

## Lake City Sewer Authority Meeting of October 10th, 2017

Meeting was held at the Lake City Council Chamber starting at 7:00 p.m.

Attending: Chairman Robert Pier; Joseph Legnasky; David Jackson; Darwin Michielsen; Rick York  
Engineer Steve Halmi and Attorney Bax

**Visitors:** Brent - Sewer Plant Operator

No Public Comments

Approval of the minutes from September 26th, 2017 motion by: Darwin Michielsen second  
by: Rick York

motion carried

### **Financial Report:**

Invoice # 59814 for The McDonald Group LLP - \$227.40 **Check # 1047**

Invoice # 59801 for The McDonald Group LLP - \$27.34 **Check # 1047**

Discussion - On the bills for clarifications

Motion to pay the bills - Motion by Rick York and second by Darwin Michielsen - motion carried.

Discussion and comments on bills

### **Engineer Hamli:**

Discussion and review of the bid proposals for the Plant Project:

Disadvantage Business Enterprises - over the last year period - none where required and this same form needs to be submitted with the need bids - Signed by Bob Pier and dated.

Penn Vest application review is 10-12-2017. If this is successful then an offer will be made and the authority will start with the closing with legal staff.

Drawings and documents and building permit review by the Department labor and industry. In review of the office building, sludge building, and the control building. This review will be a 30 day review by the Department of Labor and Industry.

Bidding Document have been reviewed by the McDonald Group LLP; the General Contract works this can be a bid alternative. Advertizing for bids will be on 10-13-2017 and again on 10-16-17. Bid opening will be on Nov. 14th 2017 . Safe guarding of the seal bids will be handled and Attorney Bax will review this with the Lake City Borough Attorney Edward Betza; the bids will be opened on 11-14-2017 at the authority meeting . Prebid conference will be 10-24-17 at 9:00 a.m. at the plant. Halmi Engineering will proceed with the advertizing in Erie Times; etc.

**Attorney Bax;**

provided a detailed report on his activities over the last few months. One note of interest is a Professional Courtesy Adjustment credits of \$1250.00. Discussion on the EPI property closing for the parcels required by the authority. Pennvest Application Legal Review on the \$4.6 million on the loan application with retention of Attorney Alberstadt for the closure of the loan. Acquires a Letter of Responsibility and No Prejudice from Pennvest. WWTP Operator maintenance concern over the sewer line maintenance of the Lake City Borough Council obligation on citing lease provision. WWTP project bidding documents review for the conform bidding documents to Pennsylvania and Federal Law, over contract award, and during the performance of awarded contract. reviewed for Bidding Documents in the Bid Form; General Conditions; Supplemental Conditions; Bid Bond of 10%; Payment Bond; Performance Bond; Contractors guarantee and warranty; Insurance coverage and limits. Reviewed Invitation to bid. Reviewed Tax Exemption (PA Sales and Use Tax). Drafted revised Tax Exemption provision in Bidding Documents to establish basis for avoidance of PA Sales and Use Taxes; with a potential savings of \$275,000. Reviewed liquidated damages provisions ; reviewed the retain age language in contract to conform with Pennsylvania's Prompt Payment Act ("PPA"). Reviewed PPA for contractor payment provisions and suggested revised interest rate using PPA terms - 4% instead of 6%; this could give us a potential savings. Revised Contract's choice of law provision, establishing for Pennsylvania as governing law, with a potential cost savings. Reviewed Bid Alternates language in Bid Form and Bidding Documents.

Next meeting is November 14th 2017

motion to adjourn by Darwin second by Rick