

**ENROLLED MINUTES OF THE  
HIGHLAND WATERWORKS BOARD OF DIRECTORS  
THURSDAY, DECEMBER 12, 2019**

**Study Session.** The Highland Water Works Board of Directors convened in study session immediately before the Regular Meeting at 6:30 p.m. on Thursday, December 12, 2019 in the upper meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland Indiana, in order to discuss the final agenda of the regular meeting.

**ROLL CALL:** Present on silent roll call were Directors Ed Dabrowski, George A. Smith, Curt Schroeder, and Larry Kondrat. Director Georgeff was absent with prior notice given. Also present were John Bach, Public Works Director; Mark Knesek, Operations Director; Derek Snyder, NIES Engineering; Rhett Tauber, Board Attorney; and Kim Webb, Recording Secretary.

1. Derek Snyder, NIES Engineering, discussed with the Board Resolution 2019-19, a Resolution approving and authorizing Change Order No. One to the Construction Contract between the Highland Water Works Board of Directors and Gatlin Plumbing & Heating Incorporated for the 81<sup>st</sup> Street Water Main Replacement and Street Improvement Project.

An Action to approve Pay Request No. 3 and Pay Request No. 4 for the 81<sup>st</sup> Street Water Main Replacement Project – Indianapolis Boulevard to Sycamore Ave, to Gatlin Heating & Plumbing, Inc. and Pay Request No. 4 for the 5<sup>th</sup> Street Water Main Replacement Project – 100<sup>th</sup> Place to 98<sup>th</sup> Street, to Gatlin Heating & Plumbing, Inc. were also discussed.

2. Mark Knesek, Operations Director, updated the Board on the current status of replacing the non-registering water meters for the residents and businesses of Highland. Notices are being sent to the customers to call for an appointment to have the meter replaced at no charge.
3. Rhett Tauber, Board Attorney, shared with the Board a summary listing of payments received from a Wage Garnishment Order in reference to the Estevan Marks judgement.

**Regular Meeting:** The Highland Water Works Board of Directors met in its Regular Session on Thursday, December 12, 2019 in the upper meeting chamber of the Highland Municipal Building, 3333 Ridge Road, Highland Indiana directly following the study session. President Dabrowski opened the meeting. The minutes were recorded by Kim Webb, Recording Secretary. The session was opened with the Pledge of Allegiance.

**ROLL CALL:** Present on roll call were Directors Ed Dabrowski, George A. Smith, Curt Schroeder, and Larry Kondrat. Director Georgeff was absent with prior notice given. A quorum was attained. Also present were John Bach, Public Works Director; Mark Knesek,

Operations Director; Derek Snyder, NIES Engineering; Mark Herak, Town Council; Rhett Tauber, Board Attorney; and Kim Webb, Recording Secretary.

**MINUTES:** President Dabrowski asked if there were any corrections to the Minutes of the Regular Meeting of November 14, 2019 as prepared and posted. Director Smith moved to approve the minutes of the Regular Meeting on November 14, 2019. Director Kondrat seconded. On a vote *viva voce*, the motion passed.

**Communications:** A proposal by NIES Engineering, Inc. for General Engineering Services for 2020.

**Unfinished Business and General Orders:**

1. Highland Waterworks  
Board of Directors  
Resolution No. 2019-19

A Resolution approving and authorizing Change Order No. One to the Construction Contract between the Highland Water Works Board of Directors and Gatlin Plumbing & Heating, Inc. for the 81<sup>st</sup> Street Water Main Replacement and Street Improvement Project. Director Kondrat moved to approve Resolution 2019-19. Director Schroeder seconded. Upon a roll call vote, there were (4) affirmations and no negatives, (1) absent. The motion passed.

**WATERWORKS DISTRICT OF HIGHLAND  
Board of Directors  
Resolution No. 2019-19**

**A Resolution Approving and Authorizing Change Order No. One to the Construction Contract between the Highland Water Works Board of Directors and Gatlin Plumbing & Heating, Incorporated for the 81<sup>st</sup> Street Water Main Replacement and Street Improvement Project**

**Whereas,** The Highland Waterworks is governed by its Board of Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

**Whereas,** IC 8-1.5-4-4 specifically provides that the Board of Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

**Whereas,** The Board of Directors in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 8-1.5-4 et seq. including repealing or amending them consistent with the Waterworks Law; and

**Whereas,** The Water Works District of Highland (District), through its Board of Directors, has determined the need to replace the Water Main on 81<sup>st</sup> Street from Indianapolis Blvd. to Sycamore Ave. in order to provide for adequate water supply and water quality; and

**Whereas,** In addition to the water main replacement project, the Board of Works has determined to make certain street and right-of-way improvements outside of the scope of the waterworks improvements and has designated funds for that purpose; and

**Whereas,** NIES Engineering, Incorporated has prepared plans and specifications for the Project on behalf of the Waterworks District and the Project was bid in accordance with IC 36-1-12 *et seq.* and notice was published in accordance with IC 5-3-1; and

**Whereas,** on April 25, 2019, the Waterworks District adopted Resolution No. 2019-06 and awarded the Project to Gatlin Plumbing & Heating, Incorporated in the amount of Four Hundred Thirty-Five Thousand and 00/100 (\$435,000.00), to be the lowest responsive and responsible bid; and

**Whereas,** the project costs were allocated to the Board of Works in the amount of Fifty-seven Thousand Three Hundred Six Dollars and no/Cents (\$57,306.00) and to the Department of Waterworks in the amount of Three Hundred Seventy-seven Thousand Six Hundred Ninety-four Dollars and no/Cents (\$377,694.00); and

**Whereas,** during the course of construction of the Project, it has become necessary to change or alter the original specifications of the project and/or to increase or decrease the planned material quantities; and

**Whereas,** NIES Engineering, Inc., a licensed engineer performing construction engineering services on this project, has specifically identified and presented Change Order No. 1, attached herewith, which details the changes and alterations to the Project which have a net decrease in the contract amount of Fifty-four Thousand Four Hundred Sixty-eight Dollars and 30/100 Cents (\$54,468.30), of which, Sixteen Thousand Five Hundred Thirty-one Dollars and 90/100 Cents (\$16,531.90) is attributed to the reduction in the water main replacement costs and Thirty-seven Thousand Nine Hundred Thirty-six Dollars and 40/100 Cents (\$37,936.40) is attributed to the street improvement costs; and

**Whereas,** The Waterworks District of Highland, through its Board of Directors, now desires to approve and authorize the Change Order as described.

**Now Therefore Be it Resolved** by the Board of Directors of the Waterworks District of Highland, Lake County, Indiana, as follows:

**Section 1.** That the First Addendum to the Construction Contract with Gatlin Plumbing & Heating, Incorporated for the 81<sup>st</sup> Street Water Main Replacement and Street Improvement Project, as prepared by NIES Engineering, Incorporated, a licensed engineer performing construction engineering services on this Project, is hereby determined to be directly related to the original project and is hereby approved, adopted, and ratified in each and every respect;

**Section 2.** That this addendum is hereby ordered to be known as Change Order No. 1, issued to decrease net changes to the original agreement in the amount of *Fifty-four Thousand Four Hundred Sixty-eight Dollars and 30/100 Cents (\$54,468.30), of which, Sixteen Thousand Five Hundred Thirty-one Dollars and 90/100 Cents (\$16,531.90) is attributed to the reduction in the water main replacement costs and Thirty-seven Thousand Nine Hundred Thirty-six Dollars and 40/100 Cents (\$37,936.40) is attributed to the street improvement costs,* bringing the total value of the entire agreement with any and all change orders approved to date to Three Hundred Eighty Thousand Five Hundred thirty-one Dollars and 70/100 Cents (380,531.70); and

**Section 3.** That the total of all change orders issued that increases the scope of this Project may not exceed twenty percent (20%) of the amount of the original contract, that original being of Five Hundred Twenty-two Thousand Dollars and 00/100 Cents (\$522,000.00), pursuant to IC 36-1-12-18(d); and

**Section 4.** That the Proper Officers are hereby authorized to execute the necessary documents with their signatures.

**Duly Approved and Adopted** by the Board of Directors of the Waterworks District of Highland, Lake County, Indiana this 12<sup>th</sup> day of December, 2019 by a vote of 4 in favor and 0 opposed.

**BOARD of WATERWORKS DIRECTORS  
WATERWORKS DISTRICT of HIGHLAND, INDIANA**

/s/Ed Dabrowski, President

Attest:

/s/George A. Smith, Secretary

2. An action to approve Pay Request No. 3 for the 81<sup>st</sup> Street Water Main Replacement Project – Indianapolis Boulevard to Sycamore Ave in the amount of \$39,195.00 to Gatlin Plumbing & Heating, Inc. Director Kondrat moved to approve the Action. Director Schroeder seconded. Upon a roll call vote, there were (4) affirmations and no negatives, (1) absent. The motion passed.
3. An action to approve Pay Request No. 4 for the 81<sup>st</sup> Street Water Main Replacement Project – Indianapolis Boulevard to Sycamore Ave, authorizing the partial release of retainage to Gatlin Plumbing & Heating, Inc. in the amount of \$6,616.46. Director Smith moved to approve the Action. Director Schroeder seconded. Upon a roll call vote, there were (4) affirmations and no negatives, (1) absent. The motion passed.
4. Highland Waterworks  
Board of Directors  
Resolution No. 2019-20

A Resolution approving and authorizing Change Order No. 1 to the construction contract between the Highland Water Works Board of Directors and Gatlin Plumbing & Heating, Inc. for the 5<sup>th</sup> Street Water Main Replacement Project – 100<sup>th</sup> Place to 98<sup>th</sup> Street. Director Kondrat moved to approve Resolution No. 2019-20. Director Schroeder seconded. Upon a roll call vote, there were (4) affirmations and negatives, (1) absent. The motion passed.

**WATER WORKS DISTRICT OF HIGHLAND  
Board of Directors  
Resolution No. 2019-20**

**A Resolution Approving and Authorizing Change Order No. One to the Construction Contract between the Highland Water Works Board of Directors and Gatlin Plumbing & Heating, Incorporated for the 5<sup>th</sup> Street Water Main Replacement Project – 100<sup>th</sup> Place to 98<sup>th</sup> Street**

**Whereas**, The Highland Waterworks is governed by its Board of Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

**Whereas**, IC 8-1.5-4-4 specifically provides that the Board of Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

**Whereas**, The Board of Directors in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 8-1.5-4 et seq. including repealing or amending them consistent with the Waterworks Law; and

**Whereas**, the District had determined, owing to its age, depth and condition, a need to replace existing water main on 5<sup>th</sup> Street from 100<sup>th</sup> Place to 98<sup>th</sup> Street and authorized work for the 5<sup>th</sup> Street Water Main Replacement Main Project – 100<sup>th</sup> Place to 98<sup>th</sup> Street; and

**Whereas**, NIES Engineering, Incorporated has prepared plans and specifications for the Project on behalf of the Waterworks District and the Project was bid in accordance with IC 36-1-12 et seq. and notice was published in accordance with IC 5-3-1; and

**Whereas**, on April 25, 2019, the Waterworks District adopted Resolution No. 2019-07 and awarded the Project to Gatlin Plumbing & Heating, Incorporated in the amount of Four Hundred Fifty Thousand Dollars and 00/100 (\$450,000.00), as the lowest responsive and responsible bid; and

**Whereas**, during the course of construction of the Project, it has become necessary to change or alter the original specifications of the project and/or to increase or decrease the planned material quantities; and

**Whereas**, NIES Engineering, Inc., a licensed engineer performing construction engineering services on this project, has specifically identified and presented Change Order No. 1, attached herewith, which details the changes and alterations to the Project which have a net decrease in the contract amount of *Twenty-two Thousand Seven Hundred Four Dollars and 65/100 Cents (\$22,704.65)*; and

**Whereas**, The Waterworks District of Highland, through its Board of Directors, now desires to approve and authorize the Change Order as described.

**Now Therefore Be it Resolved** by the Board of Directors of the Waterworks District of Highland, Lake County, Indiana, as follows:

**Section 1.** That the First Addendum to the Construction Contract with Gatlin Plumbing & Heating, Incorporated for the 5<sup>th</sup> Street Water Main Replacement Main Project – 100<sup>th</sup> Place to 98<sup>th</sup> Street, as prepared by NIES Engineering, Incorporated, a licensed engineer performing construction engineering services on this Project, is hereby determined to be directly related to the original project and is hereby approved, adopted, and ratified in each and every respect;

**Section 2.** That this addendum is hereby ordered to be known as Change Order No. 1, issued to decrease net changes to the original agreement in the amount of *Twenty-two Thousand Seven Hundred Four Dollars and 65/100 Cents (\$22,704.65)*, reducing the total value of the entire agreement with any and all change orders approved to date to Four Hundred Twenty-seven Thousand Two Hundred Ninety-five Dollars and 35/100 (\$427,295.35); and

**Section 3.** That the total of all change orders issued that increases the scope of this Project may not exceed twenty percent (20%) of the amount of the original contract, that original being of Five Hundred Forty Thousand Dollars and 00/100 Cents (\$540,000.00), pursuant to IC 36-1-12-18(d); and

**Section 4.** That the Proper Officers are hereby authorized to execute the necessary documents with their signatures.

**Duly Approved and Adopted** by the Board of Directors of the Waterworks District of Highland, Lake County, Indiana this 12<sup>th</sup> day of December, 2019 by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

**BOARD of WATERWORKS DIRECTORS  
WATERWORKS DISTRICT of HIGHLAND, INDIANA**

/s/Ed Dabrowski, President

Attest:

/s/George A. Smith, Secretary of the Board of Directors

5. An action to approve Pay Request No. 4 for the 5<sup>th</sup> Street Water Main Replacement Project – 100<sup>th</sup> Place to 98<sup>th</sup> Street, authorizing the partial release of retainage to Gatlin Plumbing & Heating, Inc. in the amount of \$11,364.77. Director Schroeder moved to approve the Action. Director Kondrat seconded. Upon a roll call vote there were (4) affirmations and no negatives, (1) absent. The motion passed.

**New Business:** None.

**Reports:**

1. Waterworks Superintendent – No Report.
2. Waterworks Attorney – No Report.
3. Waterworks Engineer – No Report.
4. Fire Department – No Report.

**Business from the Floor:** None.

**Claims:**

Per the docket in the amount of:

061	Water Works District	\$0.00
062	Consumer Deposits	\$0.00
064	Waterworks Operating	\$233,082.31
066	Water Improvements	\$58,976.23
068	Water Capital	\$0.00
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Total		\$292,058.54

Director Smith moved to approve the claims per the December 12, 2019 docket in the amount of \$292,058.54. Director Schroeder seconded. Upon a vote *viva voce*, the motion passed.

**Special Orders:** Marc Hansen, Suez, Inc., made a presentation for an Asset Management Plan for the Ridge Road and Indianapolis Boulevard elevated water tanks, providing alternative pricing options for a lump sum payment of the painting with a spread of the maintenance fees and also a 7 year spread instead of a 5 year spread. John Bach, Public Works Director, requested Suez to provide the spreadsheet used in the presentation for further analysis.

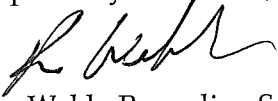
**Next Meeting:**

The next Plenary Meeting will be held on Thursday, January 23, 2020 at 6:30 p.m.

**ADJOURNMENT:** With no other business to come before the Board of Waterworks Directors, the meeting was adjourned.

Meeting Adjourned at 7:56 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kim Webb", written in a cursive style.

Kim Webb, Recording Secretary