

Minutes of TIFA LLC Meeting  
May 26, 2016  
11:00 a.m.  
City of Titusville Water Resources  
Mourning Dove Water Plant  
2836 Garden Street  
Titusville, Florida 32796

Persons in Attendance

Mike Brown, Miami Corporation, TIFA Management Committee Member  
Jim Ball, City of Titusville, TIFA Management Committee Member  
Sean Stauffer, City of Titusville, Water Resources Director  
Richard Broome, City of Titusville, City Attorney  
Andrew Jantzer, City of Titusville, Water Resources Deputy Director  
David Fuechtman, Farmton Water Resources (by telephone)  
Susan Paddock, Farmton Water Resources (by telephone)  
Pat Gagliardi, Farmton Water Resources (by telephone)  
Helen Hutchens, Miami Corporation (by telephone)  
Jim Perry, GMS LLC

Jim Perry conducted the meeting.

**Action Items**

**I. Approval of the Minutes of the TIFA LLC Meeting of April 28, 2016**

Member Brown moved to approve the minutes of the April 28, 2016 meeting. Member Ball concurred and the motion passed.

**Financial Items and Reports**

**II. Ratification of Expenses Paid from Operating Account and Request for Reimbursement**

Member Ball moved to ratify the expenses paid from the operating account and the request for reimbursement in the amount of \$14,011.57. Member Brown concurred and motion passed.

## **Staff Reports/Informational Items**

### **III. Update on Rail Trail Project**

Mr. Jantzer stated the north section has 60% drawings commented on and the engineer responded to all the comments and submitted those responses to DOT and DOT is cross checking with the various reviewing parties to confirm that the responses addressed all the comments. That process will continue through next week. They did bring up Miami Corp. comments that the engineer stated that they have no plans to modify their cross section detail from the original RFP design and there was a discussion about the number of crossings, the RFP called for a schedule of 11 or 12 with a minimum of 5 additional crossings that were not actually stipulated but should be shown on the 100% drawings. When the 100% drawings come out they need to show all the anticipated crossings that will be performed on the project and during the review of the 100% drawings the reviewing parties can double check to make sure that all the needed crossings have been accounted for on the design drawings.

As to the actual work progress, utility locations are occurring in the north section for the complete limits of the contract and they are doing gopher tortoise relocation excavations and clearing and grubbing. On the south section they are working south of Route 46 doing sub-grade base work, storm pipe installation and they plan to begin paving of the south phase tentatively the week of June 6<sup>th</sup> as an early date for starting the paving work.

Member Brown stated are they holding the paving to last? I assume they are going to then turn to the north section and that construction will begin at that point.

Mr. Jantzer stated I think their schedule is still tied to environmental permitting on the north section.

Member Ball asked is the pavement material concrete or asphalt?

Mr. Jantzer responded it is asphalt.

### **IV. Area IV Phase 2 Update**

Mr. Stauffer stated last week I received a phone call and a letter from CNA Surety, they were notified about a payment that Advance Well Drilling had not made and they looked at their documents and discovered that the performance payment bond, material workmanship bond and consent of surety final payment that the city received for the well drilling are fraudulent and not valid. This was the company that supposedly had insured the project but they were contacting us to let us know that the documents that were issued were not issued by them and we are not sure what it is or how this happened but regardless it is concerning to TIFA. At this point we are handling it as a contract issue. CPH contacted AWD yesterday by email letting them know that the bonds and information they provided were not valid and have requested that they provide us as soon as possible a material and workmanship bond that is valid.

Member Ball asked these were bonds required of the contractor, Felix?

Mr. Stauffer stated these were AWD, Advanced Well Drilling and this was for the well drilling portion and that was for that contract separately. It also brings up an interesting point that Advanced Well Drilling is going to be a sub-contractor to Felix during the wellhead repair. Part of what we have done is we will be notifying Felix of what has happened with AWD as their portion of it.

Mr. Ball asked what is their liability for providing fraudulent documents?

Mr. Broome stated at this stage we have been advised that they are, we don't have necessarily proof. There is an investigation being done through the division of insurance with the state as far as criminal that is not on us to do but they are doing it. We could alert our local police but my understanding is that it is being investigated criminally at the state level. We are handling it as a contract issue because we have to have those in hand. There is nothing for us to do criminally. If we want them to do this work we need those bonds in place. If they can't get new bonds then we will address our next step with them. They can post cash so there are other remedies if they can't comply and I suggest they post cash.

Member Ball asked how does the city validate legitimacy of the documentation that is provided? Do you take it on face value?

Mr. Stauffer stated they submit originals and it has to be from a known company and there are required seals and signatures and a raised embossed item and they have a typical look where it is a colored piece of paper. We received them and they appeared to be legitimate.

Member Ball stated you wouldn't expect to be handed a fraudulent document.

Mr. Broome stated from an experienced contractor as well as a known surety. One thing we have done at the city since I have been aware of this is I advised them that they are now going to contact the sureties and confirm if they issued it. I advised TIFA we are going to do the same thing.

Member Ball stated I would ask that staff do that, it is prudent now that it appears we have been burned. I'm not faulting you I'm just suggesting that is a prudent thing to do.

Member Ball moved to direct staff to contact the surety on all future contracts to confirm that they have issued the bond. Member Brown concurred and the motion passed.

Member Ball asked what is the schedule to get into the actual wellhead repairs?

Mr. Stauffer responded we have gotten an action plan back from Felix and it matches what we required and at this point we are waiting for them to send us some revised shop drawings. They sent one batch and we sent back comments and we are waiting for the revised shop drawings.

### **Other Business**

### **Public Comment**

### **Next Scheduled Meeting**

The next meeting was scheduled to be June 23<sup>rd</sup> at 11:00 a.m.

### **Open Items**

## **Adjournment**

Member Ball moved to adjourn the meeting at 11:12 a.m. Member Brown concurred and the meeting adjourned.