



BOARD OF COMMISSIONERS

1 S. Main St., 9th Floor
Mount Clemens, Michigan 48043
586-469-5125 FAX 586-469-5993
macombcountymi.gov/boardofcommissioners

BUILDINGS, ROADS AND PUBLIC WORKS COMMITTEE

MONDAY, MAY 11, 2009

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Adoption of Agenda
4. Public Participation
5. **Invoices:** **(mailed)**
 - a) Bernco, Inc./Juvenile Justice Center-Phase II Renovations (\$199,561.82)
6. Approve License Agreement with Care House for Use of Parking Structure **(mailed)**
7. Authorize to Locate Additional Circuit Court Probation Employees in Vacant Space in County Building **(mailed)**
8. Report by Facilities and Operations Department Director Re: Window Washing
9. Status Report by Public Works Office
10. New Business
11. Public Participation
12. Adjournment

MEMBERS: Duzyj-Chair, Carabelli-Vice-Chair, DiMaria, Szczepanski, Doherty, Brdak, Boyle, Kepler, Sprys and Gielegem (ex-officio)

MACOMB COUNTY BOARD OF COMMISSIONERS

Andrey Duzyj - District 1
Marvin E. Sauger - District 2
Phillip A. DiMaria - District 3
Toni Moceri - District 4
Susan L. Doherty - District 5

Sue Rocca - District 7
David Flynn - District 8
Robert Mijac - District 9
Ken Lampar - District 10
Ed Szczepanski - District 11

James L. Carabelli - District 12
Don Brown - District 13
Brian Brdak - District 14
Keith Rengert - District 15
Carey Torrice - District 16

Paul Gielegem
District 19
Chairman

Kathy Tocco
District 20
Vice Chair

Ed Bruley - District 17
Dana Camphous-Peterson - District 18
Irene M. Kepler - District 21
Frank Accavitti Jr. - District 22

Joan Flynn
District 6
Sergeant-At-Arms

William A. Crouchman - District 23
Michael A. Boyle - District 24
Kathy D. Vosburg - District 25
Jeffery S. Sprys - District 26

5a.

RESOLUTION NO. _____

FULL BOARD MEETING DATE _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Approve for payment Application Number 19, submitted by Bernco, Inc.,
in the amount of \$199,561.82, for construction at the Juvenile Justice Center – Phase II
Renovation Project. Funds for this project are available in the Capital Budget.

INTRODUCED BY: Andrey Duzyj, Chair
Buildings, Roads and Public Works Committee

COMMITTEE/MEETING DATE

May 11, 2009

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

PAGE 1 OF 1

TO OWNER: County of Macomb
 13th Floor
 10 North Main Street
 ML Clemens, MI 48043

PROJECT: Macomb County
 Juvenile Justice Center
 Phase II Renovations

FROM CONTRACTOR: BERNCO, INC.
 20816 Eleven Mile Road, St. Clair Shores, MI 48081

VIA ARCHITECT: Wakely Associates, Inc.
 30500 Van Dyke Ave., Suite M
 Warren, MI 48093

APPLICATION NO: 19
 APPLICATION DATE: 4/30/2009
 PERIOD TO: 4/30/2009
 BERNCO JOB #: 2007-508
 INVOICE NO: 1888
 CONTRACT DATE:

DISTRIBUTION TO:
 OWNER
 CONTRACTOR
 ARCHITECT

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached.

- 1. ORIGINAL CONTRACT SUM..... \$6,249,000.00
- 2. Net change by Change Orders..... \$306,543.00
- 3. CONTRACT SUM TO DATE (LINE 1+2)..... \$6,555,543.00
- 4. TOTAL COMPLETED & STORED TO DATE..... \$6,480,730.48
 (Column G on G703)
- 5. RETAINAGE:
 - a. 2.5% of Completed Work \$160,555.99
 (Columns D + E on G703)
 - b. of Stored Material
- Total Retainage (Line 5a + 5b or Total in Column I of G703) \$160,555.99
- 6. TOTAL EARNED LESS RETAINAGE..... \$6,320,174.49
 (Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENTS

(Line 6 from prior Certificate)..... \$6,120,612.67

8. CURRENT PAYMENT DUE..... \$189,561.82



9. BALANCE TO FINISH, INCLUDING RETAINAGE..... \$235,358.51
 (Line 3 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$306,543.00	
Total approved this month		
TOTALS	\$306,543.00	
NET CHANGES by Change Order	\$306,543.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: BERNCO, INC.

By:  Date: 4/28/09
 (Bernard Cattivera)

State of Michigan
 County of: Macomb
 Subscribed and sworn to before me this 27 day of 
 Notary Public:  (James Cattivera)
 My Commission Expires: 12-9-2011

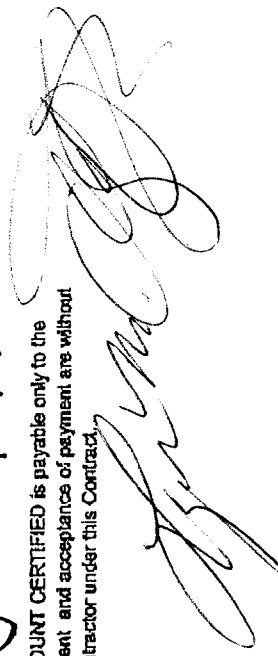
ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on the on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED..... \$199,561.82
 (Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:  Date: 4/28/09

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



RECYCLABLE PAPER

RESOLUTION NO. _____

FULL BOARD MEETING DATE _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Approve the License Agreement between Macomb County and Care House for the use of the Parking Structure on June 26, 2009, between the hours of 11:00 am – 12:00 Midnight. Care House agrees to pay the sum of \$380.00 as reimbursement for lost revenue from the 74 parking spaces located on "F" level. Care House also agrees to reimburse the County for costs incurred in opening the Parking Structure on June 27, 2009, for teardown and clean-up after the event.

INTRODUCED BY: Andrey Duzyj, Chair
Buildings, Roads and Public Works Committee

COMMITTEE/MEETING DATE
May 11, 2009

LICENSE FOR USE OF PARKING STRUCTURE

This license is entered into between Macomb County, One S. Main Street, Mount Clemens, Michigan and Care House, 131 Market Street, Mount Clemens, Michigan 48043.

WHEREAS, Care House has requested permission to use the top deck of the Parking Structure ("F" level) for a private, "Invitation Only" charitable event for the benefit of Care House on Friday, June 26, 2009; and

WHEREAS, Macomb County is willing to grant Care House a license upon the following terms and by its signature, Care House consents to these terms:

1. Macomb County grants a license to Care House for the use of "F" level of the County Parking Structure located on Market Street, Mount Clemens, Michigan for the sole purpose of providing a "VIP viewing area" during the Stars and Stripes Festival.
2. The term of the license will be from 11:00 a.m. – 12:00 a.m. (midnight) on Friday June 26, 2009.
3. Prior to the commencement of this license, Care House will provide the County with the appropriate liquor license from the Michigan Liquor Control Board and will provide the County with the appropriate liquor liability insurance with Macomb County named as an additional insured. Upon receipt of the liquor license and insurance certificate, the County will waive its policy of no alcohol on County property for "F" level of the County Parking Structure only.
4. As consideration for this license, Care House will pay to the County the sum of \$380.00 as reimbursement for the lost revenue from the 74 parking spaces located on "F" level.
5. Care House will arrange and pay for proper security for the participants at the "VIP viewing area" at its own expense, including the restriction of access of the public to "F" level. The County will not be responsible in any manner for restricting access or providing security on "F" level.
6. Care House will, at its own expense, promptly comply with all state laws, municipal ordinances or regulations, affecting the cleanliness, safety, occupation and use of the premises, including but not limited to Michigan Liquor Control regulations. Care House will make available to County any permits necessary for the event prior to the commencement of this license.

7. Care House is responsible for tearing down any structures placed on "F" level and cleaning "F" level. The clean-up will be completed by noon on Saturday, June 27, 2009. Care House will be responsible for the cost of any County personnel necessary to provide access to "F" level for the clean-up.
8. Care House has examined the premises prior to executing this license and knows its condition. The County has made no representation as to the condition of the premises.
9. Care House will indemnify and hold harmless the County from any liability for damages to any person or property in, on, or about the premises from any cause whatsoever. Care House will procure and keep in effect during the term of the license insurance for the benefit of Macomb County as follows:

<u>Type</u>	<u>Coverage</u>	<u>Limits</u>
Michigan Workers Compensation		As required by law.
Comprehensive General Liability	Macomb County named as additional insured	\$1,000,000/ \$2,000,000

Care House will provide Certificates evidencing the insurance policies to the Risk Manager of Macomb County no later than 5:00 p.m. on June 23, 2009. All Certificates of Insurance must meet the approval of the County's Risk Manager. Failure to provide the Certificates and/or failure to secure the approval of the Risk Manager shall result in the automatic revocation of the license and the cancellation of the event as scheduled.

10. This license and any attachments contain the entire understanding between the parties.
11. The parties can amend this license only by a written document signed by both parties.
12. A party cannot assign this license or any right or obligation under the license without the prior consent of the other party.
13. This license confers no rights or remedies on any third party, other than the parties to this license and their respective successors and permitted assigns.
14. All liability to third parties, loss or damages, demands, costs or judgments arising out of activities to be carried out by Care House under the terms of this license shall be the responsibility of Care House if the liability, loss, or damages are caused by, or arise out

of, the actions or failure to act on the part of Care House or anyone directly or indirectly employed by Care House.

Nothing contained in this agreement shall be construed as a waiver of any governmental immunity on the part of the County of Macomb, its officers, or employees as provided by statute or court decision.

15. It is expressly understood and agreed that this license shall not operate or be construed to create the relationship of landlord and tenant between the parties. Care House agrees that it does not and shall not claim at any time any interest or estate in the premises and understands that representatives of the County have the right to enter and inspect the premises.

CARE HOUSE

MACOMB COUNTY

By:
Its

By: Paul Gielegem, Chairman
Board of Commissioners

Dated: _____

Dated: _____

RECYCLABLE PAPER

RESOLUTION NO. _____

FULL BOARD MEETING DATE _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Authorization to locate additional Circuit Court Probation employees

In vacant space in the County Building.

INTRODUCED BY: Andrey Duzyj, Chair

Buildings, Roads and Public Works Committee

COMMITTEE/MEETING DATE

May 11, 2009



FACILITIES & OPERATIONS DEPARTMENT

10 N. Main St., 13th Floor
Mount Clemens, Michigan 48043
586-469-5244 FAX 586-469-7770

Lynn M. Arnott-Bryks
Director

May 4, 2009

Diane G. Connell
Operations Supervisor

Larry K. Oakes
Mechanical Systems Supervisor

TO: Andrey Duzyj, Chair
Buildings, Roads and Public Works Committee

Estella Shelton
Maintenance Supervisor

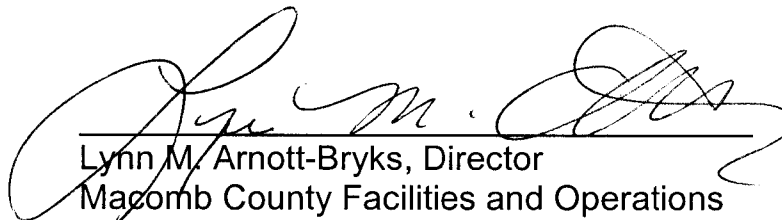
FROM: Lynn M. Arnott-Bryks, Director
Facilities and Operations

The Department of Corrections has indicated they have been authorized to hire additional staff. (see Attachment A).

The Circuit Court Probation Department is housed in the Clemens Center and is at capacity. In order to minimize any costs for renovation, we are recommending the additional staff be housed in vacant space in the County Building.

If you have any questions, please contact the undersigned.

Sincerely,



Lynn M. Arnott-Bryks, Director
Macomb County Facilities and Operations

Attachment

MACOMB COUNTY BOARD OF COMMISSIONERS

Andrey Duzyj - District 1
Marvin E. Sauger - District 2
Phillip A. DiMaria - District 3
Toni Mocerri - District 4
Susan L. Doherty - District 5

Sue Rocca - District 7
David Flynn - District 8
Robert Mijac - District 9
Ken Lampar - District 10
Ed Szczepanski - District 11

James L. Carabelli - District 12
Don Brown - District 13
Brian Brdak - District 14
Keith Rengert - District 15
Carey Torrice - District 16

Paul Gielegem
District 19
Chairman

Kathy Tocco
District 20
Vice Chair

Joan Flynn
District 6
Sergeant-At-Arms

Ed Bruley - District 17
Dana Camphous-Peterson - District 18
Irene M. Kepler - District 21
Frank Accavitti Jr. - District 22

William A. Crouchman - District 23
Michael A. Boyle - District 24
Kathy D. Vosburg - District 25
Jeffery S. Sprys - District 26



STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
MACOMB COUNTY CIRCUIT COURT PROBATION

JENNIFER M. GRANHOLM
GOVERNOR

Patricia Caruso
DIRECTOR

April 24, 2009

David Diegel, Finance Director
Macomb County Finance Department
10 North Main Street
12th Fl County Bldg
Mt. Clemens MI 48043

As discussed on April 15, 2009, Macomb Circuit Court Probation staff is experiencing tremendous growth. Currently, staff consists of 1 Area Manager, 1 Area Manager Secretary, 7 Supervisors, 62 agents, 16 clerical staff, and 2 substance abuse technicians. We anticipate the hiring of additional staff, up to ten (10) agents, one (1) supervisor, and clerical staff, within the next month (May, 2009). We are now in need of expanded office space.

Our current office layout consists of 69 offices, 15 clerical cubicles, 1 reception area, 1 file clerk area, and 2 drug testing areas. After occupying every available agent office, we converted one of the drug testing areas to a 2 agent office. We have converted a common area at the end of a hall to an agent cubicle, and an agent office to a supervisor office.

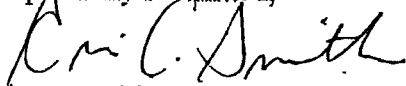
Circuit Court Probation is very aware of the budget constraints of the County, as well as, those of the entire State of Michigan. Additional staff is being hired in efforts to more efficiently meet the needs of the County as it relates to servicing the Court and the supervision of probationers within Macomb County. Our need for space has become quite critical. Evaluating the existing space we have and attempting to resolve this issue in an efficient and budget-conscious manner, the following options are suggested:

1. Make the space currently leased by Workman's Compensation available to Circuit Court Probation.
2. Designate the office space currently utilized by District Court Probation for Circuit Court Probation. Logistically this would work well for us. Space in the County Building would have to be designated for District Court Probation. They are a smaller office having fewer probationers reporting.
3. Renovate the storage area in this building to accommodate several agents and one supervisor.
4. Renovate any available area in the Clemens Center to accommodate the additional staff. Security may be an issue depending on the group that would occupy the space.
5. Designate space in the County Building for Circuit Court Probation.

p. 2

It is my belief that any one of the above options could serve as a viable solution to our office space deficiencies. Your expeditious response to the above would be greatly appreciated.

Respectfully submitted,



Erin C. Smith, Area Manager
Michigan Department of Corrections – FOA

cc: Lynn Bryks, Facilities and Operations Director