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**Turtle Mountain Community College  
Special Board of Directors Meeting  
June 11, 2009  
5:15 p.m.**

**UNOFFICIAL MINUTES**

**Board of Directors Present:** John Trottier, Barbara Poitra.

**Board of Directors Absent:** Lance Azure, Ron Peltier, Emil LaRocque

**TMCC Employees:** Dr. Jim Davis, Jaclyn Stein, Dennis Bercier, Wannetta Bennett.

**Other Present:** Kent Riggins (Baukol Builders)

Meeting came to order at 5:15 p.m.

This meeting is reconvening from prior meeting on June 11, 2009 at 12:30 p.m.

This meeting was held for a discussion between TMCC Board of Directors and Baukol Builders for two change orders on the construction of the Student Union.

The first change order is in the amount of \$3417.

- The original amount was \$8602, which Baukol reduced down to \$3417. This was reduced because Baukol reduced the amount of area which they were going to reconstruct.
- The request is for TMCC and the Architect to each pay half of the \$3417.
  - The previous discussion stated that all three parties split the \$3417 in 1/3 increments. This included TMCC, Architect, and Baukol. This has been changed since the meeting at 12:30.

Vice Chairman John Trottier and Barb Poitra agree to the change order for TMCC to pay an additional \$1708.50 due to unforeseen measures. The architect will also pay the sum of \$1708.50 totaling the amount of \$3417.

The second change order is in reference to the current hole that Baukol has been digging. They determined that they have dug into an old dump site which may have been a gravel pit. They have found a large amount of garbage, rock, and tree's.

- See Appendix A
- Construction involves four concrete footings.
- Midwest Testing was already here to test the dirt and they agreed with the contractor that the site needs to be cleaned.



- 46 The total cost of the change order is \$5825.
- 47 • Midwest Testing has a fee in there for \$1649, which covers two trips to test the
- 48 soil. Midwest Testing will be back to test the soil for the second time once the
- 49 area is cleaned.
- 50 • Rich's Construction has a fee of \$2800 to clean the garbage from the hole and
- 51 placing the gravel back in place.
- 52 ○ Includes \$2520 for gravel and \$280 for machinery charges
- 53 • The change order includes all costs that would be incurred for this particular job.
- 54

- 55 TMCC would like to possibly negotiate the charges.
- 56 • The general contractor only has a mark-up of \$384
- 57 • Rich's Construction, Midwest Testing, and overhead costs are direct/hard costs
- 58 that are not negotiable fees.
- 59 • Kent needs to go back to Baukol for price change decisions.
- 60 ○ TMCC has the option of being charged by Time and Materials or
- 61 ○ To pay total of change order.
- 62 ○ TMCC would like Kent to go back to Baukol to attempt to make an
- 63 agreement for Time and Materials not to exceed the total of the change
- 64 order, which is \$5825
- 65

66 Vice Chairman John Trottier made a recommendation to have Kent go back to Baukol

67 and request for Time and Material, not to exceed original quote of \$5825. If Baukol

68 doesn't agree with Time and Material with a cap, go with original change order proposal

69 for set amount of \$5825. Barb Poitra agrees with Vice Chairman John Trottier's

70 recommendation.

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72 Meeting adjourned at 6:04 p.m.

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**John Trottier, Vice Chairman**

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**Jaclyn Stein, Board Secretary**