantic Commercial Aquatics in the amount of \$726,400.76 for work at Cedar Beach Pool.

**Attachments:** [R141 Request for Council Approval - Mid Atlantic C O No 6- Bid No 2015-31](#)

Ms. Beth Ann Strohl stated that this is Change Order #6 for Cedar Beach Pool. This Change Order was presented to the Change Order Committee which consisted of the Finance Director, the Representative from the Solicitor's office, as well as the City Controller. They did vote to approve the Change Order on July 5.

Mr. Ray O'Connell asked how many are on the Change Order Committee.

Ms. Beth Ann Strohl stated there are actually five members. We usually require a vote of three unless there is a conflict. The vote was three for approval.

Mr. Ray O'Connell stated what can we say about Cedar Beach pool that we did not say before. He asked what are we getting. What do we need?

Mr. Clark stated that the highlights being the volume for incorrectly calculated by the prior design team. All the plumbing outdoors were in and the filter system was already plumbed in. All had to come out and new designs. The filter would not have been big enough. New pipes had to be installed at the outside of the pool. A new filter had to be designed and ordered. A lot of labor and material on that process. We had to add addition drains in the pool. Once we took the old filter out of the pump house there was a 10 ton weight load on that. When we took the filter out, we noticed cracking in the floor. There were voids underneath the slabs and below that there was soil incapable with any support. We had to figure out how to stabilize the soil underneath the pump house floor. You have to increase the electrical, the pumps, the readings of the horsepower of the pump.

Mr. Ray O'Connell asked who is overseeing the work that is being done right now, MidAtlantic.

Mr. Clark stated that MidAtlantic is a support role. Right now we have Advantage Engineers which is a technical engineer which is a Geotechnical Engineer. There is oversight constantly while they are drilling.

Mr. Ray O'Connell stated that the last figure they saw was \$2.87 million and I am up to \$3.5 million, but some of the Mack was included in that \$3.5



million. How much was the Mack work? He asked what is our timeline.

Mr. Clark stated that he thinks around \$7 - \$8 million. The good news is that we got the micro pile outfit in there to do this work. They figure about five the seven days for their work. Beyond that it will be the re-enforcing of the floor. We are probably in the neighborhood of three weeks. The critical thing is getting the filters in and up and running. Right now we are looking at sometime in August to get the pool complete. The slides and other deck apiarist is going in this week. The floor has to be stable and ready to go.

Mr. Ray O'Connell asked Mr. Clark in his professional judgment will this pool open this summer.

Mr. Clark stated that he believes that we will have some time of pool use this summer.

Mr. Ray O'Connell asked if his colleagues had any questions.

Mr. Roger MacLean asked about the plaster curing with the water in the pool. It can't be used while it is curing.

Mr. Clark stated no, it cannot. It needs about three days to cure. When you brush the plaster while curing it to get the haze off of it, and that suspends in the water and has to filter that out.

Ms. Candida Affa stated that the tile work will be done at the same time as the filtering. She stated that you are looking at a timeline, but you are not considering rain.

Mr. Clark stated essentially yes. There is enough time built into when we can actually plaster the pool.

Mr. Daryl Hendricks as this pool or redesign has not been an exact science. Do you realistically anticipate any further costs going forward. He asked if those plasters scheduled at this time.

Mr. Clark stated there is not much left. He stated that he believes so. We have a general timeframe, but they go from job to job.

Dr. David McGuire asked Ms. Lindsay Taylor let's assume that this project comes to a happy conclusion by the last week in August so we have the Labor Day weekend and so on. Given before there has never been so much money provided to get something for the summer with no swimming. What will be involved in having three weekends in September. He asked

once the pool is closed, the water will be constantly filtered through the whole year. He asked if you are going to put a cover over the pool.

Ms. Lindsay Taylor stated that we are looking at that. It depends on staff ability and we are trying to plan for that.

Mr. Clark stated that he doesn't know if it will be filtered all year long. There are several different schools of thought of how to carry a pool through the wintertime. You definitely want water in it for several reasons to keep the temperature as stable as you can. Two, you want weight in that pool especially because it is in a floodplain. He stated that he is not certain of that. He doesn't believe there is a cover specified for this pool.

Ms. Lindsay Taylor stated yes. It is a cover that is cut to fit the pool.

Mr. Julio Guridy thanked them for hosting Council and they were able to ask questions that were asked today. Since we have the most expensive pool in America, what kind of guarantee do we have in case something happens along the way. Do we have it in writing that we are covered so we don't have to come back for another Change Order.

Mr. Clark stated that he believes MidAtlantic has quite an extensive warranty. They back the pool for quite a long time with their warranties.

Ms. Lindsay Taylor stated that there are maintenance bonds, and Performance Bonds. They are bonded and each piece of equipment has warranties. The plaster is warrantied. The bonds are between 12 and 18 months for maintenance bonds. It is for multiple years that MidAtlantic is guaranteed for the work.

Ms. Cynthia Mota stated that for sure if everything goes ok, we are going to have a few weeks in September. That will be a for sure thing, right?

Mr. Clark stated if everything goes as we hope and there is no more problems, we should be able to meet that.

Mr. Ray O'Connell stated that we did have an Executive Session concerning Cedar Beach Pool and discussed possible litigation down the road. He asked any questions from the public.

Mr. Lou Shupe, 625 N. Sixth Street, stated in the past he worked on a house where the basement was constantly flooding and it was determined that there were some pockets of air that was opening up that was filling up with water. One of the mitigation strategies that we did at the time was to build a sub terrain wall around where the water flowed by the nearby creek.

The City of New Orleans is consistently battling shifting sands from the Mississippi River. What are you going to do when these openings happen again a year or so down the road?

Mr. Clark stated that there is an extensive investigation done below that floor where we drilled down and took soil samples. We also took rock samples to get down to bedrock.

Mr. Ray O'Connell thanked Mr. Shupe and asked anyone else from the public.

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

Enactment No: 29522

**ADJOURNED: 5:41 PM**