COPIES OF THE DISBURSEMENT LIST ARE NOW AVAILABLE IN THE CONTROLLER'S OFFICE

MOTION MADE BY:_____

MOTION SECONDED BY:_____

TO AMEND AN ORDINANCE OF THE CITY OF ROSEVILLE AMENDING CHAPTER 340, ARTICLE VII, SEC. 340-24.5, TO AMEND THE PENALTY, TO PROVIDE FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

CITY OF ROSEVILLE
MACOMB COUNTY, MICHIGAN
ORDINANCE NO._____

THE CITY OF ROSEVILLE ORDAINS:

AN ORDINANCE OF THE CITY OF ROSEVILLE AMENDING CHAPTER 340, ARTICLE VII, SEC. 340-24.5, TO AMEND THE PENALTY, TO PROVIDE FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

Section 1. Chapter 340, Article VII, Sec. 340-24.5 is hereby amended to provide as follows:

Sec. 340-24.5. Penalty.

Any person, who shall violate the provisions of Section 340-24.4, shall be responsible for a civil infraction and subject to a penalty not to exceed Fifty and 00/100 Dollars ($50.00). Any person, who shall violate the provisions of Section 340-22, shall be responsible for a civil infraction and subject to a penalty not to exceed Twenty and 00/100 Dollars ($20.00). Any person accused of a violation of this Article may settle and compromise the claim against him or her for such illegal parking by paying to the 39th District Court one-half of the fine stated herein by the close of the second business day of issuance of the parking violation ticket or by appearing in person at the 39th District Court to make said payment; or in lieu of settlement and compromise as provided herein, the person should appear at the date and time specified on the parking ticket in the 39th District Court.

Section 2. **Repealer.** Any section herein that is in conflict is hereby repealed.

Section 3. **Severability.** If any word, clause, sentence, paragraph or provision of this ordinance is deemed to be invalid by a court of competent jurisdiction, such word, clause, sentence, paragraph or provision so designated shall be deemed severable and the remaining provisions of the ordinance shall be deemed fully enforceable.

Section 4. **Effective Date.** The terms and provisions of this ordinance are deemed to be an emergency ordinance which shall become effective upon publication and adoption.

AYES _____

NAYS _____

ABSENT _____

_____
JOHN CHIRKUN, Mayor

Attested:

_____
RICHARD STEENLAND, City Clerk

I, Richard Steenland, City Clerk of the City of Roseville, Macomb County, Michigan, do hereby certify that Ordinance No. _____ was adopted by the City Council of Roseville, assembled in regular session on January _____, 2009. Said Ordinance was posted in the following places:

Roseville Police Station, 29753 Gratiot Avenue
Roseville Public Library, 29777 Gratiot Avenue
Roseville Civic Center, 29777 Gratiot Avenue

Notice of said posting was published in *The Macomb Daily* on January _____, 2009.

_____
RICHARD STEENLAND, City Clerk

MEMORANDUM

CITY OF ROSEVILLE

ENGINEERING DEPARTMENT

TO: Steve Truman, City Manager

FROM: Steve Wietecha, Engineering Inspector

DATE: January 6, 2009

RE: 2009 Sidewalk/Approach Program

We have received a request from C & L Enterprizes, Inc. to extend the 2003 Sidewalk/Approach Program for the 2009 Sidewalk/Approach Program with all prices remaining the same. It is my recommendation to grant this request to extend the contract for 2009.

This contractor's work has been excellent and with the increases in concrete and labor each year we believe that keeping the 2003 pricing for the 2009 program will benefit the property owners and the City.

We would like to take advantage of this opportunity to continue to ensure the lowest cost to our residents. This also eliminates the expense to the City of sending the contract out for bid.

A copy of the letter from C & L Enterprizes, Inc. is attached.

SW/mcw

C & L ENTERPRIZES, INC.

11085 Lisa Lane
Shelby Township, MI 48316
Office: 586-992-9588 Fax: 586-992-9589

December 3, 2008

Steve Wietecha
City of Roseville
29777 Gratiot
Roseville, MI 48066

RE: 2009 Sidewalk/Approach Program

Dear Mr. Wietecha:

We are interested in doing the above-mentioned project for the city and would agree to do it at the 2003 contract prices.

Please contact Larry Forgione at 586-634-6908 in regards to this matter if the city would be interested in extending our contract.

Respectfully,

[redacted]

Amy Forgione
Bookkeeper

Comparison of 2008 Sidewalk prices with surrounding communities

Sterling Heights – Went out for bid in 2008 and plans to extend contractor for 2009
Contractor is Giorgi Cement
4" sidewalk – same cost as Roseville
6" sidewalk - .20/square foot higher than Roseville

Eastpointe – Retained contractor an additional year by adding work in City parks to program
Italia has had the contract over 10 years
4" sidewalk - .20/ square foot lower than Roseville
6" sidewalk - .15/square foot higher than Roseville

Fraser – Has not had a program since 2004

Grosse Pointe Woods – Went out for bid in 2008 and prices increased from 2007 bid
C & L Enterprizes was the contractor in both 2007 and 2008

2007
4" sidewalk - .03/square foot higher than Roseville
6" sidewalk - .10/square foot higher than Roseville

2008
4" sidewalk - .04/square foot higher than Roseville
6" sidewalk - .25/square foot higher than Roseville

St. Clair Shores – Going out for bid for 2009

AGREEMENT

This Agreement entered into this _____ day of _____, 2009, by and between the Board of County Road Commissioners of Macomb County, hereinafter referred to as "COMMISSION", and the Cities of Warren, Fraser and Roseville, hereinafter referred to as "CITIES".

WHEREAS, CITIES initiated a project to resurface Hayes Road from Common Road to 14 Mile Road in the Cities of Warren, Fraser and Roseville, and

WHEREAS, the proposed project involves the hot mix asphalt resurfacing of an existing roadway, and

WHEREAS, COMMISSION has adopted policies relating to CITIES' participation in construction costs on roads designated as Primary roads, and

WHEREAS, COMMISSION has agreed with CITIES to have this project engineered, constructed, inspected and placed in service.

NOW, THEREFORE, in order to save public funds and expedite this project, COMMISSION and CITIES agree to carry out this project under a single contract according to the following terms and conditions:

1. The project termini are:

   • Hayes Road from Common Road to 14 Mile Road

2. The total project shall be defined as, but not necessarily include:

   - Required material
   - Contract cost
   - Survey, engineering plans, testing and field staking
   - Labor and equipment rental charges
   - Overhead and fringe benefits
   - Right of way acquisition
   - Preliminary and construction engineering
   - Signing and pavement marking
   - Other labor, materials, etc. to provide a complete project

3. The following cost sharing proportions have been agreed to (Exhibit A):

   - COMMISSION share: Fifty percent (50%) of the total project cost after Federal funds are applied
   - WARREN share: Twenty-five percent (25%) of the total project cost after Federal funds are applied
   - FRASER share: Sixteen and one-half percent (16.5%) of the total project cost after Federal funds are applied
   - ROSEVILLE share: Eight and one-half percent (8.5%) of the total project cost after Federal funds are applied

4. Funds provided by CITIES shall be paid in full to COMMISSION prior to the award of bid for the project.

5. COMMISSION, upon completion of said project, will furnish CITIES with a statement of actual costs of the project and will remit all collected monies exceeding the total cost of the project including overhead and fringe benefits or collect any additional monies necessary to meet the total cost of the project.

6. Overhead and fringe benefits applied shall be at a rate as determined by Board resolution on an annual basis. This rate is subject to change annually based upon actual costs incurred from the prior year and shall be applied to those costs incurred for that particular period.

7. CITIES, COMMISSION, the County of Macomb, their officers, agents, employees and consultants will be listed as additional insureds on the Contractor's insurance policy for general liability, automobile liability, excess coverage and worker's compensation.

8. COMMISSION agrees to obtain authorization for additional expenditures beyond the limits of the Construction Contract from CITIES prior to committal of same.

IN WITNESS WHEREOF, the parties hereto executed this Agreement on the date set forth above.

WITNESS	**BOARD OF COUNTY ROAD COMMISSIONERS OF MACOMB COUNTY**
_____	_____ , Chair
_____	_____ , Vice-Chair
_____	_____ , Commissioner
WITNESS	**CITY OF WARREN**
_____	_____

WITNESS	**CITY OF FRASER**
_____	_____
WITNESS	**CITY OF ROSEVILLE**
_____	_____

EXHIBIT A
ESTIMATED COST
HAYES ROAD FROM COMMON TO 14 MILE ROAD

WORK ORDER SUFFIX	DESCRIPTION	AMOUNT	COST SHARE
A	Preliminary Engineering - Survey & Design (6%)	$98,004	50% RCMC/ 25% Warren/16.5% Fraser/ 8.5% Roseville
B	Right of Way Costs	-	N/A
C	Construction Engineering & Inspection (10%)	$163,340	50% RCMC/ 25% Warren/16.5% Fraser/ 8.5% Roseville
D	Sign & Pavement Markings	-	N/A
E	Construction Estimate	$1,633,402	50% RCMC/ 25% Warren/16.5% Fraser/ 8.5% Roseville
E	Administration Fee (3%)	$49,002	50% RCMC/ 25% Warren/16.5% Fraser/ 8.5% Roseville
E	Contingencies (10%)	$163,340	50% RCMC/ 25% Warren/16.5% Fraser/ 8.5% Roseville
F	Design Contract & Testing	-	N/A
G	Right of Way Acquisition	-	N/A
M	Signal Costs	-	N/A
	TOTAL PROJECT COST	$2,107,088	
	LESS FEDERAL FUNDS	$1,336,939	
	BALANCE TO SHARE	$770,149	

BREAKDOWN OF PARTICIPANT TOTALS

City of Warren	$192,537	25%
City of Fraser	$127,075	16.5%
City of Roseville	$65,462	8.5%
Road Commission	$385,075	50%
	$770,149	

Please note that the Road Commission of Macomb County will require full payment of your cost share to be submitted to our Finance Department prior to the award of bid. Estimated date of bid award will be around Spring 2009. Again, this is just an estimate and you will be responsible for your share of the actual costs incurred.

Memorandum

To: Steven Truman, City Manager

From: Peter Provenzano, Assistant City Manager [redacted]

Date: January 20, 2009

Re: **Dump Truck - Bid # 592-020901**

Bid Advertised:	December 22, 2008, Macomb Daily
Bid Due:	January 13, 2009 at 11:00 a.m. Local Time
Present at Bid Opening:	Paul VanDamme, Purchasing Assistant Jill Cross, Administrative Assistant Brian McGrail, Director of Water Dept. Representatives from: NBC Truck, Bill Wink Chevrolet, Tri-County, Wolverine Truck Sales

Specifications were written for the purchase of a Dump Truck for the Water Department. Bid Invitations and specifications were sent to 31 companies of which six companies responded with 16 quotations. Two vendors submitted no bids. Note a Roseville-based business submitted proposals, and the City's five percent allowance was applied.

The low bid received was from Wolverine Truck Sales of Dearborn in the amount of $71,621.00. The second low bid was received from Red Holman Pontiac of Westland in the amount of $71,780.00. The third low bid was received from a Roseville-based company, NBC Truck Equipment, in the amount of $73,534.00. The City's five percent allowance was applied which brought the bid amount to $69,857.30.

Upon the Water Department's review of all proposals, the third low bid meeting specifications was from NBC Truck of Roseville in the amount of $73,534.00. The City has done business with NBC Truck in the past in a satisfactory manner.

Therefore, it is recommended that the City accept the third low bid as specified, from **NBC Truck Equipment**, a Roseville-based business, in the amount of **$73,534.00.**

/jc

Attachment

Water Dept.
Dump Truck
DUE: January 13, 2009

BIDDERS	Dump Truck	Rsvl 5% Allow	Equipment
Wolverine (2)	$ 71,621.00		
Red Holman Pontiac (3)	$ 71,780.00		
NBC Truck * (4)	**$ 73,534.00**	$ 69,857.30	
Wolverine (1)	$ 73,534.00		
NBC Truck * (5)	$ 73,693.00	$ 70,008.35	
NBC Truck * (2)	$ 74,663.00	$ 70,929.85	
Bill Wink Chevrolet (2)	$ 76,771.00		
Wolverine (3)	$ 76,814.00		
Red Holman Pontiac (1)	$ 76,973.00		
Red Holman Pontiac (2)	$ 76,973.00		
NBC Truck * (3)	$ 78,165.00	$ 74,256.75	
Tri-County Truck	$ 79,770.83		
NBC Truck * (1)	$ 81,683.00	$ 77,598.85	
Bill Wink Chevrolet (1)	$ 81,984.00		
Tri-County Truck	$ 84,963.00		
DUECO	No Bid		
Truck Trailer Specialties	No Bid		
Knapheide Truck Flint			$ 20,845.00
* Roseville-based business			
Present at Bid Opening:			
Paul VanDamme, Purchasing Assistant			
Jill Cross, Administrative Assistant			
Brian McGrail, Director of Water Dept.			
Reps From: Bill Wink Chevrolet			
Wolverine Truck, NBC Truck			
Tri-County Truck			

Inter-Office Memo
Water Department

To: Steve Truman - City Manager
From: Brian McGrail - Director Water Department
Date: 1/19/09
Re: Dump Truck Bid

Steve,

As you are aware we had bid out to purchase a new Dump Truck for the Water Department. The bid opening was January 19, 2009 at which time we had bids from six different companies. In reviewing these bids with George Bendit we agree that Bid # 4, The Freightliner MZ 106 Conventional Chassis 2010 Model W/Dump Box and Tarp System will meet all our needs. I am requesting that the bid be awarded to NBC Truck Equipment, Inc. in the amount of $73,534.00 which was the lowest bid taking in the 5% Roseville Business Allowance.

The Water Department has budgeted this item $60,000.00 but unfortunately since the time the budget was figured there has been a substantial cost increase for new emission controls and the cost of steel. We are reevaluating other areas of the budget and feel we will be able to adjust areas to cover the increases and still remain on budget.

Should you concur with my recommendation we would like to award this bid as soon as possible. I am available to provide any further information if needed.

Sincerely,

[redacted]

Brian McGrail
Director
Water and Sewer Department

Cc: Pete Provenzano