

Fox Point



by Douglas H. Frazer



The Village advertised for bids for the general contracting work. Director of Public Works, Scott Brandmeier, recommended that the Village award Kapur & Associates the contract for construction

ANNALS OF ADMINISTRATION: Public Construction Contracting

FOX POINT, like other municipalities, routinely contracts for public construction. The procedure involving public construction contracts is a window into how a significant portion of our tax dollars are spent.

Most public construction in the Village involves roads, sewer, drinking and storm water systems, or construction, maintenance, or repair of municipal facilities.

State law requires that cities and villages competitively bid "public construction" when the estimated cost exceeds \$25,000. In addition, single-trade projects whose estimated cost is over \$48,000 and multiple-trade projects with a \$100,000 estimated cost threshold are subject to the Wisconsin prevailing wage laws.

The competitive bidding requirements are intended to insure that the public receives the best work or supplies at the most practical, reasonable price. The prevailing wage laws (dating from the early 1930s) are intended to insure that prevailing wages, which usually approximate union wages, will be paid to all workers on large publicly funded construction projects.

In certain situations it is not necessary to competitively bid public construction work. For example, repair and reconstruction of public facilities may be done without bidding when damage or threatened damage creates an emergency as determined by the appropriate body. Similarly, the purchase or sale of real estate, ambulance service, refuse pick-up, recycling, or the purchase of equipment are not considered public construction and are exempt from competitive bidding. In addition, it is unnecessary to bid out legal and accounting services or the hiring of engineers, architects, or other professionals who provide design, engineering, or consultative services. Rather, the Village submits requests proposals (RFPs) for these services.

A municipality must advertise for bids by publishing or posting a notice at least twice, occurring one week apart, with the last notice published at least one week before the bid opening. Fox Point posts such notices at its three official public notice boards: Village Hall, 8705

N. Port Washington Road (in the RiverPoint Village Shopping Center), and near the bus shelter at the Lake Drive and Dean Road intersection.

When the deadline for submitting bids expires, the Village may act. Generally, the Village is required to contract with the lowest responsible bidder; however, it can decide not to award a contract, rebid the project, or modify and rebid the project. Ultimately the contract goes to the Village Board for approval.

The recent rehabilitation of Green Tree Road is a good example of the process. The Green Tree Road project consisted of approximately 2,200' of road reconstruction, building a new 2,000' pedestrian path, and replacement of 2,500' of water main, 2,200' of storm sewer, and 300' of existing footpath between E. Quarles Place and N. Links Way.

The process started with the Capital Plan, a sequential ten year projection of anticipated capital projects. In arriving at the 2012 budget, the Village Board moved the Green Tree project off the Capital Plan and onto the budget as a capital project for that year. The Village hired Kapur & Associates Consulting Engineers (7711 N. Port Washington Road) to proceed with the design, engineering, plans, specifications, cost estimates, and to prepare bidding and construction documents.



management and inspection services and hire the lowest, responsible bidder, Reesman's Excavating & Grading, Inc., as the general contractor. The Village Board accepted Brandmeier's recommendation and awarded the contracts.

The project cost broke down as follows: Kapur's engineering/design services, \$59,173; Reesman's general contracting services, about \$925,000 (with change orders); and Kapur's construction management/inspection services, \$79,224. Kapur also assisted the Village in securing grant funds in the amount of \$37,277 from Milwaukee County as part of its municipal street improvement program.

It might seem strange to allocate significant amounts of public money for project management and inspection services. However, many public construction projects are complicated, involve a lot of money, and take place underground or out of sight. According to Kapur & Associates Ramesh Kapur, "The inspectors make sure that the proper materials are used and the work is done according to the plans and specifications." Inspectors guard against corner-cutting and provide quality assurance. Moreover, the inspector's "as-built report" is an important record for purposes of responsibility if materials fail or something goes sideways.

The Board and the Department of Public Works devote considerable time and attention to public construction in the Village. These projects often involve large dollars – it's our job to help insure these dollars are well spent. ■



Douglas H. Frazer is a trustee on the Fox Point Village Board. The views expressed are his own and not necessarily those of the Village, the Village Board, other Village Board members, or Best Version Media, LLC.

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