

DOWNTOWN DEVELOPMENT AUTHORITY

Special Meeting
Tuesday, April 13, 2021
7:00 pm



DDA Members Present: Ted Stroud-Chair, John Fischer, Byron Russell, Rob Benstein, Greg Mauldon, Gary Howe, John Lazet, and Fred Northrup.

Members Absent: Todd Luks.

Others Present: David Revore, legal counsel, Chris Lewis, Treasurer to the DDA, and Don Heck with Wolverine Engineers and Surveyors, Inc.

I. Meeting was called to order by Chair Stroud at 7:03 pm.

II. Set/Amend Agenda: No amendments were offered.

**MOTION Russell, seconded by Benstein, to approve the agenda as submitted.
CARRIED 8-0.**

III. Public Comment: None

IV. Approval of March 31, 2021, minutes

No amendments were offered.

**MOTION Benstein, seconded by Fischer, to approve the March 31, 2021 minutes as submitted.
CARRIED 8-0.**

V. Pending Business:

A. Award Project on Athletic Field Grading Project and Pavilion Floor Replacement

**MOTION Lazet, seconded by Russell, that the awarding of the proposal and the contracts be taken from the table to allow consideration tonight.
CARRIED 8-0.**

There was discussion on Mr. Mauldon needing to recuse himself from deliberations as he is the contractor recommended to receive the award.

**MOTION Lazet, seconded by Howe, to recuse Greg Mauldon from the consideration of, and decision to, award the project contract for the Vevay Township Athletic Fields Grading Project and Pavilion Floor Replacement.
CARRIED 8-0.**

Board – had discussion on the revised documents. Changes include referencing Vevay Township as the owner of the property, adding the description of work to be done as published in the RFB, clearly specifying changes in cost be on a per unit basis, and various wording changes.

Mr. Lazet informed that Board that if the project was awarded tonight, the Board of Trustees would take up the topic tomorrow, April 14, at 6:30 pm, and is anticipated to approve the DDA project to move forward.

Mr. Heck explained that the bid was based on a professional estimate of how much of each component of the project would be needed, with contractors then bidding on the cost per unit. Unit cost invoicing would be based on the actual units of the various materials used: clean fill, feet of drain tile, etc. The overall price could go up or down depending on the amounts used.

Mr. Fischer wanted to be sure the Board supported including the additional work that could be needed to tie in the catch basin just south of the southwest corner of the parking lot area, which would add to the overall cost of the project.

Mr. Stroud offered Resolution 21-01, a resolution granting the project to Mauldon Bros. Construction, LLC, and approving the contracts for Mauldon Bros. and Wolverine Engineers and Surveyors, Inc., as follows:

VEVAY DOWNTOWN DEVELOPMENT AUTHORITY

RESOLUTION NO. 2021-01

A RESOLUTION APPROVING THE PROJECT CONTRACT BETWEEN THE VEVAY DOWNTOWN DEVELOPMENT AUTHORITY AND MAULDON BROTHERS CONSTRUCTION, LLC FOR THE VEVAY TOWNSHIP ATHLETIC FIELD PAVING PROJECT AND PAVILION FLOOR REPLACEMENT PROJECT AND RESOLUTION APPROVING A PROFESSIONAL SERVICE CONTRACT BETWEEN THE VEVAY DOWNTOWN DEVELOPMENT AUTHORITY AND WOLVERINE ENGINEERS & SURVEYORS, INC.

Vevay DDA Board, Ingham County, Michigan, hereby Resolves:

At a special meeting of Vevay DDA Board (“DDA Board”) held at the Vevay Township Offices, located at 780 Eden Road, Mason Michigan 48854, in the County of Ingham, State of Michigan, on the 13th day of April, 2021, at 7:00 o'clock in the PM.

The meeting was called to order at 7:00 o'clock in the PM by Chair Stroud.

Present: Ted Stroud-Chair, John Fischer, Byron Russell, Rob Benstein, Greg Mauldon, Gary Howe, John Lazet, and Fred Northrup.

Absent: Todd Luks.

The following preamble and resolution were offered by Howe and supported by Benstein:

WHEREAS, the Vevay Downtown Development Authority recognizes that adequate recreational facilities are beneficial to provide an environment conducive to business development,

WHEREAS, Vevay Township has within the Vevay DDA District athletic fields and a park pavilion. Vevay Township has received information that the Vevay Township Athletic Fields and recreational facilities have had standing water issues and flooding. Further, the Pavilion, located as part of the Township's recreational facilities, requires floor replacement,

WHEREAS, The RECODIFIED TAX INCREMENT FINANCING ACT (EXCERPT) PA 57 OF 2018, PART 2 – DOWNTOWN DEVELOPMENT AUTHORITIES (the "Act") defines "Public Facility" to include recreational facilities,

WHEREAS, the Act permits a Downtown Development Authority to plan and propose the construction, renovation, repair, remodeling, rehabilitation, restoration preservation, or reconstruction of a public facility, an existing building, or a multiple-family dwelling unit which may be necessary or appropriate to the execution of a plan which, in the opinion of the board, aids in the economic growth of the downtown district,

WHEREAS, the Vevay Township with Wolverine Engineers & Surveyors, Inc., issued a Request for Bids to make improvements to the Vevay Township Athletic Fields and recreational facilities (the "Project"),

WHEREAS, Vevay Township and Wolverine Engineers & Surveyors, Inc., received twelve (12) responses to the Request for Bids, ranging from a low of \$63,450.00 to a high bid of \$115,286.00,

WHEREAS, Wolverine Engineers & Surveyors, Inc., reviewed all bids, and recommends the low bidder, Mauldon Brothers Construction, LLC, as a "highly reputable local firm that is known to [Wolverine] with ample experience in this type of work",

WHEREAS, Wolverine Engineers & Surveyors, Inc., recommends that the Vevay Township DDA award a contract in the amount of \$63,450 to Mauldon Brothers Construction, LLC, the low bidder, for improvements to the Vevay Township Athletic Fields and recreational facilities, as per the Request for Bids documents dated February 26, 2021, the drawings and specifications detailed therein, and

WHEREAS, Greg Mauldon, a DDA Board Member and owner of Mauldon Brothers Construction, LLC, as disclosed by Greg Mauldon in compliance with state law, and Greg Mauldon hereby recuses himself for any decision-making in selecting the contractor for the recreational facilities Project work, and

WHEREAS, the DDA has requested of Wolverine Engineers & Surveyors, Inc., subsequent to the bid opening, professional services for construction, engineering, observation, and administration, on an as-needed, periodic basis as deemed appropriate by Wolverine,

WHEREAS, the Act permits a Downtown Development Authority to improve land and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any

building and any necessary or desirable appurtenances to that property, within the downtown district for the use, in whole or in part, of any public or private person or corporation, or a combination of them.

WHEREAS, the Act permits a Downtown Development Authority to make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Upon acceptance of the Vevay Township Board of Trustees for the Field Grading Project and Pavilion Floor Replacement upon the Vevay Township Athletic Fields located at 780 Eden Road, Mason Michigan, 48854, the DDA Board approves and awards the Project Contract to Mauldon Brothers Construction, LLC, the low bidder, for improvements to the Vevay Township Athletic Fields and recreational facilities, in the amount of \$63,450.00, subject to adjustment up or down based on actual units constructed, furnished or placed under this Contract as approved by the Engineer, using the unit prices in Contractor's bid proposal dated March 11, 2021.
2. Upon acceptance of the Vevay Township Board of Trustees for the Field Grading Project and Pavilion Floor Replacement upon the Vevay Township Athletic Fields located at 780 Eden Road, Mason Michigan, 48854, the DDA Board authorizes and directs its Chair to execute the Project Contract, in substantial form, between the Vevay DDA and Mauldon Brothers Construction, LLC, and to take all necessary measures to effectuate the Project Contract.
3. Upon execution of the Project Contract, the DDA Board authorizes the Professional Services Agreement between the Vevay DDA and Wolverine Engineers & Surveyors, Inc., for professional services for the Project construction, engineering, observation, and administration, on an as-needed, periodic basis as deemed appropriate by Wolverine, in consultation with the Township Supervisor, within Wolverines estimated budget of \$5,000.00.
4. The DDA Board authorizes and directs its Chair to execute the Professional Services Agreement, in substantial form, between the Vevay DDA and Wolverine Engineers & Surveyors, Inc.
5. The DDA Board authorizes the Township Supervisor to act on its behalf for the overview of the Project and to take any lawful measure to effectuate the completion of the Project, recognizing that any additional expenditures beyond those authorized by this Resolution must be approved by DDA Board.

Motion Howe, seconded Benstein, to adopt Resolution 21-01, awarding the Vevay Township athletic fields grading project and pavilion floor replacement to Mauldon Bros. Construction, LLC, and the project management contract to Wolverine Engineers and Surveyors, Inc.

Northrup – Yes. Fischer – Yes. Stroud – Yes. Russell – Yes. Benstein – Yes. Howe – Yes. Lazet – Yes.

CARRIED BY TWO THIRDS VOTE: 7-0.

VI. Any Other Business

No other business was raised or discussed.

VII. Adjournment

**MOTION Russell, seconded by Northrup, to adjourn at 7:24 pm.
CARRIED 7-0.**

John Lazet, Secretary