

AGENDA

**The Regular Meeting of the Village of Eden Board – September 17, 2019, at 6:30pm.**

**Village Office**

**104 Pine Street**

**Eden, WI 53019**

**1. CALL THE MEETING TO ORDER.**

Pledge of Allegiance.

Roll Call

Minutes of the August 2019 meetings.

Treasurer's Report as of August 31, 2019.

Approval of Temporary Borrowing

Bills to pay for August/September 2019.

PTS Payment Request

WI DOT Payment Request.

NEAsphalt Payment Request

Building Inspection report.

**2. Public Comments:**

Limited to 10 minutes per concern.

**3. NEW BUSINESS**

Approval of license

Operators License

Electrical Ordinance Update.

**4. Sewer Plant and Park**

Security Camaras are on-line

Cluster Box Maintenance is complete.

ECC Parking Lot

ECC Parking Lot Light

Curb Painting will be completed when weather permits

ARGO Estimate for repairs is \$4500.00 Repairs and Staining.

Replaced many wheels in one week...contacted Advanced Disposal for parts.

RFP send out to engineers...copy attached.

**5. UPDATE**

MS4

Street Project.

Main Replacement

Helena Sidewalk

Fire Department Discussion

Discussion regarding Following:

Vincent Landscaping

Cat problem.

Swim Pool at 209 East Main Street- incomplete bldg permit

Karen Dibbs Property

Weed problems

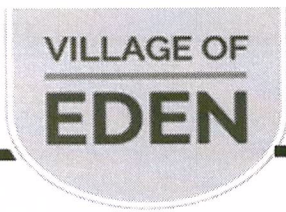
Discussion regarding the area between Westphals and Vorwerks. (see attached Estimate)

**6. Board Members**

Agenda Items for Next meeting.

Other Board Member Concerns

**7. ADJOURN** Respectfully Submitted, Sheila M Zook



August 20, 2019

THE REGULAR MEETING FOR THE VILLAGE OF EDEN BOARD:

## 1. CALL OF MEETING TO ORDER

The regular meeting of the Village of Eden Board was called to order by President Cory St Mary at 6:30 pm. Present were Cory St Mary, Jay Baumhardt, John Stommel, Joe Preston, Sheila Zook, Kelly Ouimette, Kevin Goebel, John Birschbach, Joe Vitale, and Eric Otte.

Pledge of Allegiance was said.

Roll Call was taken

A motion was made by John Stommel and seconded by Jay Baumhardt to approve the minutes as presented. Motion Carried.

A motion was made by Joe Preston and seconded by Kelly Ouimette to approve the treasurer's report as presented. Motion Carried.

A motion was made by John Stommel and seconded by Kevin Goebel to approve paying the bills as presented however hold Baumhardt's bond return payment until verified with Eric Otte. Motion Carried.

A motion was made by Kevin Goebel and seconded by Jay Baumhardt to approve the payment of \$39,655.48 to the WI DOT for the 2019 Hwy 45 project. Motion Carried.

A motion was made by John Stommel and seconded by Kelly Ouimette to approve payment to PTS for \$22102.44. Motion Carried, Jay Baumhardt Abstained. Eric will provide payment letter.

A motion was made by John Stommel and seconded by Jay Baumhardt to reissue any outstanding checks from prior years. Motion Carried.

A motion was made by John Stommel and Seconded by Joe Preston to pay Northeast Asphalt per Eric Otte's Payment letter for LRIP project, \$63 432.33. Motion Carried.

A motion was made by Kevin Goebel and seconded by Joe Preston to pay Baumhardt Sand and Gravel 2500.00 for John Sowin lateral and that it will be billed to John over three years at 6% interest. Motion Carried.

A motion was made by John Stommel and seconded by Joe Preston to approve temporary borrowing as needed. Motion Carried.

A motion was made by Joe Preston and seconded by J Baumhardt to approve the building inspection report. Motion Carried.

## **2. PUBLIC COMMENT**

Joe Vitale appeared before the board regarding the placement of the snowmobile trail within the Village limits. The Village is willing to work with them to find a safe place to run.

John Birschbach is concerned about the pull apart of black top on Grahl Avenue. Eric is aware of this and the board is watching to see if it mends itself or if Northeast Asphalt will need to repair.

## **3. NEW BUSINESS**

A motion was made by John Stommel and Joe Preston to approve the operator's licenses and Northern Development Group license as presented. Motion Carried.

A motion was made by Joe Preston and seconded by Kelly Ouimette to approve the Scudimo's Picnic License. Motion Carried.

Discussion took place regarding the drainage problem between Westphal and Vorwerk property. The estimate is at \$12,480.00. Campbellsport school district was not in attendance to discuss further. No action was taken.

## **4. SEWER PLANT AND PARK UPDATE**

Ed is working on the Security System for the Sanitary Sewer Plant.

Ed is working on the Cluster Boxes with Ray.

Light pole in the Community Center parking lot will be completed this summer.

Estimates for the Eden Community Center Parking lot redo are pending.

Curb Painting Estimate is \$3950.00. A motion was made by Joe Preston and seconded by Jay Baumhardt to have the curbs painted before school starts on September 3. Motion Carried.

Argo has been called regarding the board walk.

The Sanitary Sewer Mains will be jetted this fall.

## **5. UPDATES**

MS4 update was given by Cory. An updated plan needs to be to WI DNR by the end of October. This should include time frame and proposed expenses.

The cat problem update from Cory is that Kritter Junction is having some success in catching and fixing and releasing the animals at other locations.

Streets update:

Southgate Drive looks great

Grahl Avenue is cracking in one area.

Main Street looks complete

Fond du Lac Avenue – Sidewalk problem between Peter Flood and Shea Stahls house.

West Main Street continues to have issues.

A motion was made by Kevin Goebel and seconded by Joe Preston to have the attorney send letter to PTS as presented omitting the final paragraph. Motion Carried. Jay Baumhardt Abstained.

The weeds at Owen Gellings House have been taken care of.

There will be a meeting of the MS4 meeting a week before our next meeting.

Helena will be putting in approaches and repairing concrete around their new building.

EJAA is working on old lights in Floods lot. They are to be invited to the Annual Meeting.

Discussion regarding the future purchases of the Fire Department were discussed. No action was taken.

Discussion took place regarding the length of building permits. Sheila was asked to look at this before the next meeting.

Sheila handed in her resignation from the position of Clerk/Treasurer effective December 30, 2019. After 33 years, it is time to move on. It was decided that all interviews should be held by the entire board or a quorum of board members. Sheila will work at writing up a job description as well as a monthly outline of all items that need to be completed.

The sidewalk committee is asked to look at the sidewalk by Southgate Drive and Reagan Drive. There are some sunken squares.

Sheila was asked to have Doc check the structure on the North East Corner of Center Street and Elizabeth Street.

Jay would like to see people begin to cut the grass on the north edge of the project.

Jay mentioned that snow plowing will probably cost more this year due to the change of the street and where snow has been previously piled.

Building permits have been received for the Dreher property and Lefebber Property. The St Mary Property is still not complete.



## **6. Board Members**

Agenda items for next month:

Eden Grade School – Parking situation, pick up and drop off points, drainage problems

Board Walk repairs

Building Permit issues.

Dead Tree at end of Elizabeth Street

Sidewalk committee update

Need for installation of New Cluster Box.

PTS Update

LRIP Project Update – Grahl Avenue

Update on Candidate Search.

## **7. Adjourn**

A motion was made by Joe Preston and seconded by John Stommel to adjourn the meeting.

Motion Carried.

Respectfully submitted,

Sheila M Zook

Clerk/Treasurer

[illegible]

**Village of Eden - General Fund**  
**Balance Sheet**  
**As of August 31, 2019**

	Aug 31, 19
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
11116 · Checking - NEBAT	12,603.49
11117 · Investment General	-64,211.99
11118 · Investment Recycling	1,979.98
11120 · Investment Fire Dept Purc	25,199.03
11121 · Investment Wheel Tax	31,193.68
Total Checking/Savings	6,764.19
Accounts Receivable	
13900 · Accounts Receivable	192.50
14000 · Accounts Rec. Park Commission	1,046.69
14100 · Accounts Rec. Eden Jr. Athletic	332.23
14200 · Eden Fire Department	1,185.97
15125 · Assessment Receivable - Other	833.34
15411 · Accounts Receivable Sewer Plant	2,907.10
15450 · 2018 O&M NEBAT LOAN RECEIVABLE	1,168,520.00
Total Accounts Receivable	1,175,017.83
Other Current Assets	
12112 · Taxes Rec - Prior Year	58.77
Total Other Current Assets	58.77
Total Current Assets	1,181,840.79
<b>TOTAL ASSETS</b>	<b>1,181,840.79</b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Other Current Liabilities	
21310 · Payroll Liabilities	
21313 · Medicare Tax Payable	51.85
21314 · Deferred Compensation Pay	556.03
21315 · FICA Payable	-27.54
21310 · Payroll Liabilities - Other	306.03
Total 21310 · Payroll Liabilities	886.37
21712 · Trailer Fees Due Sch Dist	-4,220.83
21715 · Building Permits Bonds	6,000.00
Total Other Current Liabilities	2,665.54
Total Current Liabilities	2,665.54
Long Term Liabilities	
21118 · 2018 NEBAT LOAN FOR O&M	1,168,520.00
21119 · 2019 Streets Loan	429,296.53
Total Long Term Liabilities	1,597,816.53
Total Liabilities	1,600,482.07
Equity	
30000 · Opening Bal Equity	41,234.10
39000 · Retained Earnings	-77,361.34
Net Income	-382,514.04
Total Equity	-418,641.28
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>1,181,840.79</b>

# Village of Eden - General Fund

## Profit & Loss

### August 2019

	Aug 19
<b>Income</b>	
41140 · Mobile Home Parking Fees	5,921.48
42000 · Assessment Revenue	
42007 · MAILBOX REVENUE	125.00
42008 · Utilities Assess Rev.	833.34
Total 42000 · Assessment Revenue	958.34
42209 · WI DOT INCOME	
41170 · Wheel Tax Revenue	1,467.00
Total 42209 · WI DOT INCOME	1,467.00
44100 · License Revenue	
44102 · Operator's License	40.00
44104 · Charter Franchise Revenue	1,575.23
Total 44100 · License Revenue	1,615.23
44300 · Bldg Permit Fees	1,240.50
48110 · Interest Revenue Temp Inv	23.24
48900 · Miscellaneous Revenue	10.00
Total Income	11,235.79
Gross Profit	11,235.79
<b>Expense</b>	
51000 · General Government Expense	
51100 · Payroll Expenses	
51100.1 · 51100.01 Medicare Taxes Exp.	34.07
51101.1 · 51101.01 FICA Taxes Expense	21.11
51102.1 · Deferred Comp. Expense	75.36
Total 51100 · Payroll Expenses	130.54
51110 · Salary Expenses	
51410.1 · Salary/Mtg Clerk/Treas	1,640.00
Total 51110 · Salary Expenses	1,640.00
51412.1 · Election Expense	0.00
51430.1 · Services - Office	64.39
51450.1 · Office Supply Expense	158.23
51460.1 · Phone Expense	110.40
51470.1 · Internet Access Expense	144.37
51900.1 · Dues Subscriptions Mtg	5.75
Total 51000 · General Government Expense	2,253.68
52100 · Protection Expense	
52220.2 · Tornado Sirens	831.43
52330.2 · Fire Prevention	2,500.00
52410.2 · Building Inspection	110.00
Total 52100 · Protection Expense	3,441.43
53710.3 · Garbage Collection Exp	3,894.41
54200 · Construction Expense	
54210.4 · Engineer Streets Hwy Curbs	585.60
54310.4 · Construct Streets Hwy Curb	106,388.93
54420.4 · Street Ltg Exp	1,375.49
Total 54200 · Construction Expense	108,350.02
55240 · Recreation Expense	
55250.5 · Recreation Exp - Village Park	836.41
Total 55240 · Recreation Expense	836.41
56970.6 · Community Center/Fire House	2,800.00



Village of Eden - General Fund  
**Profit & Loss**  
August 2019

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	Aug 19
59720 · Recycling Expense	
59720.1 · Recycling Expenses	1,367.83
Total 59720 · Recycling Expense	1,367.83
Total Expense	122,943.78
Net Income	-111,707.99

# Village of Eden - Operation & Maintenance Balance Sheet As of August 31, 2019

	Aug 31, 19
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	
10230 · NEBAT Checking	5,199.55
10240 · NEBAT Investment Savings	163,252.47
10250 · NEBAT Investment Replacement	58,974.15
Total Checking/Savings	227,426.17
Accounts Receivable	
14200 · Accounts Receivable	-2,526.80
14500 · A/R General Government	89.35
Total Accounts Receivable	-2,437.45
Other Current Assets	
14600 · 2006 - OFFICE FURNITURE	1,760.00
14601 · 2016 PHONE SYSTEM M110 RTU	2,597.40
Total Other Current Assets	4,357.40
Total Current Assets	229,346.12
<b>Fixed Assets</b>	
31200 · 2018 TWO CHANNEL BENCHTOP METER	2,223.32
31302 · SANITARY SEWER MAINS	
31203 · 2018 Engineering Expenses	73,942.48
31204 · 2018 CONSTRUCTION ON MAINS	876,510.01
31205 · 2019 Engineering Expenses	8,878.80
31206 · 2019 CONSTRUCTION COSTS OF MAIN	188,497.31
31300 · Sewage Collecting System Mains	156,327.87
31301 · 2016 ENGINEERING SEWER MAIN ST	2,452.05
31311 · 2015 SEWER LATERAL INSTALL	5,332.37
31312 · 2017 Engineering-SS Hwy 45	1,105.60
31313 · 2017-2018 MAIN STREET SEWER REP	8,309.30
36801 · 2017 ENGINEERING FOR MAIN LINES	10,689.80
31302 · SANITARY SEWER MAINS - Other	361.00
Total 31302 · SANITARY SEWER MAINS	1,332,406.59
33000 · Land	30,616.91
33050 · Trailer	2,385.40
33055 · 2018 New Holand Boomer Tractor	22,488.66
33075 · 2016 PUSH MOWER	610.62
33080 · 2019 Furnance Replacement	6,000.00
33100 · Sewage Treatment Plant	52,301.26
33200 · Sewage Treatment - New Plant	909,694.01
33300 · Storage Expansion Sewer Plant	488,246.40
34000 · INFILTRATION STUDY OF S.S. LINE	33,953.12
34500 · SUMP PUMP INSPECTIONS	1,954.00
35000 · WASTEWATER FACILITY STUDY	30,663.06
36000 · FLOOD PLAIN STUDY	4,985.63
36200 · 2015 REPAIRS	
36205 · 2015 SAMPLER CONTROLLER	2,094.00
36210 · 2015 ACCESS DOORS AND COVERS	4,571.50
36225 · 2015 PUMP REPAIRS	1,945.69
36250 · 2015 -SAMPLER CONTROLLER	2,094.00
36500 · 2015 SEWER PLANT PUMPS	2,180.67
36550 · 2015 BLOWER REBUILD	2,252.10
Total 36200 · 2015 REPAIRS	15,137.96
36300 · 2016 REPAIRS	
36301 · 2016 WELL REPLACEMENT	10,079.72
36310 · 2016 PUMP/COVER REPAIRS	38,618.03
36320 · 2016 STIRRING PROBE	640.45
Total 36300 · 2016 REPAIRS	49,338.20

**Village of Eden - Operation & Maintenance  
Balance Sheet  
As of August 31, 2019**

	Aug 31, 19
36400 · 2017 REPAIRS	
36401 · 2017 REPAIRS AT WWTP	1,129.60
Total 36400 · 2017 REPAIRS	1,129.60
36450 · 2018 Repairs	
36451 · 2018 Repairs at Plant	3,861.29
Total 36450 · 2018 Repairs	3,861.29
37899 · GENERAL PLANT - ALL	
37900 · 2003 General Plant BEGIN BAL	1,468.00
37910 · 2010 GENERAL PLANT IMPROVEMENTS	2,940.00
37915 · 2015 GENERAL PLANT IMPROVEMENTS	5,072.01
Total 37899 · GENERAL PLANT - ALL	9,480.01
38000 · Accumulated Depreciation	-1,705,926.57
Total Fixed Assets	1,291,549.47
<b>TOTAL ASSETS</b>	<b>1,520,895.59</b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Other Current Liabilities	
43500 · Payroll Liabilities	
43510 · WI WH PAYABLE	785.33
43530 · MEDICARE PAYABLE	244.63
43540 · FEDERAL WH PAYABLE	1,265.00
43550 · DEFERRED COMP PAYABLE	3,100.82
Total 43500 · Payroll Liabilities	5,395.78
Total Other Current Liabilities	5,395.78
Total Current Liabilities	5,395.78
Long Term Liabilities	
43320 · 2018 NEBAT MAIN LOAN	1,168,520.00
Total Long Term Liabilities	1,168,520.00
Total Liabilities	1,173,915.78
Equity	
51000 · Opening Bal Equity	-319,094.02
51600 · Unappropriated Earned Surplus	-147,525.70
57100 · Contribution in Aide of Const.	84,208.27
57200 · Industry Share of Construction	385,417.29
57300 · Federal Grant Aid Construction	71,624.86
57400 · WI Grant Aid Construction	450,825.00
57500 · Capital Pd in by Municipality	106,046.48
57700 · Retained Earnings	-353,940.69
Net Income	69,418.32
Total Equity	346,979.81
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>1,520,895.59</b>

**Village of Eden - Operation & Maintenance**  
**Profit & Loss**  
**August 2019**

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	Aug 19
Income	
62100 · Flat Rate Sewer Fees	165.00
63300 · Interest on Investments	87.43
64000 · Miscellaneous Revenue	4,063.22
Total Income	4,315.65
Expense	
81000 · Payroll Expenses	
81200 · MEDICARE EXPENSE	122.32
81300 · DEFERRED COMP EXPENSE	316.34
Total 81000 · Payroll Expenses	438.66
82000 · Supervision and Labor	6,795.80
82100 · Power and Fuel Expense	2,057.22
83100 · Maintenance Expense	399.13
83200 · Replacement Fund Expense	2,465.08
84000 · Billing and Accounting Expense	1,640.00
84999 · INTERNET & TELEPHONE	
85000 · Telephone Expense	150.00
85050 · INTERNET EXPENSE	62.76
Total 84999 · INTERNET & TELEPHONE	212.76
85110 · OFFICE SUPPLY	
85120 · COMPUTER EXPENSE	329.00
Total 85110 · OFFICE SUPPLY	329.00
85250 · Insurance - Health	1,747.63
85550 · Per Diem Expense	473.85
Total Expense	16,559.13
Net Income	-12,243.48



Village of Eden - General Fund

9/17/2019 3:09 PM

Register: 11116 · Checking - NEBAT

From 08/21/2019 through 09/30/2019

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
08/21/2019	7637	North East Asphalt	54200 · Construction E...	112678	63,432.33	X		-118,896.51
08/21/2019	7638	Baumhardt Sand & G...	54200 · Construction E...	SO10	2,500.00	X		-121,396.51
08/21/2019	2665		11117 · Investment Ge...	transfer of funds		X	30,000.00	-91,396.51
08/21/2019	2666		21119 · 2019 Streets L...	transfer of fund...		X	104,000.00	12,603.49
09/01/2019	7617	Zook, Sheila	-split-		1,452.22	X		11,151.27
09/01/2019	7635	CORY ST MARY	-split-		100.00			11,051.27
09/01/2019	7636	Sheila M Zook	-split-		100.00	X		10,951.27
09/01/2019	7640	Costello, Edward P.	-split-		213.16			10,738.11
09/01/2019	7641	Grahl, Marvin A.	-split-		161.66			10,576.45
09/01/2019	7644	OUIMETTE, STEVEN	-split-		556.83			10,019.62
09/11/2019	7639	Village of Eden Oper...	-split-	39-6031662	110.36			9,909.26
09/17/2019	7640	LEAF	51000 · General Gover...		64.39			9,844.87
09/17/2019	To Print	Robert J Guelig, Gue...	59720 · Recycling Exp...		393.35			9,451.52
09/17/2019	To Print	WE Energies	14000 · Accounts Rec. ...	6499491526	243.60			9,207.92
09/17/2019	To Print	WE Energies	-split-	0000082931	1,465.05			7,742.87
09/17/2019	To Print	WE Energies	14000 · Accounts Rec. ...	1295924776	77.67			7,665.20
09/17/2019	To Print	SAFEBUILT	52100 · Protection Exp...	11-EDEN	1,116.45			6,548.75
09/17/2019	To Print	Diggers Hotline	54200 · Construction E...	98801-VLE01	26.10			6,522.65
09/17/2019	To Print	Flood Oil Co. Inc.	-split-		312.47			6,210.18
09/17/2019	To Print	J.E. Arthur & Associ...	54200 · Construction E...	12046	330.00			5,880.18
09/17/2019	To Print	ADVANCED DISP...	-split-	E1002837	4,946.24			933.94
09/17/2019	To Print	NEBAT	-split-		150.79			783.15

# Village of Eden - Operation & Maintenance

9/17/2019 2:46 PM

Register: 10230 · NEBAT Checking

From 08/21/2019 through 09/30/2019

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
08/21/2019	5744	PTS CONTRACTO...	31302 · SANITARY S...	partial payment...	22,102.44	X		-26,218.58
08/21/2019	865		43320 · 2018 NEBAT ...	transfer of fund...		X	22,200.00	-4,018.58
08/21/2019	866		10240 · NEBAT Invest...	transfer of funds		X	10,000.00	5,981.42
08/31/2019		Wisconsin Departme...	43500 · Payroll Liabilit...	036-00002434...	781.87	*		5,199.55
09/01/2019	5733	Zook, Sheila M	-split-		1,052.22	X		4,147.33
09/01/2019	5745	Costello, Edward P	-split-		4,198.68			-51.35
09/01/2019	5746	Grahl, Marvin A.	-split-		71.85			-123.20
09/01/2019	5747	ED COSTELLO	-split-		2,379.93			-2,503.13
09/02/2019	To Print	CHARTER COMM...	-split-		162.76	*		-2,665.89
09/12/2019		EFTPS	-split-	39-6031662	1,620.00			-4,285.89
09/12/2019	869		10240 · NEBAT Invest...	transfer of funds			10,000.00	5,714.11
09/17/2019	To Print	Alliant	82100 · Power and Fue...	0179730000	15.65			5,698.46
09/17/2019	To Print	Alliant	82100 · Power and Fue...	6170110000	19.19			5,679.27
09/17/2019	To Print	Kitz & Pfiel	-split-	190390	51.33			5,627.94
09/17/2019	To Print	CHEMTRADE	82600 · Other Chemica...	1002141	3,823.50			1,804.44
09/17/2019	To Print	NCL of WI	-split-	13300	350.46			1,453.98
09/17/2019	To Print	NEBAT	-split-		204.19			1,249.79
09/30/2019		Wisconsin Departme...	43500 · Payroll Liabilit...	036-00002434...	785.33			464.46



## Invoice

Page: 1

Invoice Number: 0059943-IN

Invoice Date: 08/31/19

Terms: Net 30 Days

Due Date: 09/30/19

Salesperson: 0000

Customer Number: 11-EDEN

Customer P.O.:

Village of Eden  
PO BOX 65  
Eden, WI 53019

WI Invoicing

Fee Type	Amount Paid	Paid Date	Meritage %	Due to Meritage
<b>Permit # 19EDEN-0047-19-08BZ</b>	<b>302 MARGARET ST, Eden, WI 53019</b>			<b>Accessory Structure (Residenti</b>
Work without a Permit	117.80	08/15/19	90.00	106.02
Accessory Structure/Deck - Res	52.80	08/15/19	90.00	47.52
Res.Zoning Accessory/Fence/Dt	65.00	08/15/19	90.00	58.50
<b>19EDEN-0047-19-08BZ Subtotal</b>				<b>212.04</b>
<b>Permit # 19EDEN-0048-19-08EZ</b>	<b>302 MARGARET ST, Eden, WI 53019</b>			<b>Electrical Only</b>
Res.Zoning Accessory/Fence/Dt	65.00	08/15/19	90.00	58.50
Work without a Permit	115.00	08/15/19	90.00	103.50
Electrical - Replacement/Misc It	50.00	08/15/19	90.00	45.00
<b>19EDEN-0048-19-08EZ Subtotal</b>				<b>207.00</b>
<b>Permit # 19EDEN-0049-19-08E</b>	<b>302 MARGARET ST, Eden, WI 53019</b>			<b>Electrical Only</b>
Electrical - Replacement/Misc It	50.00	08/15/19	90.00	45.00
Work without a Permit	50.00	08/15/19	90.00	45.00
<b>19EDEN-0049-19-08E Subtotal</b>				<b>90.00</b>
<b>Permit # 19EDEN-0050-19-08Z</b>	<b>302 MARGARET ST, Eden, WI 53019</b>			<b>Fence</b>
Work without a Permit	65.00	08/15/19	90.00	58.50
Res.Zoning Accessory/Fence/Dt	65.00	08/15/19	90.00	58.50
<b>19EDEN-0050-19-08Z Subtotal</b>				<b>117.00</b>
<b>Permit # 19EDEN-0051-19-08H</b>	<b>63 MANOR HILL DR, Eden, WI 53019</b>			<b>HVAC Only</b>
HVAC - Replacement/Misc Item:	50.00	08/27/19	90.00	45.00
<b>19EDEN-0051-19-08H Subtotal</b>				<b>45.00</b>
<b>Permit # 19EDEN-0052-19-08BZ</b>	<b>104 FOND DU LAC AVE, EDEN, WI 53019</b>			<b>Accessory Structure (Residenti</b>
Res.Zoning Accessory/Fence/Dt	65.00	08/21/19	90.00	58.50
Plan Review Remodel - Resider	50.00	08/21/19	90.00	45.00
Accessory Structure/Deck - Res	50.00	08/21/19	90.00	45.00
<b>19EDEN-0052-19-08BZ Subtotal</b>				<b>148.50</b>
<b>Permit # 19EDEN-0053-19-08B</b>	<b>116 E MAIN ST, EDEN, WI 55555</b>			<b>Residential Alteration</b>
Remodel - Residential	114.90	08/27/19	90.00	103.41
<b>19EDEN-0053-19-08B Subtotal</b>				<b>103.41</b>
<b>Permit # 19EDEN-0054-19-08BZ</b>	<b>110 PARKVIEW DR, Eden, WI 53019</b>			<b>Accessory Structure (Residenti</b>

Continued



Village of Eden

Invoice Number: 0059943-IN

Invoice Date: 08/31/19

Page: 2

Fee Type	Amount Paid	Paid Date	Meritage %	Due to Meritage
Res.Zoning Accessory/Fence/Dk	65.00	08/27/19	90.00	58.50
Accessory Structure/Deck - Res	50.00	08/27/19	90.00	45.00
Accessory Structure/Deck - Res	50.00	08/27/19	90.00	45.00
Plan Review Remodel - Resider	50.00	08/27/19	90.00	45.00
<b>19EDEN-0054-19-08BZ Subtotal</b>				<b>193.50</b>

## WI Invoicing

Summary Fee Type		
ItemCode	Description	Amount
/PERMITS	Building Permits	1,026.45
/PLAN REVIEW	Plan Review Services	90.00
<b>Total</b>		<b>1,116.45</b>

Please Remit Payments to: SAFEbuilt, LLC  
3755 Precision Dr, Suite 140 Loveland, CO 80538

Net Invoice:	1,116.45
Freight:	0.00
Sales Tax:	0.00
<b>Invoice Total:</b>	<b>1,116.45</b>



## Sheila M Zook

---

**From:** Cory St. Mary <corys@kwikwire.com>  
**Sent:** Tuesday, September 17, 2019 9:47 AM  
**To:** Eric Otte; Steve Sager; Sheila M Zook  
**Subject:** Re: Furness/PTS

Steve and Eric

Sue Furness is looking for answers on this issue. I understand the village is not part of the insurance part but we still need to point her in the right direction.

I figured this was all done already and nothing has been done. Let get her the information needed to clear this up.

Thank You  
Cory St Mary  
Village of Eden

On Fri, Aug 16, 2019 at 9:43 AM Cory St. Mary <corys@kwikwire.com> wrote:  
Steve

The purposed letter looks good. I believe Sue Ferness has some question should I refer her to you?

Thank You  
Cory St Mary  
Village of Eden

Sent from my iPhone

On Aug 14, 2019, at 12:58 PM, Eric Otte <EricOtte@jeaaa.com> wrote:

See below, otherwise looks good to me. Thanks.

<image001.jpg>

---

**From:** Steve Sager <ssager@sagerlaw.com>  
**Sent:** Wednesday, August 14, 2019 11:52 AM  
**To:** Eric Otte <EricOtte@jeaaa.com>; 'Cory St. Mary' <corys@kwikwire.com>  
**Subject:** Furness/PTS

Dear Eric: A proposed response to the e-mail of Mark Schleis of 8/9/19:

Dear Mark: History from the Engineer: The plans were prepared from old sewer records from 1958, they showed the location of two laterals near the old firehouse, the easterly served the apartment building to the east, the westerly was for the firehouse. At some point after 1958,

there was an addition to the firehouse building, and it apparently was placed over the lateral for the apartment building. The engineering plans were to move this lateral to the east of the new addition to the firehouse and then abandon the old lateral that ran under the firehouse. What the Engineer (or village) didn't know is that when the firehouse expanded, their plumbing was hooked into the easterly lateral. When that lateral was abandoned during the current construction, the firehouse sewerage eventually backed up into the building. Then the current owners had to reconnect to the westerly lateral installed by PTS. The contractors for Ms. Furness discovered that the westerly lateral was capped only 3 feet from where PTS made their new connection.

Under these circumstances PTS should have discovered the potential problem when the westerly lateral was in fact capped and then should not have abandoned the easterly lateral.

Your comment about inspections and perhaps implicating the Engineer somehow should have "directed" the work is not accurate. Engineering inspections are done to ensure the work is being done based on the contract documents. The inspector cannot enter the trench and will rely on what the contractor sees.

Eric and Cory: Your comments?

Very truly yours,

Steven P. Sager

Sager Law Office, S.C.

(920)921-1320

STEVEN P. SAGER

SAGER LAW OFFICE, S.C.

201 SOUTH MARR STREET  
(Corner of 4<sup>th</sup> and Marr Streets)  
P.O. BOX 2068  
FOND DU LAC, WISCONSIN 54936-2068

JOHN J. SCHNEIDER (1913-1970)  
KENNETH E. WORTHING (1905-1982)  
RAYMOND R. COLWIN (1917-1985)

PHONE: (920) 921-5770

PHONE: (920) 921-1320

FAX: (920) 921-8557

September 5, 2019

Sheila Zook, Village Clerk  
Village of Eden  
P.O. Box 65  
Eden, WI 53019-0065

Re: Terry Lefeber

Dear Sheila:

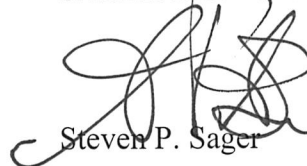
From your August 28<sup>th</sup> email I understand that Mr. Lefeber has, in fact, taken out the required permits as per my letter to him of July 18<sup>th</sup>.

As long as he has complied with the application for the permits there would have to be some other reason for issuing a citation. Those would be under Section 18 of the Building and Mechanical Code. In order to do that we need to show an ordinance violation, such as: (1) He has not complied with the permitting terms and conditions; (2) He is proceeding and not removing "debris or construction materials," so as to violate the provisions of the ordinance regarding those matters.

Please let me know how I should follow, and if there is any need to issue a citation we would need specifics on the violation(s).

Very truly yours,

SAGER LAW OFFICE, S.C.



Steven P. Sager

/jk  
CC: Cory St. Mary, Village President

## Sheila M Zook

---

**From:** edenwwtp@gmail.com  
**Sent:** Wednesday, September 11, 2019 10:30 AM  
**To:** Sheila M Zook  
**Subject:** Re: Sept. Agenda

CBU 3316	\$1,423.75
<u>Shipping</u>	<u>\$133.35</u>
Total	\$1,557.10

In Stock , take about 2 weeks to ship it.

**From:** Sheila M Zook  
**Sent:** Wednesday, September 11, 2019 10:11 AM  
**To:** edenwwtp@gmail.com  
**Subject:** RE: Sept. Agenda

Ed can you get a price on a new cluster box to replace the one that we used prior.  
Sheila

---

**From:** edenwwtp@gmail.com <edenwwtp@gmail.com>  
**Sent:** Wednesday, September 11, 2019 9:09 AM  
**To:** sheila Zook <villageclerk@villageofeden.com>  
**Subject:** Sept. Agenda

Sheila,  
Listed below are items for the agenda:

Cluster Boxes repaired  
There is a spare cluster box if we need it.

Argo – \$4,500 budget number for repairs and staining

Have Request for Proposal, (RFP) ready to send out to engineers,  
I will send a copy of the RFP to you so the board can review it.

Security Camera on line

Curbs will be painted shortly, weather permitting

Sewers Jetted Aug. 29th

Advance Disposal \*\*I replaced dozen wheels in one week???? Have contacted them for replacements

Ed



## Sheila M Zook

---

**From:** edenwwtp@gmail.com  
**Sent:** Wednesday, September 11, 2019 9:09 AM  
**To:** sheila Zook  
**Subject:** Sept. Agenda

Sheila,  
Listed below are items for the agenda:

Cluster Boxes repaired  
There is a spare cluster box if we need it.

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Have Request for Proposal, (RFP) ready to send out to engineers,  
I will send a copy of the RFP to you so the board can review it.

Security Camera on line

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Sewers Jetted Aug. 29th

Advance Disposal \*\*I replaced dozen wheels in one week???? Have contacted them for replacements

Ed

## **REQUEST FOR PROPOSAL**

### **PROFESSIONAL ENGINEERING SERVICES – WASTEWATER TREATMENT FACILITIES PLAN**

The Village of Eden (Village) is seeking proposals from qualified engineering firms to provide professional engineering services to complete a Wastewater Treatment Plant (WWTP) Facilities Planning Study (Study).

#### **PROJECT DESCRIPTION**

The primary purpose of the Study is to evaluate the Village's WWTP with respect to current and future needs, and identify improvements required to serve current and future Village customers for the next 20 year planning period. The Village has two separate compliance schedules contained in its current Wisconsin Pollutant Discharge Elimination System (WPDES) Permit. A copy of the compliance schedules contained in the permit is included as Attachment A to this RFP. The first, and most significant compliance schedule requires the Village to complete a facility plan for a facility upgrade by June 30, 2020 to eliminate plant diversions, update aging equipment, and comply with future effluent limits for phosphorus. The Village also has a separate compliance schedule for future Water Quality Based Effluent Limits (WQBELs) for phosphorus with the Preliminary Compliance Alternatives Plan also due by June 30, 2020. The primary driver for the facility planning requirement has been recurring exceedances of both rated influent flow and organic loading capacity, resulting in reduced CMAR scores. Additionally, the Village is located within the Upper Fox River Total Maximum Daily Load (TMDL) Basin, and will need to comply with future TMDL based effluent limits for phosphorus.

#### **BACKGROUND**

The Village owns and operates a 0.15 million gallon per day (mgd) average daily flow rated WWTP. The WWTP provides service to the Village (Year 2019 estimated population is 904). The WWTP also provides treatment for holding tank wastes received from unsewered areas outside the Village limits.

The current facility consists of the following unit processes:

- Primary Clarification
- Trickling Filter (Rock media)
- "Complete Mix" Activated Sludge Aeration Basin
- Final Clarification
- Alum addition for Phosphorus Removal
- Aerobic Digestion/Sludge Storage
- Holding Tank Waste Receiving

Treated effluent is discharged to a tributary to De Neveu Creek located in the "Lake Winnebago/East Watershed" in the Upper Fox River Basin.

The average daily flow in 2018 was approximately 0.183 mgd.

## **SCOPE OF SERVICES**

Services to be provided by the engineering and consulting firms are described as follows:

- Prepare a WWTP Facility Plan for the existing WWTP meeting the compliance schedule contained in the current permit and the requirements of the State of WI NR 110 code requirements.
- As part of the alternatives analysis, one alternative must investigate regionalization with the City of Fond du Lac.
- The Village anticipates the completed Facility Plan will also satisfy the requirements of the Preliminary Compliance Alternatives Plan for Phosphorus contained in the current permit's phosphorus compliance schedule. This compliance task also has a June 30, 2020 due date.

## **SCHEDULE**

The Village has a June 30, 2020 compliance requirement for completion of a facility plan. It is anticipated the selected consultant will provide a deliverable meeting this schedule.

## **DELIVERABLES**

1. Prepare a WWTP Facility Plan report including the following discussion and related documentation per NR110 requirements:
  - a. Study objectives
  - b. Planning estimates, assumptions, and projections
  - c. Present and future flow and loading characteristics
  - d. Existing deficiencies
  - e. Findings and conclusions from analyses
  - f. Recommended future improvements to address capacity, condition and future treatment needs
  - g. Recommended Implementation plan
2. Attend meetings with Village as determined necessary to develop and review the report, including the Public Hearing presenting the Facility Plan and the recommendations

## **ASSUMPTIONS/CONDITIONS**

This Proposal is subject to the following assumptions/conditions:

1. A capacity analysis of the entire sanitary sewer collection system is not included.
2. Wastewater treatment process computer modeling is not included.
3. WWTP and sewer record drawings to be provided by Village are current and accurate.
4. It is assumed that planning information regarding current and future land use and development within and adjacent to the Village is up to date.
5. A new WWTP site will not be necessary.



## PROPOSAL FORMAT REQUIREMENTS

Any items covered in this section that are incomplete or are not submitted with the proposal may not be evaluated by the Village. The Consultant's Proposal shall be submitted in conformance with the following format:

1. Firm Organization & Profile
  - a. Describe in one page the background of your firm history and why it is qualified to provide the requested services for this RFP. Include the following:
    - i. Office location of primary office work will be completed from
    - ii. Ownership and affiliation
    - iii. Size of firm, and office locations
    - iv. Include descriptions of proposed sub-consultants (if utilized)
2. Project Understanding & Approach (Including Scope of Services)
  - a. Prepare a narrative that provides an understanding of the project objectives.
  - b. Describe in four pages or less the approach to be used in completing the Study.
  - c. Outline phases of work and the relationship of the proposed tasks to the objectives of the project. It should include proposed methods of investigation, analysis, and design as appropriate.
  - d. Description of how the consultant will coordinate work with the Village as the Plan is developed. Include a discussion of the process used to share information with the Village; anticipated process for periodic review as the Plan is developed, including the type, format, and frequency of meetings.
3. Project Team/Key Personnel
  - a. Organizational Chart – Clearly identify individuals in all primary roles on the project
  - b. Provide biographies for each individual and sub-consultant's staff (if utilized) listed in the organizational chart
  - c. If sub-consultants will be used in a significant role they must be identified as well and the percentage of work expected to be completed by them.
4. Experience and References
  - a. Describe in three (3) pages or less firm's evidence of similar, past projects that demonstrate the firm's ability to provide the requested services being requested in this RFP.
  - b. List of three (3) assignments of similar projects and budget ranges that were completed by the firm, including the firm's lead person and references.
  - c. References should include names, addresses, telephone numbers and email addresses.
5. Schedule
  - a. Provide a proposed project schedule identifying milestone project activities. The schedule should identify key project meeting and review time afforded the Village to respond to deliverables.
  - b. The schedule should also clearly identify how proposer will satisfy requirements contained in the Village's current compliance schedule.
6. Cost

- a. Provide a level of effort for the proposed project approach indicating total estimated hours on the Project by individual
- b. Identify additional costs for equipment, mileage, reproduction, or other costs anticipated to be incurred by the Village as part of proposer's effort on the Study.
- c. The Village anticipates awarding the project on an hourly, not-to-exceed basis, following negotiation with the selected Consultant.

#### 7. Appendices: Staff Resumes

#### **Cover Letter**

The proposal must include a cover letter and clearly show the name and title of the professional engineer who prepared the proposal. The cover letter shall state the project title, legal name of the proposer, mailing address, and email address.

#### **Page Length Limitation**

The proposal must not exceed 20 pages in length, excluding cover sheet, tabs, resumes or indexes and references, and any issued addendum.

One page is defined as: one side of a single 8 ½"x11" page; minimum 11 point font.

Use of 11"x17" in landscape format is acceptable for schedule and cost sections.

#### **Quantity of Proposals**

- Submit eight bound hard copies of the signed Proposal
- Submit one electronic PDF of the signed Proposal on a USB drive or CD/DVD

#### **Questions concerning this RFP**

To ensure that all proposers receive the same information concerning this RFP in a timely fashion, all questions concerning this Request for Proposals should be directed to Ed Costello as indicated below. All questions that may affect all proposers must be submitted in writing via email or U.S. mail.

#### **Ed Costello, Wastewater Superintendent**

**Village of Eden**

**112 Grahl Ave**

**Eden, WI 53019**

**Phone: 920.979.3444**

**Email: [edenwwtp@gmail.com](mailto:edenwwtp@gmail.com)**

#### **Evaluation Process and Consultant Selection**

The selection process will follow the general process described below.

1. This document constitutes a formal Request for Proposals (RFP).
  - a. The Village will be evaluating the submitted proposals based on the consultant's skills and ability to work with the Village to develop the right approach for the WWTP.
  - b. The Village will use the selection criteria described below to review and rank the Proposals received in order to establish a preferred Consultant to negotiate a final agreement for the Study.
  - c. As a part of the evaluation, the Village may conduct reference investigations, as necessary, to evaluate and determine the past performance record. Reference checks may include inquiries as

to the ability of the firm to perform the size and type of work included under this RFP and to determine the likely quality of services being offered. Such reference investigations may include inquiries of past clients and contractors on prior projects and will include both the overall firm and the consultant's proposed key team members.

2. Interviews (If necessary).

- a. The top firms may be asked to interview with the evaluation team.
- b. An interview may be arranged with each firm, with firms given approximately 45 minutes to make a presentation to the evaluation team. The evaluation team will then ask questions with respect to the proposal.
- c. Should interviews be deemed necessary a preferred consultant selection will be made based on a combination of proposal scoring on the page that follows and completed interviews.

3. Negotiation of Final Scope. Following the selection, the Village will negotiate a final agreement for professional services and associated scope of services with the preferred firm.

Once an agreement has been reached that the Village determines to be fair, competitive, and reasonable, the selection team will submit the negotiated contract to the Village board for consideration of award.

Once an agreement has been awarded by the Village, a notice to proceed will be issued for the project. No work may begin until a notice to proceed has been issued.

All materials submitted shall become the property of the Village. Note that all materials received by the Village become "public records" and will be made available for review to any person upon request. Submitting firms are advised that any proprietary or otherwise sensitive information contained in any materials submitted to the Village is subject to potential disclosure.

It is expected that the results of the WWTP Facility Plan will form the basis of an on-going capital improvement plan for the Village of Eden Wastewater Treatment Plant. However, the scope of work covered by this solicitation is for development of the WWTP Facility Plan only.

## **SCHEDULE**

The selected engineering and consulting firm will meet with the Village and negotiate the Engineering fee for the WWTP Facility Plan. The Study shall commence immediately upon receipt of accepted and signed agreement from the Village. The final WWTP Facilities Planning Study report is to be completed by June 30, 2020.

**DEADLINE** for submittal of WWTP Facilities Planning Study proposals is: **October 29, 2019 at 3:00 p.m.**

**Submittals shall be sent to the attention of: Ed Costello, Wastewater Superintendent**

## EVALUATION PROCESS

Village will review proposals for conformance with the RFP. The evaluation team will independently review, score, and rank proposals according to the following criteria:

### **Understanding of Requested Service:** **10 Points**

Demonstrate a clear and concise understanding of the scope of services being requested

### **Proposer's Capabilities:** **15 Points**

Describe the proximity to the project and how the proposer can cost effectively accommodate working on this project. Describe proposer's branch or satellite offices that will provide the requested services, indicate their locations and which services they will perform.

### **Project Team and Qualifications:** **20 Points**

Include at least three descriptions of similar projects completed including project outcomes. Provide experience and qualifications of all personnel (prime or sub- consultants) who will be working on this Plan and/or providing services. Identify a project manager able to promptly and efficiently respond to Village's needs during the course of the Project.

### **Resources:** **20 Points**

Demonstrate the Proposers' resources available to be allocated for the proposed scope of services. Describe any specialties or unique strengths that relate to the services requested.

### **Proposer's approach and communication:** **25 Points**

Outline a detailed method of communication throughout the duration of the project. Communication should be a combination of methods to help facilitate milestone reviews, ensure feedback is timely, and ability to attend and update the Village. Proposer shall demonstrate their ability to lead this project, request information when necessary, schedule appropriate feedback sessions and provide deliverables on time for review by the Village.

### **Proposer's Cost to perform Services:** **10 Points**

Criteria	Maximum Score
Understanding of Requested Service	10 points
Proposer's Capabilities	15 points
Project Team and Qualifications	20 points
Resources	20 points
Proposer's approach and communication	25 points
Proposer's Cost to perform Services	10 points
<b>Total</b>	<b>100 points</b>

STEVEN P. SAGER

SAGER LAW OFFICE, S.C.

201 SOUTH MARR STREET  
(Corner of 4<sup>th</sup> and Marr Streets)  
P.O. BOX 2068  
FOND DU LAC, WISCONSIN 54936-2068

JOHN J. SCHNEIDER (1913-1970)  
KENNETH E. WORTHING (1905-1982)  
RAYMOND R. COLWIN (1917-1985)

PHONE: (920) 921-5770

PHONE: (920) 921-1320

FAX: (920) 921-8557

August 26, 2019

PTS Contractors, Inc.  
Attention: Mark Schleis  
4075 Eaton Road  
Green Bay, Wisconsin 54311-9340

Re: Village of Eden Project/RR Change Order 11-30-18

Dear Mr. Schleis:

As you know from my brief note to you on August 6<sup>th</sup>, I am the counsel for the Village of Eden. Recent email correspondence between the Village Engineer Eric Otte and you has been reviewed by me with regard to your request for approval and payment of a "change order" invoice of November 30, 2018 (copy attached), regarding an "attempted boring" on the railroad site of the project on November 8, 12, 13 and 14. The total sum of that change order is \$24,703.31. As noted in that message of August 6, I have since reviewed all the "details" regarding this invoice and the "boring" invoices, and have also discussed this at length with the Village Engineer and President. I have also reviewed the "other" change orders for PTS on this project—summary attached (total \$73,079.31).

It is the position of PTS that the November 30, 2018 invoice/change order is the responsibility of the village. The Village denies liability for this.

**Unit Price.**

The contract between the Village and PTS is generally a "unit price work contract". Section 9.07 of the contract document provides that the project engineer is to determine the quantities and classifications of unit price work and then is to provide a decision and recommendation following a contractor application for payment. Section 11.03A of the contract is consistent in referencing the unit, price work and a referral back to Section 9.07.

The change order comment identifies the work as "Dig Bore Pits". It is my opinion, as well as that of the village engineer that this does not qualify under the contractual terms for unit price work. There was actually no piping laid or placed and because of that there then was no unit price work performed.

SAGER LAW OFFICE, S.C.  
201 SOUTH MARR STREET  
P.O. BOX 2068  
FOND DU LAC, WISCONSIN 54936-2068

August 26, 2019  
Page 2

**Boring/Soils.**

With regard to the inability to bore under the railroad and the proposed change order charges, under Section 4.02 General Conditions, the village performed its obligation and provided soil borings on each side of the railroad tracks. Apparently the soil borings were not sufficient to uncover the problem that PTS encountered when the borings were attempted. If PTS felt that they needed more information with regard to the soil borings, that should have been requested before doing any work at the site as provided in the contract document Section 4.02. I'm not aware if PTS is contending that it relied upon those soil borings, but the provisions of the contract Section 4.02.B indicate the situations where the contractor may not rely upon those soil borings and, in my opinion, those terms fit within this contract.

Ultimately, it is my opinion that the contractor provisions of Section 4.03 of the contract govern this situation. Section 4.03 in the contract documents is entitled "Differing Subsurface or Physical Conditions". Subsection A. Notice states:

If Contractor believes that any subsurface or physical condition at or contiguous to the Site that is uncovered or revealed ... and

(2) is of such a nature as to require a change in the Contract Documents...then Contractor shall, promptly after becoming aware thereof and before further disturbing the subsurface or physical condition or performing any Work in connection therewith (except in an emergency ...), notify Owner and Engineer in writing about such condition. Contractor shall not further disturb such condition or perform any Work in connection therewith (except as aforesaid) until receipt of written order to do so. (Emphasis Added).

It is my opinion that PTS did not comply with the provisions of the contract just cited in order to make a claim for extra charges relating to the attempted boring.

As I understand from the Village Engineer, PTS first dug a hole on the east side of the railroad tracks without any apparent difficulties, then on the west side encountered apparent subsurface soil conditions which were unfavorable for boring and placement of sewer piping.

While the Village and Engineer were advised orally by PTS as to its efforts in attempting the boring, the decisions to follow through were made solely by PTS without any approval or acquiescence or agreement on the part of the Village or its Engineer. In fact, these were risks that PTS took to determine whether or not it could continue to comply with the terms of the contract. As the contractor with the experience in doing this type of work PTS should have been able to determine whether or not

SAGER LAW OFFICE, S.C.

201 SOUTH MARR STREET  
P.O. BOX 2068  
FOND DU LAC, WISCONSIN 54936-2068

August 26, 2019

Page 3

it could comply with the boring requirements under the railroad track. ~~in a shorter and simpler period of time than actually occurred. How much shorter is a matter of conjecture, I understand, but~~ Certainly PTS knew the risks involved in not being able to complete the boring and would have thus assumed the risk that any change orders under these circumstances would not be approved.

As mentioned at the outset of this letter, the Village and Engineer approved—without dispute—\$73,079.31 PTS change orders as summarized in the attachments to this letter. This is so, despite the fact that several of these change orders could have been questioned or disputed. The purpose for this reference and enclosures is to indicate the Village (with the Engineer's approval) responded positively and without question to those change order requests. The railroad change order, however, is not going to be approved. I do not know if you were aware, but the Village paid \$16,615.50 from Visu-Sewer of Green Bay to complete the "railroad part" of the work.

Please direct any future contact on this matter to the undersigned.

Very truly yours,

SAGER LAW OFFICE, S.C.

Steven P. Sager

/jk

Enclosures



1. CO1a, MH 18-2 which was previously constructed, had to be relocated due to cancelling the bore and jack.
2. CO1b, we deleted MH 18-1 since the bore and jack was not done and we just used the existing manhole at the WWTP.
3. CO2a, contractor decided to open cut the sewer across the creek instead of boring and jacking. This cost is establishing a price per foot to do this work. Bore and Jack was deleted because of this.
4. CO2b, Open Cut 20" Casing, due to timing of DOT project, we were able to open cut install the 20" casing pipe under the culvert on West Main Street. This CO established a price for that work. Bore and Jack was deleted because of this.
5. CO2c, Open Cut 24" Casing, due to timing of DOT project, we were able to open cut install the 24" casing pipe under the railroad tracks on West Main Street. This CO established a price for that work. Bore and Jack was deleted because of this.
6. CO2d, Railroad company requires special amounts of insurance which the contractor had to obtain. Due to the changes in DOT timing, and construction methods, this insurance became necessary.
7. CO2e, Railroad flagger is a requirement of the railroad when contractor was open cutting across railroad. Would not have been needed if we had bore and jacked the casing pipe.
8. CO2f, Compaction was required by the railroad for the open cut trench, would not have been needed if we had done the bore and jack, which was the original plan.
9. CO2g, Culvert Sewer Repair is for when the DOT culvert contractor excavated the sanitary sewer during construction of the culvert. PTS sent their crew to the site to repair the damage and relay a temporary section of pipe so the DOT contractor could continue to work on the culvert.

## CHANGE ORDER

CHANGE ORDER NO. 2

DATE February 14, 2019

PROJECT NO. 100.133

PROJECT NAME: Sanitary Sewer Improvements  
Lakeside Easement, Main Street, FDL Avenue  
Village of Eden, Wisconsin

OWNER Village of Eden

CONTRACTOR PTS Contractors, Inc.

THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENTS:

Item No.	Description	Quantity	Unit	Unit Price	Amount
a.	Open Cut Creek Crossing	50	L.F.	\$315.00	\$15,750.00
b.	Open Cut 20" Casing	30	L.F.	\$445.00	\$13,350.00
c.	Open Cut 24" Casing	64	L.F.	\$445.00	\$28,480.00
d.	Railroad Insurance	1	L.S.	\$2,794.50	\$2,794.50
e.	Railroad Flagger	1	L.S.	\$7,475.00	\$7,475.00
f.	Compaction Testing-RR	1	L.S.	\$669.68	\$669.68
g.	Culvert Sewer Repair	1	L.S.	\$533.63	\$533.63

**TOTAL \$69,052.81**

**TOTAL AMOUNT ADDED THIS CHANGE ORDER \$ 69,052.81**

**ORIGINAL CONTRACT AMOUNT \$1,084,097.75**

**CURRENT CONTRACT AMOUNT ADJUSTED BY PREVIOUS CHANGE ORDER \$1,088,124.25**

**ADDITIONS THIS CHANGE ORDER \$ 69,052.81**

**DEDUCTIONS THIS CHANGE ORDER -**

**NEW CONTRACT AMOUNT INCLUDING THIS CHANGE ORDER \$1,157,177.06**

**THE CONTRACT TIME WILL BE (UNCHANGED) BY N/A (UNCHANGED)**

**THE DATE FOR COMPLETION OF ALL WORK WILL BE (UNCHANGED)**

APPROVED \_\_\_\_\_, 20\_\_\_\_  
OWNER

APPROVED \_\_\_\_\_, 20\_\_\_\_  
OWNER

APPROVED \_\_\_\_\_, 20\_\_\_\_  
CONTRACTOR

APPROVED \_\_\_\_\_, 20\_\_\_\_  
J.E. ARTHUR AND ASSOCIATES, INC.

## CHANGE ORDER

CHANGE ORDER NO. 1

DATE January 29, 2019

PROJECT NO. 100.133

PROJECT NAME: Sanitary Sewer Improvements  
Lakeside Easement, Main Street, FDL Avenue  
Village of Eden, Wisconsin

OWNER Village of Eden

CONTRACTOR PTS Contractors, Inc.

**THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENTS:**

Item No.	Description	Quantity	Unit	Unit Price	Amount
a.	Relocate MH 18-2	1	L.S.	\$3391.00	\$3391.00
b.	Delete MH 18-1	1	L.S.	\$ 635.50	\$ 635.50

**TOTAL \$4,026.50**

**TOTAL AMOUNT ADDED THIS CHANGE ORDER \$ 4,026.50**

**ORIGINAL CONTRACT AMOUNT \$1,084,097.75**

**CURRENT CONTRACT AMOUNT ADJUSTED BY PREVIOUS CHANGE ORDER \$1,084,097.75**

**ADDITIONS THIS CHANGE ORDER \$ 4,026.50**

**DEDUCTIONS THIS CHANGE ORDER -**

**NEW CONTRACT AMOUNT INCLUDING THIS CHANGE ORDER \$1,088,124.25**

**THE CONTRACT TIME WILL BE (UNCHANGED) BY N/A (UNCHANGED)**  
**CALENDAR DAYS**

**THE DATE FOR COMPLETION OF ALL WORK WILL BE (UNCHANGED)**

APPROVED \_\_\_\_\_, 20\_\_\_\_  
OWNER

APPROVED \_\_\_\_\_, 20\_\_\_\_  
OWNER

APPROVED \_\_\_\_\_, 20\_\_\_\_  
CONTRACTOR

APPROVED \_\_\_\_\_, 20\_\_\_\_  
J.E. ARTHUR AND ASSOCIATES, INC.