



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Minutes - Final

### City Council

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Wednesday, January 16, 2019

6:30 PM

Council Chambers

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#### Special Meeting to Approve Contracts

#### Roll Call: Council President MacLean

**Present:** 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

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

[15-2719](#)

R2

Authorization for Contract with Countrywide Restoration, Inc., for an estimated annual amount of \$17,500 based upon the unit prices to provide standard board up services for commercial and residential, two bids – one was not compliant with the bid. The contract is good for one year but upon mutual written agreement by both parties, the Contract may be renewed for two (2) additional one (1) year terms, if pricing remains the same.

**Attachments:** [R2 Countryside Restoration Inc. Bid no. 2018-26](#)  
[Resolution #29749](#)

Ms. Jessica Baraket stated that this vendor is new to doing business with the City of Allentown. They have not provided a service in the past.

Mr. Roger MacLean asked if there were any questions from Council.

Mr. Courtney Robinson asked if the disqualified vendor is currently doing the work for us. He asked about the scope of work and is it for any building that the city determined needs to be boarded up, specifically if it is a fire. He asked about the liability and if there is a clause in the contract that if the work is not done properly and not properly secured if we have to sign off on the work.

Ms. Jessica Baraket stated yes. Most of the buildings with fires fall under the emergency contract. This is a standard contract. She stated that she thinks it was built into the specifications.

Mr. Roger MacLean asked if there were any comments from Council or the public.

**Yes:** 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 29749

[15-2718](#)

R3

Authorization for Contract with the following Vendors: Ssynatek, Hodges Rash, Genesis Turfgrass, Inc., Site One Landscape Supply, & Fisher and Son Co., Inc. at the unit prices identified, for a total estimated budget of \$157,165.56 for Agricultural Chemicals for the Golf Course and Parks Department, competitively bid.

**Attachments:** [R3 Turf Checmicals- Bid No. 2018-24- All Vendors](#)

[Resolution #29750](#)

Ms. Jessica Baraket stated that this was done as Bid 2018-24. This is an annual bid that the city does on an annual basis. It was advertised on Public Purchase and accessed by 25 vendors. Six responses were received. An award is being made to five of the six responses. All based on the lowest responsive bid that was received. All of the vendors provided these products to us in the past.

Mr. Roger MacLean stated that different vendors handled different products.

Ms. Jessica Baraket stated correct, and it goes by the lowest bid item for each individual item.

Mr. Roger MacLean asked if there were any questions from Council.

Mr. Courtney Robinson asked Mr. Holtzman if they tried to look for alternatives for some of these chemicals.

Mr. Rick Holtzman stated that we have to read the label. The label is the law. There are aquatic labeled chemicals we use. Most chemicals we use don't trans-locate.

Mr. Roger MacLean asked if there were any other comments from Council or the public.

**Yes:** 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 29750

[15-2720](#)

R4

Authorization for Engagement of Professional Services with David Hornung Architects, Inc. for \$1,510 for plan revisions for renovations of the Cedar Pool house for ADA and Code compliance, single bid.

Attachments: [R4 Cedar Pool House Plan Revisions](#)

Ms. Jessica Baraket stated that this was a single quote which is required for this dollar amount and this vendor has provided similar services in the past.

Mr. Roger MacLean stated that the work is self-explanatory. He asked if there were any questions from Council.

Mr. Courtney Robinson asked who was the original architect. He stated that he is curious why the plan wasn't compliant.

Mr. Rick Holtzman stated that the original plan was done by Hornung and we worked with them to come up with the design for the pool house renovations. The ADA Compliance and the original plans were sent to a third party for review and then sent it to our Building Standards and Safety for permitting. There were a few issues on the plan that weren't caught by the third party or anyone else. The occupancy of the building and the flood plains certifications and that means for fixtures, and mounting. There is a code compliance for flood plain elevation that has to be followed. That was not in the plan. Some revisions have to be made to the plan for Building Standards to give us the permits to do the job. We couldn't just draw them on. The architect had to make the changes and that's what the changes are.

Mr. Courtney Robinson stated that he is concerned that they are rewarding the vendor for them making a mistake and giving them more money to fix it. Why didn't they go back to fix it, if it was their mistake in the first place without us having to pay them more money.

Mr. Rick Holtzman stated that he understands that. He is not an architect or engineer. He stated that he doesn't know the Code. When we handed them to third party people we hope that is their job to do that. We then sent it to our people for permitting and they flagged it. It was a mistake for sure. Moving forward this should not happen. The third party was Code Master.

Mr. Courtney Robinson stated that it is a problem for him to pay an architect for a mistake that they made. He stated that he can't support this Resolution.

Mr. Roger MacLean stated that he agrees from reading it there is no way we would know that this was a mistake originally by the architect. Did we explore about recourse?

Mr. Rick Holtzman stated that they looked into it as far as the architect and this was missed on many levels. Plans had to be revised and things had to

be moved around on the plans. He stated that he does not have the answer to that, but does understand the concerns.

Mr. Julio Guridy agreed with Mr. Robinson. For us to pay them more for a mistake that they made is questionable.

Mr. Roger MacLean asked if there were any other questions from Council or the public.

Mr. Glenn Hunsicker, South Allentown, stated that he can't believe this. If they made the mistake, they should eat this one. If we used them before, they should step up to the plate and say they will do this. We will correct it.

Mr. Julio Guridy stated that don't they have a bond for this.

Ms. Jessica Baraket stated no because they did not have to go through a formal process. They did not have to submit a bond for this.

Mr. Julio Guridy stated that they should eat the cost.

Mr. James Whitney, 924 Walnut Street, agreed with everybody. The other way it could go is to not pay for this and go to another architect. He stated that he would love to see the architect have the opportunity to do this work and eat the cost of this work. If they have provided services like this in the past, we should give them every opportunity to keep their relationship with the city in good standing by doing this work pro bono.

Mayor Ray O'Connell suggested that Council pull it and go back to the architect.

**This Resolution was withdrawn.**

**ADJOURNED: 6:42 PM**