

CITY OF FRANKLIN
SPECIAL COMMON COUNCIL MEETING
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
FRIDAY, MAY 19, 2017 AT 3:35 P.M.

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. A Resolution to Authorize the Repair of the HVAC System of the Police Department by J & H Heating, Incorporated, for an Amount Not to Exceed \$125,000 As Required Due to Damage from a Lightning Strike and in Accordance with a Declaration of Public Emergency by the Board of Public Works.
- D. Adjournment.

* [Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk's office at (414) 425-7500.]

REMINDERS:

May 29	Memorial Day	City Hall Closed
June 6	Common Council Meeting	6:30 p.m.
June 8	Plan Commission Meeting	7:00 p.m.

RESOLUTION NO. 2017-_____

A RESOLUTION TO AUTHORIZE THE REPAIR OF THE HVAC SYSTEM OF THE
POLICE DEPARTMENT BY J & H HEATING, INCORPORATED, FOR AN AMOUNT
NOT TO EXCEED \$125,000 AS REQUIRED DUE TO DAMAGE FROM A LIGHTNING
STRIKE AND IN ACCORDANCE WITH A DECLARATION OF PUBLIC EMERGENCY
BY THE BOARD OF PUBLIC WORKS

WHEREAS, a lightning strike on or about May 17, 2017, severely damaged the air-cooled chiller unit of the Police Department's HVAC system thereby rendering the air conditioning nonfunctional, with replacement of the unit through normal bidding procedures taking 14 weeks or more, and, irrespective of a final determination as to insurance coverage, repair or replacement is necessary;

WHEREAS, the Board of Public Works has declared a public emergency exists that threatens the public health or welfare such that an exception from public construction bidding and notice requirement is warranted because 1) the Police Department cannot function effectively or efficiently without air conditioning in the facility and equipment and technology would become substantially at risk of damage or failure without maintaining adequate cooling, and 2) the Police Department of the City of Franklin provides essential public services that protect and provide for the public health and welfare of the City and in order to provide such services and protection the department must be able to operate effectively and efficiently;

WHEREAS, Wisconsin Statute § 62.15, "Public Works," provides, in subsection (1b), that an exception to how contracts are let for public construction projects "for the repair and reconstruction of public facilities when damage or threatened damage thereto creates an emergency, as determined by resolution of the board of public works," and given such a resolution, the Common Council has the authority under the Statutes, per the qualifying exception, to immediately and promptly pursue and contract for the repair of the HVAC system at the Police Department; and

WHEREAS, contingency appropriations are available with the Capital Improvement Fund sufficient to cover the repairs and whereas J & H Heating, Incorporated, is a valued HVAC contractor for the City that has regularly performed well on the City's behalf and has been the low bidder on other, recent HVAC projects for the City.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that the Mayor and City Clerk are authorized to execute a contract with J & H Heating, Incorporated, for the repair and reconstruction of the HVAC system of the Police Department as it relates to the damage sustained from a lightning strike impacting the air-cooled chiller, in a form as acceptable to the City Attorney and for an amount not to exceed \$125,000, with said expenditure coming from the contingency appropriations of the Capital Improvement Fund.

Introduced at a special meeting of the Common Council of the City of Franklin this 19th day of May, 2017, by Alderman _____.

Passed and adopted by the Common Council of the City of Franklin this 19th day of May, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, Director of Clerk Services

AYES ___ NOES ___ ABSENT ___