

**Rock County, Wisconsin**  
51 South Main Street  
Janesville, WI 53545  
(608)757-5518



**General Services**

- Facilities Management
- Maintenance
- Duplicating
- Central Stores

**GENERAL SERVICES COMMITTEE  
TUESDAY, JANUARY 5, 2016 – 8:00 A.M.  
CONFERENCE ROOM N-1 – FIFTH FLOOR  
ROCK COUNTY COURTHOUSE-EAST**

**Agenda**

1. Call to Order and Approve Agenda
2. Citizen Participation
3. Approval of Minutes – December 15, 2015
4. Transfers and Appropriations
5. Bills/Encumbrances/Pre-Approved Encumbrance Amendments
6. Discussion and Possible Action on Requesting Corporation Counsel to Draft Opinions on Contract Sanction Language
7. Updates & Action
  - A. Courthouse Windows
  - B. UW Rock County Campus Dorm Update
8. Communications, Announcements and Information
9. Adjournment

Please contact Marilyn at (608)757-5510 if you are going to be late or if you will not be able to attend the meeting.

Pre-Approved Encumbrances

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
18-1810-0000-62400 ENC	R & M SERV	R1600794	01/01/2016	JOHNSON CONTROLS INC	11,083.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	88,892.00	0.00	40,852.40	11,083.00	36,956.60
18-1810-0000-63500 ENC	R&M SUPPLIES	R1600664	01/01/2016	SIMPLEX GRINNELL LP	10,320.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	120,000.00	0.00	15,320.00	10,320.00	94,360.00
<b>GENERAL SERVICES PROG TOTAL</b>					<b>21,403.00</b>
18-1812-0000-62400 ENC	R & M SERV	R1600561	01/01/2016	STANLEY CONVERGENT SECURITY S	7,200.00
ENC		R1600794	01/01/2016	JOHNSON CONTROLS INC	7,003.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	81,000.00	0.00	7,678.00	14,203.00	59,119.00
<b>YOUTH SERVICES CENTER PROG TOTAL</b>					<b>14,203.00</b>
18-1816-0000-62400 ENC	R & M SERV	R1600794	01/01/2016	JOHNSON CONTROLS INC	2,565.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	24,500.00	0.00	3,203.00	2,565.00	18,732.00
18-1816-0000-63500 ENC	R&M SUPPLIES	R1600664	01/01/2016	SIMPLEX GRINNELL LP	1,675.67
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	21,000.00	0.00	1,875.67	1,675.67	17,448.66
<b>COMMUNICATIONS CTR. OPERATION PROG TOTAL</b>					<b>4,240.67</b>
18-1819-0000-62400 ENC	R & M SERV	R1600794	01/01/2016	JOHNSON CONTROLS INC	9,098.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	26,276.00	0.00	12,293.36	9,098.00	4,884.64
<b>UW-ROCK COUNTY PROG TOTAL</b>					<b>9,098.00</b>
18-1821-0000-62400 ENC	R & M SERV	R1600698	01/01/2016	PER MAR SECURITY SERVICES	616.20
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	71,875.00	0.00	456.00	616.20	70,802.80
<b>JOB CENTER PROG TOTAL</b>					<b>616.20</b>

COMMITTEE APPROVAL REPORT

Pre-Approved Encumbrances

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
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I have examined the preceding bills and encumbrances in the total amount of **\$49,560.87**

Claims covering the items are proper and have been previously funded. These items are to be treated as follows:

- A. Bills and encumbrances over \$10,000 referred to the Finance Committee and County Board.
- B. Bills under \$10,000 to be paid.
- C. Encumbrances under \$10,000 to be paid upon acceptance by the Department Head.

Date: **JAN 05 2016**

Dept Head \_\_\_\_\_

Committee Chair \_\_\_\_\_

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
18-1815-0000-62400	R & M SERV	P1500219	12/04/2015	JOHNSON CONTROLS INC	105.75
		P1500223	12/16/2015	R E MICHEL COMPANY	59.00
		P1500239	12/16/2015	ENERGETICS INC	6.06
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	96,500.00	88,631.05	556.80	170.81	7,141.34
18-1815-0000-63500	R&M SUPPLIES	P1500215	12/03/2015	AIRGAS NORTH CENTRAL	103.96
		P1500231	12/14/2015	AARONS LOCK AND SAFE INC	31.00
		P1500234	12/14/2015	BATTERIES PLUS INC	149.85
		P1500248	12/16/2015	JACK AND DICKS FEED AND GARDEN	134.50
		P1500253	12/08/2015	MENARDS	23.98
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	50,000.00	29,300.35	6,684.31	443.29	13,572.05
<b>HCC BUILDING COMPLEX PROG TOTAL</b>				<b>614.10</b>	

I have examined the preceding bills and encumbrances in the total amount of **\$614.10**

Claims covering the items are proper and have been previously funded. These items are to be treated as follows:

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Date: **JAN 05 2016**

Dept Head \_\_\_\_\_

Committee Chair \_\_\_\_\_

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
00-0000-0001-16010	PURCHASING INVEN				
		P1503508	11/30/2015	BEAR GRAPHICS INC	13.00
		P1503655	12/01/2015	OFFICE PRO INC	6,439.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	0.00	32,531.27	76,338.31	6,452.00	(115,321.58)
00-0000-0001-17100	POSTAGE METER CH				
		P1500521	12/03/2015	UNITED MAILING SERVICES INC	507.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	0.00	31,744.30	40,000.00	507.00	(72,251.30)
<b>GENERAL FUND PROG TOTAL</b>				<b>6,959.00</b>	

I have examined the preceding bills and encumbrances in the total amount of **\$6,959.00**

Claims covering the items are proper and have been previously funded. These items are to be treated as follows:

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- C. Encumbrances under \$10,000 to be paid upon acceptance by the Department Head.

Date: **JAN 05 2016**

Dept Head \_\_\_\_\_

Committee Chair \_\_\_\_\_

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
18-1810-0000-62113	SNOW REMOVAL	P1500475	12/01/2015	E AND S SNOWPLOING	559.00
		P1503259	11/30/2015	TEUBERT ENTERPRISES LLC	450.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	6,000.00	3,877.00	0.00	1,009.00	1,114.00
18-1810-0000-62160	CLEANING CONTRAC	P1500473	11/25/2015	DIVERSIFIED BUILDING MAINTENAN	1,215.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	184,000.00	178,048.65	14,862.50	1,215.00	(10,126.15)
18-1810-0000-62400	R & M SERV	P1500462	12/08/2015	ARAMARK UNIFORM SERVICES INC	385.36
		P1503808	12/04/2015	SAFEWAY PEST CONTROL	80.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	133,000.00	112,248.80	12,075.11	465.36	8,210.73
18-1810-0000-62461	ELEVATOR	P1503850	12/09/2015	NATIONAL ELEVATOR INSPECTION S	267.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	55,000.00	47,386.51	3,822.00	267.00	3,524.49
18-1810-0000-63500	R&M SUPPLIES	P1500461	11/30/2015	AARONS LOCK AND SAFE INC	32.30
		P1500464	12/15/2015	BATTERIES PLUS INC	19.95
		P1500465	11/23/2015	BELOIT FIRE PROTECTION COMPANY	107.00
		P1500466	12/11/2015	BJ ELECTRIC SUPPLY INC	624.32
		P1500469	12/16/2015	CONGRESS GLASS INC	1,165.29
		P1500471	12/10/2015	DE VERE COMPANY INC	171.39
		P1500476	12/02/2015	ENERGETICS INC	128.00
		P1500477	11/18/2015	FASTENAL COMPANY	7.85
		P1500488	12/10/2015	FIRST SUPPLY LLC	145.51
		P1500489	11/25/2015	GRAINGER	1,043.62
		P1500491	11/06/2015	HARRIS ACE HARDWARE	113.80
		P1500493	11/30/2015	ILLINGWORTH KILGUST MECHANICAL	416.00
		P1500494	12/11/2015	JACK AND DICKS FEED AND GARDEN	882.00
		P1500496	11/23/2015	JANESVILLE WINSUPPLY COMPANY	1,239.88
		P1500501	12/16/2015	K AND W GREENERY INC	385.84
		P1500504	12/01/2015	MENARDS	220.22
		P1500509	11/30/2015	PIEPER ELECTRIC INC	561.40
		P1500513	11/23/2015	R E MICHEL COMPANY	7.53
		P1500519	11/18/2015	STAPLES ADVANTAGE	1,115.78
		P1502820	12/10/2015	LP TREE SERVICE	4,865.00
		P1503716	11/30/2015	AMERICAN TIME AND SIGNAL COMPA	676.86
		P1503720	11/30/2015	GLOBAL INDUSTRIAL EQUIPMENT	221.12
		P1503781	11/19/2015	FOUR SEASONS REPAIR INC	129.31
		P1503851	12/08/2015	NORTHLAND EQUIPMENT CO INC	479.59

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	234,759.00	211,026.67	21,330.09	14,759.56	(12,357.32)
<b>GENERAL SERVICES PROG TOTAL</b>				<b>17,715.92</b>	
18-1811-0000-62400	R & M SERV	P1503808	12/04/2015	SAFEWAY PEST CONTROL	25.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	39,500.00	38,692.31	151.48	25.00	631.21
18-1811-0000-63500	R&M SUPPLIES	P1500495	12/02/2015	JANESVILLE ELECTRIC MOTOR CORP	152.00
		P1500496	12/07/2015	JANESVILLE WINSUPPLY COMPANY	305.41
		P1500504	12/09/2015	MENARDS	11.99
		P1500509	11/30/2015	PIEPER ELECTRIC INC	379.50
		P1500515	12/16/2015	SHERWIN WILLIAMS	152.66
		P1500519	11/18/2015	STAPLES ADVANTAGE	320.85
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	20,000.00	10,740.55	103.64	1,322.41	7,833.40
<b>GLEN OAKS FACILITY OPERATION PROG TOTAL</b>				<b>1,347.41</b>	
18-1812-0000-62113	SNOW REMOVAL	P1500475	12/01/2015	E AND S SNOWPLOWING	111.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	1,000.00	397.00	0.00	111.00	492.00
18-1812-0000-62400	R & M SERV	P1503808	12/04/2015	SAFEWAY PEST CONTROL	30.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	81,422.00	74,965.76	362.34	30.00	6,063.90
<b>YOUTH SERVICES CENTER PROG TOTAL</b>				<b>141.00</b>	
18-1816-0000-62113	SNOW REMOVAL	P1500475	12/01/2015	E AND S SNOWPLOWING	52.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	1,000.00	373.00	0.00	52.00	575.00
18-1816-0000-62400	R & M SERV	P1500462	12/04/2015	ARAMARK UNIFORM SERVICES INC	24.64
		P1503808	12/04/2015	SAFEWAY PEST CONTROL	26.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	24,000.00	22,064.05	247.42	50.64	1,637.89
18-1816-0000-63500	R&M SUPPLIES				

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
		P1500466	12/09/2015	BJ ELECTRIC SUPPLY INC	89.43
		P1500471	11/24/2015	DE VERE COMPANY INC	83.36
		P1500504	12/15/2015	MENARDS	13.98
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	20,000.00	15,472.26	766.25	186.77	3,574.72

**COMMUNICATIONS CTR.OPERATION PROG TOTAL 289.41**

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
18-1817-0000-62400	R & M SERV	P1500462	11/24/2015	ARAMARK UNIFORM SERVICES INC	94.36
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	40,900.00	39,906.33	0.00	94.36	899.31

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
18-1817-0000-63500	R&M SUPPLIES	P1500461	12/17/2015	AARONS LOCK AND SAFE INC	19.75
		P1500476	12/15/2015	ENERGETICS INC	315.00
		P1500477	11/24/2015	FASTENAL COMPANY	4.01
		P1500489	12/11/2015	GRAINGER	417.75
		P1500496	11/30/2015	JANESVILLE WINSUPPLY COMPANY	334.96
		P1500503	11/23/2015	MC MASTER-CARR SUPPLY COMPANY	80.05
		P1500504	11/25/2015	MENARDS	57.98
		P1503852	11/30/2015	POMPS TIRE SERVICE INC	336.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	19,500.00	11,407.92	178.03	1,565.50	6,348.55

**DIVERSION PROG/ASC PROG TOTAL 1,659.86**

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
18-1837-0000-63500	R&M SUPPLIES	P1500469	12/10/2015	CONGRESS GLASS INC	198.00
		P1500477	11/20/2015	FASTENAL COMPANY	36.20
		P1500488	12/07/2015	FIRST SUPPLY LLC	16.16
		P1500496	11/23/2015	JANESVILLE WINSUPPLY COMPANY	556.68
		P1500515	12/18/2015	SHERWIN WILLIAMS	1,143.32
		P1501768	10/04/2015	HALVERSON CARPET CENTER LTD	1,042.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	112,181.00	57,052.80	7,368.44	2,992.36	44,767.40

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
18-1837-0000-67200	CAPITAL IMPROV	P1503801	12/10/2015	BLUEPRINT SHOPPE,THE	135.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	594,790.00	132,552.71	55,107.89	135.00	406,994.40

**JAIL CAPITAL IMPROVEMENTS PROG TOTAL 3,127.36**

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
18-1855-0000-67200	CAPITAL IMPROV	P1503213	12/14/2015	MEAD AND HUNT INC	1,588.00



Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt	
	Budget		YTD Exp	YTD Enc	Pending	Closing Balance
	1,050,000.00		16,000.00	102,412.00	1,588.00	930,000.00
<b>COURTHOUSE SECURITY SYSTEM PROG TOTAL</b>					<b>1,588.00</b>	

I have examined the preceding bills and encumbrances in the total amount of **\$25,868.96**

Claims covering the items are proper and have been previously funded. These items are to be treated as follows:

- A. Bills and encumbrances over \$10,000 referred to the Finance Committee and County Board.
- B. Bills under \$10,000 to be paid.
- C. Encumbrances under \$10,000 to be paid upon acceptance by the Department Head.

Date: **JAN 05 2016**

Dept Head \_\_\_\_\_

Committee Chair \_\_\_\_\_

## MEMORANDUM

TO: General Services Committee

FROM: Jeffrey S. Kuglitsch, Corporation Counsel

DATE: December 8, 2015

RE: Sanctions

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Today's agenda includes a resolution for me to opine as to what sanctions, if any, we could put in our County contracts if the delivery of goods or the completion of detailed services are not completed in the timeframe called for in the contract. This is not a simple question. Certainly, the County has the ability to put language in our contracts that is beneficial to the County which would include some sort of penalty provision for a breach of the required performance. This could be in the nature of compensatory damages, liquidated damages, incidental damages, etc. The problem we have in creating specific language, is that with the myriad of contracts that the County has, one size does not fit all. As I have indicated to this committee in the past, I believe certain protective language can be put into agreements on a case-by-case basis.

With the amount of contracts that the County goes through, I think the County does a pretty good job in making sure our contracts contain language that is beneficial to us and not harmful. This could include a damages provision, or an indemnification clause or any other provisions of the contract. It needs to be understood that a contract is a two-way street and even though we propose certain language, if the other side refuses to enter into it based on that language, we will not have a contract. The County is often in a position of strength where we can certainly try to designate what language must be placed in the contract. However, concerns have been raised that if we make the contracts too onerous, we won't get a lot of bidders. Often now, we only get one or two bidders on a project. Adding penalty provisions up front may create a chilling effect and creates the possibility of not finding anyone willing to bid under those terms and conditions.

Even if we do not have specific damage provisions in our contract for nonperformance and/or substantial performance, the County always has the ability to sue under the contract for the breach of the agreement. We can do this if the other side fails to live up to the terms and conditions that they have contracted to do. The County can also take other steps to protect our interest. For example, in construction contracts, the County will typically keep a retainage account so that the contractor does not get the full amount of the contract price until such time as their performance is substantially completed.

While I could go into a lot of legal jargon as it relates to the different types of remedies that the County would have under their contracts, I do not believe this committee is interested in the legal definitions of incidental, liquidated or consequential damages. I believe the short answer to your question is that the County has the ability to put in these types of penalty provisions and enforce them if there is a breach of contract, breach of expressed or implied warranties, or any other proper claim permitted under applicable law.

My suggestion is, if the General Services Committee has specific concerns about an upcoming project and the project is of the scope and nature that is large enough that such provisions may be warranted, that the suggestion be made that we incorporate such language into the bid documents and go forward from there. Again, I do not believe that a one size fits all approach is workable.

As always, I am available to address any specific questions you may have on this subject.

cc: Josh Smith, County Administrator

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