

**A. CONVOCAATION:**

1. The Canadice Town Board Special Meeting was held on August 17, 2020 at 6:30 pm at the Canadice Town Hall.

2. Roll call showed the following-

- Present: Supervisor Kristine Singer
- Councilman John O’Connor
- Councilman Mark Statt (arrived 6:39 pm)
- Councilman Mark Malmendier
- Councilman Teryl Gronwall

Others Present: Two (2) guests/residents attended the Special Town Board Meeting.

3. Salute to the Flag.

**B. PRIVILEGE OF THE FLOOR:**

1. Supervisor Singer indicated the main reason for this special meeting is the result of some conversations and individual meetings with Fineline and LaBella to consider what work is left to complete in the water district and what is left to be paid-out to the contractor. Fineline has agreed to the terms discussed and are just waiting to see the Change Order to sign-off.

\*The resolution extends the contract by 60 days.

\*The punch-list for Fineline must be completed by August 31<sup>st</sup> and paperwork needs to be submitted from Fineline by August 30<sup>th</sup>.

\*Councilman O’Connor questioned what LaBella will cover due to their mistakes, one of which includes the re-chlorination station issues. Councilman Malmendier agreed with Councilman O’Connor regarding the re-chlorination station rebuild and LaBella’s contribution in that matter. Supervisor Singer also mentioned the meter that was purchased we are unable to use. Supervisor Singer feels we need a document prepared itemizing these issues.

\*Fineline’s subcontractors must be done by September 30<sup>th</sup> and three of the items that must be completed by that date are: stamped concrete, fencing and the generator connection at the tank-site.

\*Some discussion took place regarding some missing water. There is a hydrant near the tank-site on Co Rd 36 that appeared to have been accessed. The possibility of purchasing hydrant locks is an option; they would cost approximately \$300 per hydrant.

\*Councilman Malmendier inquired about the purchase of a ladder extension from Aquastore. The City of Rochester requested the purchase and would use the ladder at the tank-site. \$580 was indicated as the purchase price. Supervisor Singer gave the okay for the purchase.

2. Water District Project No. 1

a. **Resolution Number 58 of 2020** – Authorizing Change Order No. 12 For Canadice Water District

No. 1 Project

Councilman Malmendier motioned, Councilman Gronwall seconded, and it was unanimously carried to approve the resolution.

APPROVED	Ayes 5	Singer, O’Connor, Statt, Malmendier, Gronwall
	Nays 0	

WHEREAS, this Board authorized the construction of Canadice Water District No. 1; and  
 WHEREAS, bids were solicited and received for said project; and  
 WHEREAS, Finline Pipeline was awarded the bid in the amount of \$4,691,805.00 with a substantial completion time frame of 330 days; and  
 WHEREAS, Change Orders 1 – 11 approved by this Board have modified the contract to be \$4,781.172.35 with substantial completion to be 398 days; and  
 WHEREAS, the project received NYS Department of Health approval as of July 27, 2020, the milestone for substantial completion; and  
 WHEREAS, the contractor, Finline Pipeline, Inc. disagreed with the date of substantial completion and the denial of additional time and pricing for items they felt were not covered by the initial contract; and  
 WHEREAS, the Contractor’s representative, the Supervisor and the project engineer met on August 13, 2020 to resolve the issues and get the project to final completion; and  
 WHEREAS, the result of the negotiation is contained in Change Order No. 12, with an additional 60 days added to the contract time frame, no further liquidated damages to be withheld beyond Pay Application 22 end date of June 26, 2020 and no change in contract price; and  
 WHEREAS, when the change order is taken into consideration, excess liquidated damages over the adjusted contract date and agreed end date for withholding will be included in Pay Application 23 and paid to Finline Pipeline, Inc.; and  
 WHEREAS, the Supervisor/Budget Officer, believes the amount that has been withheld to date, \$458,000, will cover the additional expenses incurred as a result of the project delay and fine assessed by the DEC for a violation of the SPEDES permit and recommends approval of this change order to resolve this matter and avoid any litigation to bring this project to a close; now, therefore, be it  
 RESOLVED, that this Board approves Change Order No. 12 with the additional 60-day extension, suspension of additional liquidated damages withholdings as long as the terms of completion contained in Change Order No. 12 are met; and, be it further  
 RESOLVED, that certified copies of this resolution be sent to Kathy Dear from LaBella and Associates, to Finline Pipeline, Inc. and retain a copy in the project records.

**I. ADJOURNMENT:**

Councilman O’Connor motioned, Councilman Statt seconded, and it was unanimously carried to adjourn the meeting at 7:06 pm.

APPROVED	Ayes 5	Singer, O’Connor, Statt, Malmendier, Gronwall
	Nays 0	

Respectfully submitted, \_\_\_\_\_ Eileen Schaefer, Town Clerk