



**DOOR COUNTY**

**Resolution No. 2009-65**

**SUPPLEMENT APPROPRIATIONS FOR OLDE STONE QUARRY PARK [HARBOR OF REFUGE] PROJECT**

**TO THE DOOR COUNTY BOARD OF SUPERVISORS:**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BEMMANN	X		
BOGENSCHUTZ	X		
BRANN	X		
DeBAKER	X		
DeWITT	X		
FISHER	X		
FONTAINE	X		
GUNNLAUGSSON	X		
HAINES	X		
JEANQUART			X
LIEBE	X		
MEYER	X		
MOELLER	X		
MULLIKEN	X		
NEINAS	X		
OLSON		X	
RUNQUIST	X		
SAVARD	X		
VIRLEE	X		
ZIPPERER	X		
	19	1	1

**BOARD ACTION**

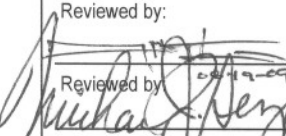
Vote Required: Majority Vote of a Quorum

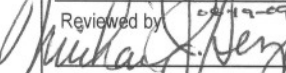
Motion to Approve Adopted

1st Fisher Defeated

2nd Mulliken

Yes: 19 No: 1 Exc: 1

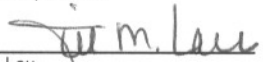
Reviewed by:  Corp. Counsel

Reviewed by:  Administrator

**FISCAL IMPACT:** The balance in the contingency expense line budget will be \$54,153.87 after this transfer of funds. Sms

**Certification:**

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 25th day of August, 2009 by the Door County Board of Supervisors.

  
Jill M. Lau  
County Clerk, Door County

1 **WHEREAS**, The Olde Stone Quarry Park [Harbor of Refuge] Project  
2 ["Project"] was authorized by Resolution No. 2004-37 [adopted on 26-May-2004];  
3 and

4  
5 **WHEREAS**, The Project was deemed complete on July 15, 2006 and final  
6 payment made on October 10, 2006; and

7  
8 **WHEREAS**, Issues (i.e., cracking, spalling, and differential movement of the  
9 concrete walkway ... buckling of a section of a steel cap channel ... and failure of  
10 two bolts connecting a waler to a sheet pile wall) arose during the summer of  
11 2006, and continued through year's end; and

12  
13 **WHEREAS**, The Project engineer (STS / AECOM) investigated these issues  
14 and summarized their findings, conclusions and recommendations in a written  
15 report dated April 10, 2008. This report was shared with the Project contractor  
16 (Phenco, Inc.); and

17  
18 **WHEREAS**, The Project participants could not reach agreement on whether  
19 these issues arose from improper design, construction defect, agreed  
20 modification, some combination thereof, or other cause. There was, however,  
21 consensus as to the need for timely repairs to lessen or mitigate the damages;  
22 and


23  
24 **WHEREAS**, In October, 2008, through negotiations, the Project Participants  
25 committed to a mutual goal of efficient resolution of these issues. To wit:  
26 STS/AECOM designed necessary remedial measures, Phenco, Inc. performed  
27 the remedial construction work, and STS/AECOM determined that work was  
28 consistent with their design. The cost was not to exceed \$186,000.00, allocated  
29 as follows: County \$18,600.00, Phenco, Inc. \$74,000.00, and STS/AECOM  
30 \$93,000.00; and


31  
32 **WHEREAS**, The remedial work was completed on or about June 8, 2009, at  
33 a cost of \$176,457.03. Phenco Inc. contributed \$70,590.01, STS/AECOM  
34 contributed \$88,237.51, and County's contribution is \$17,647.51; and


35  
36 **WHEREAS**, It is necessary to transfer \$17,647.51 from the Contingency  
37 expense (100.06.1161.59103) to Parks Capital Improvements  
38 (100.34.5202.69905).


39  
40 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of  
41 Supervisors does hereby approve the transfer of \$17,647.51 from the  
42 Contingency expense account 100.06.1161.59103 to Park Capital Improvements  
43 100.34.5202.69905 for the County's share of the remedial work at the Olde  
44 Stone Quarry Park.

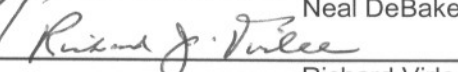
**SUBMITTED BY:**  
**Airport & Parks Committee**

  
Leroy Liebe, Chairman

  
Daniel Austad

  
Charles Brann

  
Neal DeBaker

  
Richard Virlee