



Take notice that the City of Ashland Committee of the Whole will meet in person in the City Hall Council Chambers, 601 Main Street W. Ashland, WI immediately following the adjournment of the City Council Meeting with the availability to attend virtually, to consider and act upon the following agenda.

To join the meeting from your computer, tablet or smartphone:

<https://global.gotomeeting.com/join/500263957>

Or dial in using your phone. United States (Toll Free): 1-877-309-2073 Access Code: 500-263-957

Please contact the Clerk's office if you require accommodations to attend the meeting.

Tuesday, June 11, 2024 Ashland Committee of the Whole Meeting Agenda

1. **Roll Call**
2. **Approval of Agenda**
3. **Council President's Report**
4. **Administrator's Report**
5. **Committee Updates**
6. **DISCUSSION ITEMS**
 - A. **Discussion and Possible Action to Allow the Fire Department to Apply for a Forest Fire Protection Grant** *(Fire Chief)*
 - B. **Discussion and Possible Action Regarding the Water Intake Project** *(Councilor Ortman)*
 - C. **Discussion and Possible Action with Recommendation to Amend Chapter 922 Regarding Act 73 Class C Alcohol Beverage Licensure Changes** *(Clerk)*
 - D. **Discussion and Possible Action Regarding Proposed Amendments to the Harbor Commission** *(Mayor)*
7. **Items for Future Discussion**
8. **Adjournment**

The City of Ashland does not discriminate on the basis of sex, race, creed, color, national origin, sexual orientation, age or disability in employment or provision of services, programs or activities.

Ashland Committee of the Whole Meeting
Tuesday, June 11, 2024 – 6:00 PM
601 Main Street W. Ashland WI 54806



The CITY of
ASHLAND
WISCONSIN

NOTE: Upon reasonable notice, the City of Ashland will accommodate the needs of disabled individuals or individuals with limited English proficiency through auxiliary aids or services. For additional information or to request this service, contact the City Clerk's Office at 715-682-7071 (not a TDD telephone number) or FAX: 715-682-7048

Ref: 2024-147

**COMMITTEE AGENDA:
5. (6/11/2024)**

SUBJECT: Committee Updates

RECOMMENDATION: Discussion only

DEPARTMENT OF ORIGIN: Council

CLEARANCES: Council President

EXHIBITS:

**COMPLIANCE WITH STRATEGIC
PLAN:**

SUMMARY STATEMENT:

ASHLAND ORE DOCK TRUST - TOCHTERMAN
DISABLED PARKING COUNCIL - SZTYNDOR
HARBOR COMMISSION - GREGOIRE
HISTORIC PRESERVATION - SZTYNDOR
LIBRARY BOARD - JACKSON
PARKS & RECREATION - SEEFELDT
PLAN COMMISSION - ANA TOCHTERMAN
PUBLIC WORKS COMMITTEE - GOYKE
SUSTAINABILITY - ORTMAN

Ref: 2024-145

**COMMITTEE AGENDA:
6.A. (6/11/2024)**

SUBJECT: Discussion and Possible Action to Allow the Fire Department to Apply for a Forest Fire Protection Grant (*Fire Chief*)

RECOMMENDATION: The Fire Chief recommends approval

DEPARTMENT OF ORIGIN: Fire Department

CLEARANCES: Mayor

EXHIBITS:

COMPLIANCE WITH STRATEGIC PLAN: NA

SUMMARY STATEMENT:

The Ashland Fire Department (AFD) is requesting approval to submit a Wisconsin Department of Natural Resources (WI DNR) Forest Fire Protection Grant (FFP) application. AFD maintains strike team capabilities for wildland firefighting with the WI DNR. In 2023, AFD responded to three wildland fires in our 328 square mile service area. AFD also has a current MOU with the WI DNR for wildland firefighting response; this MOU gives us preference points in the application process. The grant request is for \$5596.00 for class A firefighting foam concentrate, and certified wildland firefighting coats and pants. If awarded the grant, the FFP grant will pay 50% of those costs. AFD is awarded this grant annually and budgets for this grant. The matching funds will be taken out of AFD's budgeted capital funds. The Fire Chief recommends approval of this grant application.

SUBJECT: Discussion and Possible Action Regarding the Water Intake Project (*Councilor Ortman*)

RECOMMENDATION: Discussion and Possible Action

DEPARTMENT OF ORIGIN: Councilor Ortman

CLEARANCES: Council President

EXHIBITS:

1.	New Water Intake Project, Bid Report
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COMPLIANCE WITH STRATEGIC PLAN:

SUMMARY STATEMENT:

Councilor Ortman requested a discussion regarding the costs relative to the water intake project.

The City opened bids for the New Lake Superior Intake on May 23, 2024. Five bids were received, ranging from \$10.33 million to \$17.55 million. The lowest bid was provided by Roen Salvage Company and was within 6% of the Engineer's Cost Opinion. The next lowest bid received was for \$10.99 million, indicating that the bid provided by Roen Salvage was very competitive.

Staff feels strongly that the new intake is a necessary investment and that the City should proceed with bid award and associated rate increases. Proceeding with the bid in 2024 allows the City to take advantage of financial assistance being offered by the Wisconsin Department of Natural Resources (WI DNR) in the form of \$1.6 million in principal forgiveness and interest rate currently estimated to be 1.37%. Staff has verified with Ehlers that the proposed 44% rate increase would be sufficient to sustain the debt service associated with the bid price received from Roen Salvage.



May 29, 2024

Mr. John Butler, P.E.
Director of Public Works
City of Ashland
2020 6th Street
Ashland, WI 54806

Subject: New Water Intake Project, Bid Report

Dear Mr. Butler:

The proposals for the New Water Intake Project have been tabulated and reviewed. Five bidders submitted proposals. The low bidder was Roen Salvage Company. Detailed findings and the basis for the recommendations are presented in the attached Bid Report.

Roen Salvage Company has performed marine construction in the Great Lakes since their founding in 1949. Their Statement of Qualifications identifies experience in both potable water intakes as well as related marine construction and mechanical dredging work on Lake Superior and Lake Michigan in recent years. We are of the opinion that they are competent and qualified to execute construction of the subject contract.

Contingent upon the concurrence of the City's attorney that Roen Salvage Company has submitted a legal and binding proposal, we recommend that the New Water Intake Project be awarded to Roen Salvage Company in the amount of \$10,333,900.00.

Please don't hesitate to contact me at 312-578-2412 or ted.bluver@greeley-hansen.com with any inquiries on this matter.

Yours very truly,

Greeley and Hansen LLC

Ted R. Bluver, P.E.
Project Manager

TRB/trb

c: Mr. Brian Ledin, Operations Manager
Mrs. Katie Richardson, Project Director
Mrs. Juhi Tilak, Project Engineer

CITY OF ASHLAND WATER UTILITY

New Water Intake Project

City of Ashland, Wisconsin

Bid Report

Greeley and Hansen LLC

May 2024

1. General

A request for proposals for waterworks improvements was published on QuestCDN and in the Ashland Daily Press on Tuesday, April 9 and Tuesday, April 16, 2024. The improvements are comprised of a new 24-inch diameter, 4,500 linear foot ductile iron intake pipeline, a new timber crib intake structure, and a new pre-chlorination system along with other miscellaneous improvements. Five addenda were issued on April 10, April 19, April 22, May 6, and May 20, 2024. The proposals were received, opened, and read publicly at 10:00 a.m. local time on Thursday, May 23, 2024, in accordance with the Advertisement for Bids.

2. Proposals Received

Five proposals were received from the following bidders:

- Ballard Marine Construction, LLC
- Great Lakes Dock & Materials, LLC
- J.F. Brennan Company, Inc.
- Kokosing Industrial, Inc.
- Roen Salvage Company

All these bidders attended the mandatory pre-bid conference held on Thursday, April 18, 2024, at 10:00 a.m. local time and submitted their statement of qualifications not less than 5 days prior to bid opening. The bidders submitted their proposals along with the required bid security, indicated key manufacturers, and acknowledged receipt of the five addenda. The bidders, total bid price, and bid security are shown in a bid tabulation at the end of this report.

3. Irregularities

The bidders were required to submit documentation pertaining to disadvantaged business enterprises (DBEs) with their bids to demonstrate good faith efforts towards engaging DBEs on the project. Documentation of these good faith efforts are required by the Wisconsin Department of Natural Resources (WDNR) through the Safe Drinking

Water Loan Program (SDWLP), which is funding a portion of the project. Roen Salvage Company was the only bidder that submitted complete documentation in this regard. Documentation was not found in Ballard Marine Construction, LLC's bid indicating whether the DBE that submitted a proposal would be utilized on the project, the amount and percent of the total bid price utilized by the DBE, or the rationale for not utilizing the DBE. Great Lakes Dock & Materials, LLC did not submit the amount and percent of the total bid price for the DBE utilized. No documentation pertaining to DBEs was found in J.F. Brennan Company, Inc.'s bid. Kokosing Industrial, Inc. did not submit documentation pertaining to DBEs with their bid and instead submitted it separately via email during the bid opening.

Ballard Marine Construction, LLC submitted a bid unit price of \$575.00 and a bid price of \$862,500.00 for Contract Item No. 3 – Disposal of Impacted Soil in the Bid Form. However, the bid unit price in words was written as “eight hundred sixty-two thousand and five-hundred dollars” in lieu of the bid unit price entered as \$575.00. Regardless of this discrepancy, per Specification Section 00 21 13, Article 12.01.A, the Bid Worksheet Tab takes precedence over the Bid Form PDF. In the Bid Worksheet Tab, Ballard Marine Construction, LLC entered a bid unit price of \$575.00 and a bid price of \$862,500.00. Therefore, per the bid documents, Ballard Marine Construction, LLC's bid for Contract Item No. 3 is a bid unit price of \$575.00 and a bid price of \$862,500.00. No other irregularities were found.

4. Bid Review

A. Tabulation of Bids

Table 1 presents a summary of the Engineer's Cost Opinion and the bids based on the total bid price for each bidder. A bid tabulation is attached at the end of this report in Table 2. Roen Salvage Company is the apparent low bidder.

Table 1 – Bid Tabulation Summary

Bidder	Total Bid Price
Engineer's Cost Opinion	\$9,710,000
AACE Class 1 Level, Lower Bound, -10%	\$8,739,000
AACE Class 1 Level, Upper Bound, +15%	\$11,166,500
Roen Salvage Company	\$10,333,900
Kokosing Industrial, Inc.	\$10,992,310
Ballard Marine Construction, LLC	\$12,202,500
J.F. Brennan Company, Inc.	\$12,445,000
Great Lakes Dock & Materials, LLC	\$17,554,613

B. Difference Between Amounts Bid and Engineer's Cost Opinion

The Engineer's Cost Opinion was developed to an AACE Class 1 level with an expected accuracy range of -10% to +15%. The two lowest bids are within the expected accuracy range of the Engineer's Cost Opinion. The Engineer's Cost Opinion is within $\pm 6\%$ of the low bidder.

C. Difference Between Amounts Bid by the Bidders

The two lowest bids are within $\pm 6\%$ of one another. The four lowest bids are within $\pm 19\%$ of one another. These differences, particularly for the two lowest bidders, is small relative to the total bid price, which is an indication that these bidders submitted competitive bids.

5. Qualifications of Apparent Low Bidder

Roan Salvage Company, the apparent low, responsive, and responsible bidder, is a marine contractor based in Sturgeon Bay, Wisconsin with over 74 years of experience throughout the Great Lakes and Midwestern inland waterways. Their submitted experience includes marine construction, mechanical dredging, waterworks improvements, and related work, including a water intake pipeline in Lutsen, Minnesota and a water intake replacement in Escanaba, Michigan. Greeley and Hansen contacted the references provided by Roan Salvage Company. Of those that responded, including the U.S. Army Corps of Engineers, the feedback received was that Roan Salvage Company is efficient and effective and delivered under budget and ahead of schedule. Based on Greeley and Hansen's review of their statement of qualifications, we believe that Roan Salvage Company is qualified to perform the work.

6. Recommendations

Roan Salvage Company is the apparent low, responsive, and responsible bidder. Subject to the concurrence of the City's attorney that Roan Salvage Company has submitted a legal and binding proposal, we recommend that the New Water Intake Project be awarded to Roan Salvage Company in the amount of \$10,333,900.00.

Table 2 – Bid Tabulation

Contract Item				Engineer's Cost Opinion		Roen Salvage Company		Kokosing Industrial, Inc.		Ballard Marine Construction, LLC		J.F. Brennan Company, Inc.		Great Lakes Dock & Materials, LLC	
						180 E Redwood St Sturgeon Bay, WI 54235 (920) 743-6533		958 N. Huron St Cheboygan, MI 49721 (231) 627-5633		1460 John A. Papalas Dr Lincoln Park, MI 48146 (912) 438-1058		818 Bainbridge St La Crosse, WI 54603 (608) 784-7173		1800 Lakeshore Dr Muskegon, MI 49441 (231) 755-2225	
No.	Description	Unit	Quantity	Bid Unit Price	Bid Price	Bid Unit Price	Bid Price	Bid Unit Price	Bid Price	Bid Unit Price	Bid Price	Bid Unit Price	Bid Price	Bid Unit Price	Bid Price
1	Water Intake Improvements	LS	1	\$9,440,000	\$9,440,000	\$9,835,900	\$9,835,900	\$10,520,000	\$10,520,000	\$11,199,000	\$11,199,000	\$11,973,000	\$11,973,000	\$17,035,413	\$17,035,413
2	System Integration	LS	1	\$90,000	\$90,000	\$123,000	\$123,000	\$112,310	\$112,310	\$141,000	\$141,000	\$112,000	\$112,000	\$123,200	\$123,200
3	Disposal of Impacted Soil	Tons	1,500	\$120	\$180,000	\$250	\$375,000	\$240	\$360,000	\$575	\$862,500	\$240	\$360,000	\$264	\$396,000
Total Bid Price					\$9,710,000		\$10,333,900		\$10,992,310		\$12,202,500		\$12,445,000		\$17,554,613
AACE Class 1, Lower Bound, -10%					\$8,739,000		--		--		--		--		--
AACE Class 1, Upper Bound, +15%					\$11,166,500		--		--		--		--		--
Bid Security (5% of Total Bid Price Required)					--		5% of Total Bid Price		5% of Total Bid Price		5% of Total Bid Price		5% of Total Bid Price		5% of Total Bid Price
Bid Bond Company					--		Atlantic Specialty Insurance Company		Liberty Mutual Insurance Company		Travelers Casualty and Surety Company of America		Fidelity and Deposit Company of Maryland		Atlantic Specialty Insurance Company
Acknowledgment of Addenda (Yes or No)					--		Yes		Yes		Yes		Yes		Yes
Circled Manufacturers (Yes or No)					--		Yes		Yes		Yes		Yes		Yes
Submitted DBE Documentation ¹ (Yes or No)					--		Yes		No		Yes		No		Yes

Notes: 1. Please refer to Section 3 Irregularities that discusses review of the DBE documentation.

SUBJECT: Discussion and Possible Action with Recommendation to Amend Chapter 922 Regarding Act 73 Class C Alcohol Beverage Licensure Changes (*Clerk*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Council President

EXHIBITS:

COMPLIANCE WITH STRATEGIC PLAN:

SUMMARY STATEMENT:

Wisconsin Act 73 made several changes to alcohol beverage licensing, including that for Class C Wine licenses. Prior to the changes, only businesses who were considered a restaurant by State Statutes were able to acquire a license to serve wine. This has changed with the passing of Act 73 allowing other retail businesses that do not necessarily serve food. This can include salons and spas, retail stores, art galleries, jewelry stores, and such, and is left to the municipality how this license should be regulated. It is highly recommended that the City of Ashland establish these standards and/or restrictions before receiving an application for this type of license in order to prevent any type of unintentional beneficial preference or deliberate restrictions.

It is reasonable to add restrictions on these licenses such as hours of sale or to be open for business, restriction of underage customers, quota, and any zoning restrictions.

The below list is a sampling of venues who may be included as eligible establishments who obtain a Class C Wine license.

- Beauty or nail salon
- Spa or massage salon
- Art gallery, studio or museum
- Bed & breakfast or Inn
- Fitness center
- Greenhouse or nursery
- Indoor amusement or recreational facility
- Cinema or theater
- Meeting or exhibition hall

- Outdoor amusement or arena
- Retail business or service

If approved, a proposed ordinance will be presented to Council for formal approval.

Ref: 2024-150

**COMMITTEE AGENDA:
6.D. (6/11/2024)**

SUBJECT: Discussion and Possible Action Regarding Proposed Amendments to the Harbor Commission *(Mayor)*

RECOMMENDATION: Discussion and Possible Action

DEPARTMENT OF ORIGIN: Mayor

CLEARANCES: Council President

EXHIBITS:

**COMPLIANCE WITH STRATEGIC INFRASTRUCTURE
PLAN:**

SUMMARY STATEMENT:

The Mayor requested a discussion regarding the properties that are managed and maintained by the Harbor Commission.