

STATE BOARD OF ACCOUNTS
302 West Washington Street
Room E418
INDIANAPOLIS, INDIANA 46204-2769

AUDIT REPORT
OF
HIGHWAY DEPARTMENT
TIPPECANOE COUNTY, INDIANA
January 1, 2009 to December 31, 2009



FILED
08/18/2010

TABLE OF CONTENTS

<u>Description</u>	<u>Page</u>
County Officials	2
Transmittal Letter	3
Audit Result and Comment: Public Works Project	4
Exit Conference.....	5
Official Response	6-15

COUNTY OFFICIALS

<u>Office</u>	<u>Official</u>	<u>Term</u>
Executive Director	Opal Kuhl	01-01-09 to 12-31-10
President of the County Council	Kevin Underwood Andrew S. Gutwein	01-01-09 to 12-31-09 01-01-10 to 12-31-10
President of the Board of County Commissioners	John Knochel	01-01-09 to 12-31-10



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF ACCOUNTS
302 WEST WASHINGTON STREET
ROOM E418
INDIANAPOLIS, INDIANA 46204-2769

Telephone: (317) 232-2513
Fax: (317) 232-4711
Web Site: www.in.gov/sboa

TO: THE OFFICIALS OF TIPPECANOE COUNTY

We have audited the records of the Highway Department for the period from January 1, 2009 to December 31, 2009, and certify that the records and accountability for cash and other assets are satisfactory to the best of our knowledge and belief, except as stated in the Audit Result and Comment. The financial transactions of this office are reflected in the Annual Report of Tippecanoe County for the year 2009.

STATE BOARD OF ACCOUNTS

June 8, 2010

HIGHWAY DEPARTMENT
TIPPECANOE COUNTY
AUDIT RESULT AND COMMENT

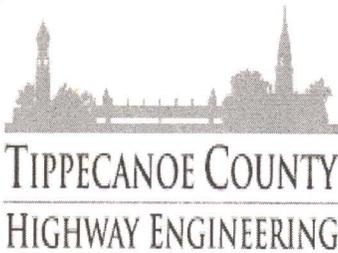
PUBLIC WORKS PROJECT

The County entered into a contract for bridge deck patch work. The bridges were "sounded" for bid specification one year and then bid the next and a bridge not originally included was added to the project. The scope of the original bid was modified significantly resulting in change orders to the original contract totaling 44%.

IC 36-1-12-18(d) states: "The total of all change orders issued that increase the scope of the project may not exceed twenty percent (20%) of the amount of the original contract. A change order issued as a result of circumstances that could not have been reasonably foreseen does not increase the scope of the project."

HIGHWAY DEPARTMENT
TIPPECANOE COUNTY
EXIT CONFERENCE

The contents of this report were discussed on June 8, 2010, with Opal Kuhl, Executive Director; John Knochel, President of the Board of County Commissioners; and Andrew S. Gutwein, President of the County Council. The official response has been made a part of this report and may be found on pages 6 through 15.



Opal Kuhl, P.E., Executive Director
Mike Spencer, Assistant Executive Director

20 North Third Street
Lafayette, IN 47901

Phone: (765) 423-9210
Fax: (765) 423-9127

OFFICIAL RESPONSE

June 10, 2010

State Board of Accounts
302 West Washington Street
Room E 418
Indianapolis, Indiana
46204-2765

Dear Sir or Madam:

This letter is the official response to the audit results and comments to Tippecanoe County, specifically to the Highway Department, Public Works Project. The project in question is the 2009 Bridge Deck Patching Contract. Information concerning the project is:

Designer:	H. Stewart Kline and Associates		
Contractor:	Jack Isom		
Bid accepted:	June 15, 2009	\$204,929.02	(Exhibit A)
Change Order #1:	September 8, 2009	76,680.00	(Exhibit B)
Change Order #2:	December 17, 2009	13,953.65	(Exhibit C)

The Notice to Bidders stated:

"The proposed work will include full and partial depth patching, joint replacements, approach slab "mudjacking", surface milling, and asphalt overlays at 8 locations within the county."
(Exhibit D)

The eight locations were listed as (Exhibit E):

- Bridge No. 50 – County Road 200 East over Wea Creek
- Bridge No. 87 – County Road 700 West over Wabash River
- Bridge No. 119 – North 9th Street over Wabash River
- Bridge No. 150 – County Road 775 East (Grant Road) over Wabash River
- Bridge No. 170 – County Road 75 East over Burnett's Creek
- Bridge No. 186 – Salem Street over Streets and Railroad
- Bridge No. 188 – 3rd Street Ramp over Streets and Railroad
- Bridge No. 189 – Harrison Bridge over Wabash River

The comments concerning this project were (Exhibit F):

The county entered into a contract for bridge deck patch work. The scope of the original bid was modified significantly resulting in change orders to the original contract totaling 44%. IC 36-1-12-18(d) states "The total of all change orders issued that increase the scope of the project may not exceed twenty percent (20%) of the amount of the original contract. A change order issued as a result of circumstances that could not have been reasonably foreseen does not increase the scope of the project.

Residential, Commercial, Parcelization Drive, and Utility Permits
Subdivision, Road & Bridge Inspections
Plan Review and Road Designs

Visit our web site at www.tippecanoe.in.gov

We would maintain that: 1) the change orders issued were a result of circumstances that could not have been reasonably foreseen, and 2) the scope of the project was not increased.

When bridge deck patching is to be done, the first step is to "sound" the bridge. A chain is pulled across the bridge and any hollow-sounding areas are marked. These areas are then jack-hammered out. As the contract progressed it was found that more voids existed than had been anticipated when the contract was put together. We did not foresee that the decks would have as many voids as were found. The consultant who prepared the contract used their best engineering judgment in estimating the contract quantities and did not anticipate that the decks had deteriorated as much as they actually had. The same can be said for the joints and the mudjacking. Actual quantities cannot be determined until the areas in question are uncovered to see what is underneath and how much repairing is needed. In our judgment, this contract fit the category of "circumstances that could not have been reasonably foreseen".

The scope of this project was full and partial depth patching, joint replacements, mudjacking, and the incidental construction that accompanies these processes. The scope of the change orders was the same as the original contract; that is, full and partial depth patching, joint replacement, mudjacking and the incidental construction to complete the process. We believe the type of work was not changed.

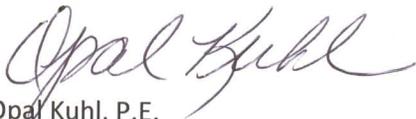
The contract documents stated that work would be performed at 8 locations within the county. The 8 locations within the county did not change due to the change orders. One of the locations was Bridge 87 at the Wabash River. The bridge is located adjacent to Bridge 517. (Exhibit G) Most of the motoring public probably does not realize that these are actually 2 bridges. The location is called Granville locally and the bridge is Granville Bridge. We considered this to be one jobsite or location.

Another location was the areas of Bridges 186, 188, and 189 as listed in the contract. While examining the site it was determined that deterioration was also occurring on Bridge 187 so the work was included in the change order. (Exhibit H) Again, this bridge is in the same location as the other 3 bridges.

We would normally bid a bridge repair project like this one every 5-10 years. We try to be sure that all work of this specialized type is included. In this case, the bridges that needed repair had deteriorated more than expected. We agree that the amount of work was increased but only because of circumstances that could not have been foreseen. The Highway Engineer's staff believes that neither the type of work nor locations increased so consequently the scope was not increased.

Thank you for your consideration.

Sincerely,



Opal Kuhl, P.E.

Executive Director

Tippecanoe County Highway Department

**Itemized Proposal
2009 Tippecanoe County
Bridge Deck Patching Contract**

ITEM	SPEC CODE	DESCRIPTION	UNIT	QTY	UNIT PRICE	COST
1	110	MOBILIZATION AND DEMOBILIZATION	EACH	8		
2	203	LINEAR GRADING	LFT	410		
3	306	SURFACE MILLING	SYS	758		
4	402	HMA	TON	86		
5	406	ASPHALT FOR TACK COAT	SYS	758		
6	503	SILICONE JOINT SEAL	LFT	226		
7	507	MUDJACKING, BRIDGE NO. 50	LSUM	1		
8	507	MUDJACKING, BRIDGE NO. 87	LSUM	1		
9	507	MUDJACKING, BRIDGE NO. 150	LSUM	1		
10	621	MULCHED SEEDING, R	EACH	3		
11	706	REPAIR CONCRETE BRIDGE RAIL	LSUM	1		
12	722	BRIDGE DECK PATCHING, PARTIAL DEPTH	SFT	615		
13	722	BRIDGE DECK PATCHING, FULL DEPTH	SFT	30		
14	724	ALTERNATE SS JOINT REPAIR	LFT	134		
15	801	MAINTENANCE OF TRAFFIC	EACH	8		
16	808	LINE, PAINT	LFT	1310		

TOTAL: _____

SUBMITTED BY:

CONTRACTOR NAME: _____

AUTHORIZED SIGNATURE: _____

DATE: _____

Change Order

Project: Bridge Deck Patching 2009

CHANGE ORDER # 1

Contractor: Jack Isom Construction Co., Inc.

Project #
Contract # PB09DP
Contract Date 6/15/2009

You are directed to make the following changes in this Contract:

Repairs to bridge No. 517 and 187 added to contract

Item No.	Description of Item	Unit Price	Quantity	Unit	Increase Amount	Decrease Amount
1	Additional Mobilization and Demobilization Bridge No. 517 & 187	\$3,500.00	2	Each	\$7,000.00	
6	Additional Silicone Joint Seal	\$55.00	117	LFT	\$6,435.00	
12	Additional Bridge Deck Patching, Partial Depth	\$15.00	1600	SFT	\$24,000.00	
13	Additional Bridge Deck Patching, Full Depth	\$55.00	109	SFT	\$5,995.00	
15	Additional Maintenance of Traffic for Bridge No. 517, 187, and 119	\$3,250.00	3	LSUM.	\$9,750.00	
17	(E.W.A.) Mudjacking, Bridge No. 517	\$10,000.00	1	LSUM.	\$10,000.00	
18	(E.W.A.) Clean Bridge Drains	\$25.00	100	Each	\$2,500.00	
19	(E.W.A.) Mudjacking, Bridge No. 119	\$10,000.00	1	LSUM.	\$10,000.00	
20	(E.W.A.) Clean End Bents Bridge No. 119	\$1,000.00	1	LSUM.	\$1,000.00	
TOTALS:					\$76,680.00	

Net (increase) estimated cost:

The original Contract Sum was..... \$204,929.02
 Net change by previous Change Orders... 0.00
 Contract Sum prior to this Change Order..... \$204,929.02
 Net (INCREASE) (DECREASE) this Change Order..... \$76,680.00
 New Contract Sum, including this Change Order will be..... \$281,609.02
 Contract Time will (stay the same)..... N/A

Change Order recommended by:


 Opal Kuhl, P.E., Executive Director
 Tippecanoe County Highway Department

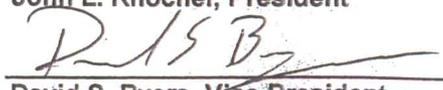
Above Changes understood and agreed to this _____ day of _____, 2009.

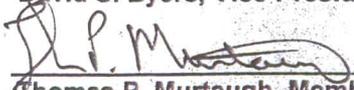

 Contractor

 Signature and Title

Board of Commissioners of the
 County of Tippecanoe

John L. Knochel, President


 David S. Byers, Vice President


 Thomas P. Murtaugh, Member

Change Order

Project: Bridge Deck Patching 2008
 Contractor: Jack Isom Construction Co., Inc.

CHANGE ORDER # 2

Project #
 Contract # PB08DP
 Contract Date 6/16/2008

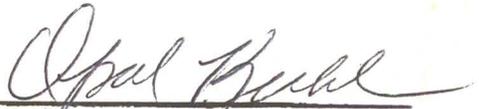
You are directed to make the following changes in this Contract:

Item No.	Description of Item	Unit Price	Quantity	Unit	Increase Amount	Decrease Amount
4	Additional HMA	\$255.00	8.13	Each	\$2,073.15	
6	Additional Silicone Joint Seal	\$65.00	26.8	LFT	\$1,467.80	
12	Additional Bridge Deck Patching, Partial Depth	\$15.00	100.1	SFT	\$1,501.50	
13	Additional Bridge Deck Patching, Full Depth	\$55.00	156.3	SFT	\$8,596.50	
18	(E.W.A.) Clean Bridge Drains	\$25.00	13	Each	\$325.00	
TOTALS:					\$13,963.95	

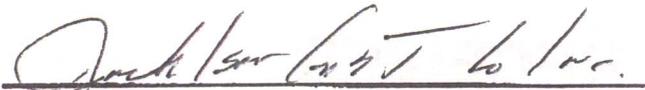
Net (Increase) estimated cost:

The original Contract Sum was..... \$204,826.02
 Net change by previous Change Orders... \$76,680.00
 Contract Sum prior to this Change Order..... \$281,506.02
 Net (INCREASE) (DECREASE) this Change Order..... \$13,963.66
 Contract Sum, including this Change Order will be..... \$295,469.67
 Contract Time will (stay the same)..... N/A

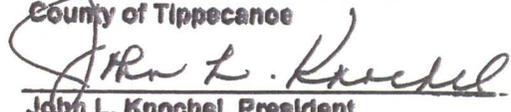
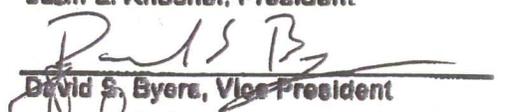
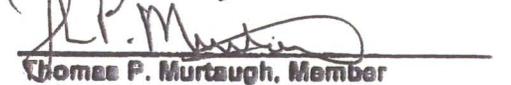
Change Order recommended by:


 Opal Kuhl, P.E., Executive Director
 Tippecanoe County Highway Department

Above Changes understood and agreed to this 17 day of Dec., 2008.


 Contractor

 Signature and Title

Board of Commissioners of the
 County of Tippecanoe

 John L. Knochel, President

 David S. Byers, Vice President

 Thomas P. Murtaugh, Member

NOTICE TO BIDDERS

(LEGAL NOTICE)

The Board of Commissioners of Tippecanoe County, of the State of Indiana, will receive sealed bids at the office of Jennifer Weston, Auditor of Tippecanoe County and Secretary to the Board of Commissioners, in the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana, on or before **9:30 A.M. on the 1st day of June, 2009**, for the following project:

2009 TIPPECANOE COUNTY BRIDGE DECK PATCHING CONTRACT

THE PROPOSED WORK WILL INCLUDE FULL AND PARTIAL DEPTH DECK PATCHING, JOINT REPLACEMENTS, APPROACH SLAB "MUDJACKING", SURFACE MILLING, AND ASPHALT OVERLAYS AT 8 LOCATIONS WITHIN THE COUNTY.

Bids will be publicly opened and read aloud at the Board of Commissioners meeting in the Tippecanoe Room in the Tippecanoe County Office Building, 20 North Third Street, commencing at **10:00 a.m. on the 1st day of June, 2009**.

More detailed bid requirement information is included in the "Notice to Bidders - Specification Copy" which is a part of the Bid Documents.

Bid Documents may be examined at the following locations: The office of the Tippecanoe County Highway Department, Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana; the office of H. Stewart Kline & Associates, Inc., 106 South 16th Street, Lafayette, Indiana; and online at HSKline.com. Documents will be available on or about the **8th day of May, 2009**. Letter-size plan sets and contract information books may be purchased at the office of the Tippecanoe County Highway Department or the office of H. Stewart Kline & Associates for \$10.00.

Bids shall be submitted on regular bid forms as prescribed by the State of Indiana. All bids must be accompanied by Bidders Bond, Certified Check or Cash in the amount of Five Percent (5%) of the total bid price, and a non-collusion affidavit, and in all particulars must comply with the laws of the State of Indiana.

Each proposal shall be in a sealed envelope directed to the Board of Commissioners of Tippecanoe County, State of Indiana, and plainly marked to indicate the title of the project and the name and address of the bidder.

The Boards reserve the right to reject any and all bids and to waive, to the extent permitted by law, any of the terms, conditions, or provisions contained in this Notice to Bidders or the Instructions to Bidders, or any informality, irregularity, or omission of any bid provided that such waiver shall, in the discretion of the Boards, be to the advantage of Tippecanoe County.

Tippecanoe County Board of Commissioners

John L. Knochel, President
David S. Byers, Vice-President
Thomas P. Murtaugh, Member

Jennifer Weston, Auditor, Secretary to the Board

Dates Advertised: May 8 and May 15, 2009

2009 TIPPECANOE COUNTY BRIDGE DECK PATCHING CONTRACT

BRIDGE No. 50: COUNTY ROAD 200 EAST OVER WEA CREEK
 BRIDGE No. 87: COUNTY ROAD 700 WEST OVER WABASH RIVER
 BRIDGE No. 119: NORTH 9TH STREET OVER WABASH RIVER
 BRIDGE No. 150: COUNTY ROAD 775 EAST (GRANT ROAD) OVER WABASH RIVER

BRIDGE No. 170: COUNTY ROAD 75 EAST OVER BURNETT'S CREEK
 BRIDGE No. 186: SALEM STREET OVER STREETS & RAILROAD
 BRIDGE No. 188: 3RD STREET RAMP OVER STREETS & RAILROAD
 BRIDGE No. 189: HARRISON BRIDGE OVER WABASH RIVER

SHEET NUMBER	INDEX SUBJECT
1	TITLE AND INDEX
2	FLAGGER OPERATIONS
3-4	BRIDGE NO. 50
5-6	BRIDGE NO. 87
7-8	BRIDGE NO. 119
9-11	BRIDGE NO. 150
12-13	BRIDGE NO. 170
14-15	BRIDGE NO. 186
14 & 16	BRIDGE NO. 188
14 & 17	BRIDGE NO. 189
18	ALTERNATE SS JOINT DETAIL
19	BRIDGE SUMMARY

BOARD OF COUNTY COMMISSIONERS

JOHN L. KNOCHER, PRESIDENT
 DAVID S. BYERS, VICE-PRESIDENT
 THOMAS P. MURTAUGH, MEMBER

AUDITOR

JENNIFER WESTON

COUNTY HIGHWAY DEPARTMENT

OPAL KUHL, P.E. EXECUTIVE DIRECTOR

GENERAL NOTES

VERTICAL AND HORIZONTAL CONTROL SHALL BE AS SET OUT HEREIN.
 IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY
 AND COORDINATE ALL WORK WITH ALL INVOLVED UTILITIES.
 INDIANA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS
 DATED 2006 TO BE USED WITH THESE PLANS.

REVISIONS	DATE	SHEET

PLANS PREPARED BY:



CERTIFIED BY: *Joseph D. Clark* DATE 5-8-09

TIPPECANOE COUNTY
HIGHWAY DEPARTMENT
AUDIT RESULTS AND COMMENTS

PUBLIC WORKS PROJECT

The County entered into a contract for bridge deck patch work. The scope of the original bid was modified significantly resulting in change orders to the original contract totaling 44%.

IC 36-1-12-18(d) states "The total of all change orders issued that increase the scope of the project may not exceed twenty percent (20%) of the amount of the original contract. A change order issued as a result of circumstances that could not have been reasonably foreseen does not increase the scope of the project."

PRELIMINARY - EXIT CONFERENCE ONLY

