



Hiawatha Public Library
150 W. Willman St.
Hiawatha, IA 52233

Board Meeting Agenda
Hiawatha Public Library Board of Trustees

August 13, 2019
7:00 p.m.
Glenn Schminke Community Room
Hiawatha Public Library

Library Board President: Brenda Powers

- A. Call to Order
- B. Approval of Agenda
- C. Approval of Consent Agenda
 - 1. Approval of bills
 - 2. Minutes: July 9, 2019
 - 3. Library Director's Report
 - 4. Monthly Report
- D. New Business
 - 1. Strategic Planning discussion-guest Michael Pearson
 - 2. Hiawatha Public Library Expansion and Renovation
 - a. Consider Resolution approving Pay Estimate #1
 - b. Consider Resolution approving Pay Estimate #2
 - c. Consider Resolution approving Pay Estimate #3
 - d. Consider Resolution declining Change Order #2
 - e. Consider Resolution approving Change Order #3
 - f. Consider Resolution approving Change Order #4
- E. Old Business
 - 1. Building project update
 - 2. Committee assignments
 - 3. FY20 committee meeting schedule
- F. General Discussion
- G. Trustee training-patron privacy
- H. President's Report
- I. Adjournment

The next regularly scheduled board meeting is set for Tuesday, September 10, 2019 at 7:00 p.m. in the Glenn Schminke Community Room, Hiawatha Public Library.

August 2019

7/10/2019 through 8/12/2019

8/12/2019

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Date	Account	Num	Description	Memo	Category	Tag	Clr	Amount
EXPENSES								-15,613.08
001-410-6210 Dues-Memberships-Subs								-499.00
8/12/2019	FY20		United Way ...	142 agency...	001-410-621...			-50.00
8/12/2019	FY20		American Lib...	R43743569...	001-410-621...			-449.00
001-410-6310 Bldg Grounds Repair Maint								-249.97
8/12/2019	FY20	Print	Van Meter, I...	SO107280...	001-410-631...			-50.21
8/12/2019	FY20		Plumb Suppl...	6055630	001-410-631...			-199.76
001-410-6424 On-Line with CR Library								-11,704.83
8/12/2019	FY20		Cedar Rapid...	1st quarter	001-410-642...			-11,704.83
001-410-6499 Misc Contractual								-42.00
Cleaning								-42.00
8/12/2019	FY20		Fresh Scent...	125595	001-410-649...			-42.00
001-410-6502 Library Materials								-1,353.23
Adult Audio								-218.75
8/12/2019	FY20	S	Recorded Bo...	76495527	001-410-650...			-31.25
				76497193	001-410-650...			-31.25
				76449060	001-410-650...			-62.50
				76450529	001-410-650...			-31.25
				76451103	001-410-650...			-62.50
Adult Books								-379.99
7/21/2019	FY20	S	Amazon	112-29517...	001-410-650...			-255.03
				114-39824...	001-410-650...			-19.99
				114-79116...	001-410-650...			-104.97
Children's-YA Books								-69.83
7/21/2019	FY20	S	Amazon	113-28837...	001-410-650...			-14.61
				113-18380...	001-410-650...			-17.69
				113-54349...	001-410-650...			-12.95
				113-28318...	001-410-650...			-14.99
8/12/2019	FY20		Scholastic	19628062	001-410-650...			-9.59
DVD								-241.54
Adult DVD								-241.54
7/21/2019	FY20	S	Amazon	114-25606...	001-410-650...			-18.26
				111-31393...	001-410-650...			-29.92
				111-13210...	001-410-650...			-12.96
				111-58299...	001-410-650...			-21.57
				111-37979...	001-410-650...			-125.83
8/12/2019	FY20		Kanopy	162530	001-410-650...			-33.00
Large Print								-148.14
8/12/2019	FY20		Cengage Le...	67417602	001-410-650...			-148.14
Periodicals								-294.98
7/23/2019	FY20		School Libra...	renewal	001-410-650...			-136.99
8/12/2019	FY20		Library Journal	One year re...	001-410-650...			-157.99
001-410-6505 Programming								-437.50
Adult								-213.44
7/21/2019	FY20	S	Amazon	111-05376...	001-410-650...			-106.77
				111-67547...	001-410-650...			-13.78
				111-67547...	001-410-650...			-13.78
				111-19265...	001-410-650...			-12.93
				111-67547...	001-410-650...			-40.20
				111-55882...	001-410-650...			-8.99
				111-55882...	001-410-650...			-16.99



Library Board of Trustees Meeting

Location: Glenn Schminke Community Room

Date: July 9, 2019

Call to Order: 7:03 pm

A. Call to Order – Roll Call Present: Anna Ronnebaum, Matt Dunbar, Brenda Powers, April Neuendorf, Sue Halter, Karlene Nesslage, and Jerry Mohwinkle (arrived at 7:25). Also present: Jeaneal Weeks – HPL Director, Kim Downs – City Administrator, Bill Bennett – Hiawatha Mayor, Rob Archibald – City Council Member, Wade Squires – Fusion Architects

B. Approval of Agenda

The Agenda was reviewed. Karlene Nesslage made a motion to accept the agenda, Anna Ronnebaum seconded and the motion carried.

C. Approval of Consent Agenda

1. Approval of bills
2. Minutes: May 14, 2019
3. Library Director's Report
4. Monthly Report

A motion was made to approve the consent agenda after removing the bills to be voted on separately by Anna Ronnebaum, Matt Dunbar seconded and the motion carried.

Additional items had been added to the bills – these were reviewed. Brenda Powers made a motion to approve the payment of the bills, April Neuendorf seconded and the motion carried.

D. New Business -

1. *Consider Resolution 19-23 authorizing staff as per the AIA Document for Architect Services to Proceed with Supplemental Services with Bluestem including Audio Visual (AV) and review for the Hiawatha Public Library Renovation and Expansion Project*

Anna Ronnebaum made a motion to approve Resolution 19-23, Brenda Powers seconded.

Resolution 19-23 was approved by a roll call vote:

Ayes: Dunbar, Powers, Ronnebaum, Neuendorf, Nesslage & Halter

Nays: none

Absent: Mohwinkle

2. 2019-Hiawatha Public Library Renovation and Expansion Project
 - a. Public Hearing-Consider the proposed plans, specification, form of contract, and estimate of cost on file for the IT, Communication and Data Proposal
 - Public hearing was opened at 7:12 pm and Closed at 7:13 with no comments from the public.
 - Review Bids
 - Consider Resolution 19-24 awarding contract

Motion to approve Resolution 19-24 was made by Brenda Powers, seconded by Sue Halter.

Resolution 19-24 was approved by a roll call vote:

Ayes: Dunbar, Powers, Ronnebaum, Neuendorf, Nesslage & Halter

Nays: none

Absent: Mohwinkle

- b. Public Hearing-Consider the proposed plans, specification, form of contract, and estimate of cost on file for the Audio Visual Proposal- Public hearing was opened at 7:17 pm and Closed at 7:18 with no comments from the public.

- Review Bids
- Consider Resolution awarding contract

Motion to approve Resolution 19-25 was made by Anna Ronnebaum, seconded by Matt Dunbar.

Resolution 19-25 was approved by a roll call vote:

Ayes: Dunbar, Powers, Ronnebaum, Neuendorf, Nesslage & Halter

Nays: none

Absent: Mohwinkle

3. Consider Resolution 19-26 setting and approving Library Non-Union Employees Position Adjustments, Wages and Salary Schedule for FY 2019-2020

Motion to approve Resolution 19-26 was made by Brenda Powers; Matt Dunbar seconded and was then approved by a roll call vote:

Ayes: Dunbar, Powers, Ronnebaum, Neuendorf, Nesslage, Halter, & Mohwinkle

Nays: none

Absent: none

4. Consider Resolution to approve Library Adult Collection Developer job description – not needed because it was covered in item #3.
5. Election of Officer (s) - Vice President
Brenda Powers asked for nominations for the Vice President position, Karlene Nesslage nominated Anna Ronnebaum, Jerry Mohwinkle seconded. No other nominations were made. Anna Ronnebaum was elected to the Vice President position by unanimous roll call vote.

E. Old Business-

1. Building project update – the new parking lot is nearly finished, the electrical boxes have been moved by Alliant, other utilities are being moved as needed. Work has begun on the West side of the building.

F. General Discussion

1. Committee Change-Publicity to Advocacy
2. FY20 committee meeting schedule
Discussion on these 2 topics was held. The committees will be reviewed and some changes to assignments will be made to allow for trustees to be involved in different ways. Then the committees will be added to the agenda for monthly updates.

G. Trustee Training -

1. The move “The Public” will be showing at the Library on Thursday, July 18th at 6:00pm.

H. President’s Report – none

- I. **Adjournment** – Brenda Powers made a motion to adjourn the meeting, Anna Ronnebaum seconded and the motion was carried. Meeting adjourned at 8:18 pm.

Brenda Powers, President

ATTEST:

Karlene Nesslage, Secretary



Hiawatha Public Library
150 West Willman Street
Hiawatha, Iowa 52233
319.393.1414
hiawathapubliclibrary.org

August 2019

Director's Report:

A Universe of Stories was an out of this world experience for patrons of all ages. I commend library staff for their creativity, enthusiasm, and grit. Summer is a hectic environment, and we all pull together to help each other get things done. Summer is also a time when we see new people using the library for the first time, drawn by our programming along with the other services we offer. We make every effort to provide a good experience for newcomers and our regular patrons. First impressions are important, and we hope to retain those new patrons. We are pleased that the construction has not made a big dent in our usage. We have been able to showcase the progress we are making on the expansion, and most patrons seem to appreciate the fact that all this work, noise, and inconvenience will result in a wonderful and spacious place to be.

Director Jeaneal Weeks met with potential new community partner United We March Forward, a non-profit that supports immigrants' integration in the community by providing research directory, classroom workshops, and youth programs. The meeting with Mugisha Bwenge and Kasasila Nyandwi resulted in a desire to learn about what we can offer each other as community organizations. Literacy for new immigrants is an important part of their mission, and we will look for ways to collaborate to better serve the immigrant community.

We welcome Rachel Greene, our new circulation clerk, to the team. Rachel has a B.A. in ethics and public policy from the University of Iowa. She is getting acclimated and learning many new things. We look forward to working with Rachel and introducing her to the community and our patrons.

We would like to welcome Gazette reporter Maddy Arnold who has been assigned to cover the cities of Hiawatha and Marion. She has been able to bring the spotlight to the city and the library already. We were the cover story of the Gazette on Monday <https://www.thegazette.com/subject/news/hiawatha-iowa-library-expansion-20190729> and were featured on KCRG news. In addition, Weeks was quoted in the Sunday Gazette's quotes of the week.

City staff participated in sexual harassment training as part of the city's ongoing training efforts.

Weeks met with CRPL's IT librarian Jill Martinez as part of her monthly visit to address any technology issues related to our shared services. We are working on making it easier for patrons to understand the language on hold notifications and the timing of reports to give us more flexibility in our efforts to search for items put on hold. We also discussed ways to brand and tailor the MLN app for Hiawatha Public Library patron. She also shared CRPL's staff Niche Academy training module so that we could benefit from material they produced regarding shared circulation and resources.

Weeks met with Mike Pearson, strategic planner, Kim Downs and trustees Brenda Powers and Anna Ronnebaum to facilitate his presentation to the full board to begin the strategic planning process.



Youth Services Report:

During July, the expansion project brought changes to the library's exterior, many of which came right up to Youth Services Librarian Alicia Mangin's window. Mangin enjoyed letting kids stand on her countertop and watch the diggers and dump trucks work their magic. Likewise, adults are excited to see the daily progress and absolutely love the new parking lot.

With four reading programs emanating from the youth services department, Mangin is thrilled to share that 1,730 eager readers and caregivers participated. Again, Mangin is pleased with the 60% completion rate attained for both the juvenile and teen programs.

Assembly programs continued to draw big crowds during July. These included The Magic of Rick Eugene, Traveling Lantern Theatre Company, Grout Museum Super Cold Science, The Rope Warrior, Martika Circus and Fire Act and Big Bang Bubbles. Smaller gatherings featured Vesta the Fox, YogArt for Teens, Moon Party Celebrating Apollo 11 50th Anniversary and collaborative events with Linn County Extension featuring entrepreneurship and engineering skills.

National Mississippi River Museum and Aquarium was scheduled to present Ocean Odyssey, a mobile touch tank filled with baby sharks on Monday, August 15. This, our most anticipated event of summer 2019 was canceled when the Museum's transportation broke down on its way to Hiawatha. Never fear! The presenter and the sharks were fine but the van wasn't so fortunate. The Museum had to cancel all scheduled appearances that week. Mangin has rescheduled this event for August 22 and it is sold out.

Alicia Mangin and Adult Programming Librarian Marta Petermann represented the library at CR Pridefest on July 6 in the NewBo district of Cedar Rapids. Mangin and Petermann enjoyed mingling with current library patrons and telling our story to potential new patrons. The CR Pridefest committee estimated that 8,000 people attended this community event.

AmeriCorps Summer Learning Associates Anna Brabston and Morgan Meese completed their terms of service on July 26. Brabston and Meese continued reaching out to senior centers and a school age summer care program. Youth Services Librarian Mangin appreciates their many contributions and will pursue AmeriCorps Summer Learning members again for summer 2020.

Adult Programming Report:

July has flown by. The library offered many opportunities and unique events. We offer thanks to the Hiawatha Parks and Recreation Department for partnering with us to host international variety entertainer Martika. She performed her amazing circus and fire routine on a hot, sunny July day to an audience of over 200. Thank you to all who showed up at Guthridge Park and sweated it out while we watched her in her creative element.

Thank you to NASA Solar System Ambassador Mark Brown. He was nothing short of awesome and was a huge asset to our *Universe of Stories* program this summer. It was great fun having him at our Moon Party, assisting with rocket builds at our teen and tween space camp, teaching us about comets, and granting us the chance to look through a telescope. We are grateful for the information and knowledge he shared with us.

As mentioned in the Youth Services report, we hosted two Americorps employees this summer. Morgan and Anna They worked to provide outreach to care facilities and a local elementary school. They facilitated



programs, helped answer library questions, organized library materials, handed out prizes, and supported the staff during hectic times. They were a big asset, and we appreciate the work they did.

Also mentioned in the Youth Services report, we had the opportunity to have a table at the Cedar Rapids Pride Fest. There was excitement in the air. It was contagious. What a wonderful way to meet the community, say hello to current patrons, and to serve those around us. Festival goers stopped by our table to discuss our programs and services along with questions regarding library materials.

Thank you to all who signed up for the adult summer reading program. We had 115 patrons finish the program this year. That's amazing! We hope to continue to offer fun, educational and cultural experiences, programs, and incentives such grand prizes while encouraging life-long literacy.

Collection Development report:

This is a new report from collection developer Deb Tobias.

I am very excited to be asked to manage collection development for the Hiawatha library. I am currently learning the ins and outs of the software and companies that we use for ordering and maintaining the collection. Due to the future building project, we are actively assessing and reducing the collection in advance of the moving process. Our focus is discarding duplicates and checking for condition of items and deciding whether to replace them. Taryn Kincaid is assisting in this process and we have made a good start on it. You may see in the monthly report the collection statistics reflect this weeding project.

The library has access to many forms of reviewing material to assist in purchasing decisions. The State Library of Iowa has funded a wonderful database for one year. I recently attended a webinar to learn to use the product. This "Core Collection" product is a database of the H. W. Wilson catalogs. In the past, these volumes were published every two years and consisted of Children's Catalog, Fiction Catalog, etc. The product now is updated much more often and consists of a Children's, Fiction, Non-fiction, Middle and Junior High school and Senior High school core collections. The database serves to collect reviews, articles about the titles, and information to help identify other similar titles for our development needs. It is easy to access on the Hiawatha website under "Services and Resources", click on "EBSCO" and select "Core Collections Complete". Please feel free to check it out.

Monthly Report July 2019

MATERIAL CIRCULATION		
Adult	4,209	16%
Juvenile	9,686	38%
Young Adult	1,089	4%
Periodicals	162	1%
DVD Adult	5,324	21%
DVD Juvenile	1,861	7%
Other Materials	93	0%
Kits	73	0.28%
Adult Audio	545	2%
Adult Music	400	2%
Juvenile Audio	147	0.57%
Children's Music	145	0.56%
Young Adult Audio	45	0.17%
Overdrive Audio	632	2.45%
One-Click Audio	87	0.34%
Overdrive E-Books	747	2.90%
3M Cloud Library	215	0.83%
3M Cloud Library Pay		
Per Use	106	0.41%
Zinio Magazines	156	0.61%
Freegal Music	44	0.17%
Total Circulation	25,766	
Last Year's Circulation	25,186	
Change	580	

SELF-CHECK	10,994	46.23%
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DAYS OPEN	26
Ave. Daily Circulation	991

INCOME	
Fines	\$1,026.84
Copier	\$312.40
Postage	\$0.00
FAX	\$58.00
Lost/damaged Books	\$137.96
Lost Cards	\$8.00
ILLs	\$43.00
Room Rental	\$0.00
Merchandise	\$1.50
Total	\$1,587.70

UNIQUE MANAGEMENT		
	Month	Y-T-D
Dollars received	\$73.50	\$73.50
Material returned	\$144.91	\$144.91

OPEN ACCESS CIRCULATION	
Open Access	18,656
Hiawatha	2,494
Linn County	1,477
Cedar Rapids	13,301
Marion	1,938
Robins	1,152
Total Circulation	23,779

LIBRARY VISITS	
2019	14,591
Daily Average	561
2018	15,841
Change	-1,250

INTERLIBRARY LOANS	
ILLs Sent	34
ILLs Received	27

NOTARY	Month	YTD
	13	13

PROCTOR	Month	YTD
	13	13

PROGRAMMING		
	people	programs
Youth	4400	57
Outreach	240	5
Young Adult	671	6
Youth Total	5,311	68
Family	820	2
Adult	212	24
Outreach	70	7
Adult Total	1,102	33

LIBRARY USERS	
Registered Borrowers	8,963
New this Month	98
Withdrawn	111

MEETING ROOM	171
McKenzie	89
Schminke	82
Public	11
Library	71

COLLECTION								
	<i>Adult</i>	<i>Juvenile</i>	<i>Youth</i>	<i>Audio</i>	<i>Video</i>	<i>Periodicals</i>	<i>Music</i>	Total
Items Added	209	160	26	4	237	42	2	680
Items Withdrawn	49	58	3	3	251	24	0	388

Online Resources

	Month	Y-T-D
WEBSITE USERS	1826	1826

	Log Ins	Y-T-D
PRONUNCIATOR	4	4

	Month	Y-T-D
FREEGAL		
Download patrons/song	26/263	26/263
Streaming patrons/song	18/456	18/456

	Month	Y-T-D
BRAINFUSE	10	10

	Month	Y-T-D
NICHE ACADEMY		
Views	21	21

EBSCOHOST		
	Sessions	Y-T-D
Image colle	10	10
Consumer R	0	0
MasterFILE	18	18
Other	32	32
Novelist	0	0
Total	60	60

	Month	Y-T-D
LYNDA		
User Logins	110	110

	Month	Y-T-D
KANOPY		
Plays	22	22

		Last		Change
COMPUTER USE		Ave./Day	Month	
Patrons	1217	46.81	1216	1
Hours	1002	38.54	939	63

	Month	Y-T-D
REFERENCE USA		
Logins	0	0

no data available

CITY ADMINISTRATOR'S OFFICE MEMO**cityadmin@hiawatha-iowa.com****319-393-1515 ext.523****To:** Mayor and City Council**From:** City Administrator, Kim Downs**Date:** August 9, 2019**RE: Hiawatha Public Library Expansion and Renovation Project Pay Estimates 1, 2, and 3**

The Garling Construction has submitted Pay Estimates 1, 2, and 3 for payment documenting materials used/purchased per the specifications and special provisions of the contract.

The contractor has signed the pay estimates along with Fusion and city staff has reviewed each of the documents for quality assurance. No discrepancies were identified. The contractor ensures that the submittals are in the correct and truthful. A 5% retainage is allowed for each pay estimate.

See attached partial payment(s) 1, 2, and 3 for Garling Construction from Belle Plaine, IA for the Hiawatha Public Library Expansion and Renovation Project. This payment is for work completed through July 15.

Recommendation: Fusion Architects and City Staff recommends approval of the partial payments 1, 2, and 3 to Garling Construction in the amount as list below:

Pay Estimate #1 \$55,720.96 (May)

Pay Estimate #2 \$99,408.00 (June)

Pay Estimate #2 \$188,133.25 (July)

As the library board you will above each pay estimate individually. After your approval the pay estimates will be presented to the city council directing the finance director to make payment.

Wade Squires for Fusion will be present for your meeting to help you with the approval if needed.

Thank you for your consideration and approval.

Kim

DRAFT

RESOLUTION NO. 19-

Library Board of Trustees

**RESOLUTION APPROVING PARTIAL PAY ESTIMATE #1
HIAWATHA PUBLIC LIBRARY EXPANSION
AND RENOVATION PROJECT**

WHEREAS, the Hiawatha Board of Trustees of the City of Hiawatha, Iowa, contracted for the Hiawatha Public Library Expansion and Renovation Project with Garling Construction of Belle Plaine, and

WHEREAS, application for Partial Pay Estimate #1 (one) in the amount of \$55,720.96 has been received in the Clerk's Office, and

WHEREAS, the Hiawatha Board of Trustees has received recommendation from the Fusion Architect and city staff to make payment, and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA to approve application for Partial Pay Estimate #1 for the Hiawatha Public Library Expansion and Renovation Project, and directs the City of Hiawatha to make payment to Garling Construction, in the amount of \$55,720.96.

AYES:

NAYS:

ABSENT:

PASSED AND APPROVED this 13th day of August, 2019.

Brenda Powers, President

ATTEST:

Karlene Nesslage, Sectary

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

PAGE 1 of 4

TO (OWNER):

City of Hiawatha
101 Emmons Street
Hiawatha, IA 52233

PROJECT:

Hiawatha Library
150 West Williams Street
Hiawatha, IA 52233

APPLICATION NO: 01

INVOICE NO: 000668
PROJECT NO: 54095
ARCHITECT PROJECT NO:
OWNER PO NO: 54095

Distribution to:

☒ OWNER
☐ ARCHITECT
☐ LENDOR
☐ GENERAL CONTRACTOR
☐ CONSTRUCTION MANAGER
☐ OTHER

FROM: Kendall R Meyeraan
(CONTRACTOR) Garling Construction, Inc.

ARCHITECT:

1120 11th Street
Belle Plaine, IA 52208
General Construction

CONTRACT DATE: 4/15/2019
FROM: 4/15/2019
TO: 5/15/2019

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

Change Orders approved in previous months by Owner	APPROVED	DEDUCTIONS
Total		
Approved this Month		
Number		
Date Approved		
TOTALS		
Net change by Change Orders		

1. ORIGINAL CONTRACT SUM \$3,909,000.00
2. Net change by Change Orders \$3,909,000.00
3. CONTRACT SUM TO DATE (Line 1 + - 2) \$58,653.64
4. TOTAL COMPLETED & STORED TO DATE (Column I on G703)
5. RETAINAGE:
 - a. 5.00% of Completed Work \$2,932.68 (Column F + G on G703)
 - b. of Stored Material (Column H on G703)
6. TOTAL EARNED LESS RETAINAGE \$2,932.68 (Line 4 less Line 5 Total)

Total Retainage (Line 5a + 5b or Total in Column L of G703) \$55,720.96

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT

(Line 6 from prior Certificate).....

- a. CURRENT PAYMENT DUE \$55,720.96
9. BALANCE TO FINISH, PLUS RETAINAGE \$3,853,279.04 (Line 3 less Line 6)

State of: IA
Subscribed and sworn to before me this 20th day of May 2019

Notary Public:

Amptell

My Commission Expires: 3-6-20



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the **AMOUNT CERTIFIED**.

AMOUNT CERTIFIED \$ 55,720.96
Fifty Five Thousand Seven Hundred Twenty Dollars and Ninety Six Cents

(Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT: *Garling*

By: *Garling*

Date: 07.08.19
This certificate is not negotiable. THE AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing
 Contractor's signed Certification is attached.
 CONTRACT DATE: 04/15/2019
 FROM: 05/15/2019
 TO: 05/15/2019
 Use Column L on Contracts where variable retainage for Item

ITEM NO.	DESCRIPTION OF WORK	BILLING CODES	D SCHEDULED VALUE AMOUNT	E PREVIOUS APPLICATION AMOUNT	F PERCENT COMPLETE	G COMPLETED THIS MONTH			I PERCENT COMPLETE	J TOTAL COMPLETE AND STORED TO DATE		K COMPLETE	L BALANCE TO FINISH		
						WORK IN PLACE	STORED MATERIALS			AMOUNT			BALANCE		RETAINAGE
1															
2	Division 1 - General Requirements														
3	Bonds/Insurance Permits	010002	22,325.00			22,325.00			100%	22,325.00		100%			1,116.25
4	Mobilization & Equipment	010003	14,050.00			1,000.00			7%	1,000.00		7%	13,050.00		50.00
5	Management/Supervision/Admin	010004	263,395.00			20,000.00			8%	20,000.00		8%	243,395.00		1,000.00
6	Temporary Utilities / Dumpster	010005	24,550.00			136.00			1%	136.00		1%	24,414.00		6.80
7	Temporary Construction	010009	11,840.00			3,800.00			32%	3,800.00		32%	8,040.00		190.00
8	Clean Up	010020	9,690.00										9,690.00		
9	Winter Conditions	010030	27,665.00										27,665.00		
10	BIM	010038	4,650.00			350.00			8%	350.00		8%	4,300.00		17.50
11	Division 2 - Existing Conditions														
12	Layout & Staking	020050	5,665.00			642.64			11%	642.64		11%	5,022.36		32.13
13	SWPPP	020051	3,480.00			400.00			11%	400.00		11%	3,080.00		20.00
14	Dewatering		37,750.00										37,750.00		
15	Demolition	020052	36,380.00										36,380.00		
16	Earthwork/ Site Cleaning	020063	321,645.00			10,000.00			3%	10,000.00		3%	311,645.00		500.00
17	Asphalt Paving	020069	57,220.00										57,220.00		
18	Landscaping	020090	37,235.00										37,235.00		
19	Division 3 - Concrete														
20	Underpinning Soil Stabilization		57,310.00										57,310.00		
21	Concrete Foundations	030150	236,570.00										236,570.00		
22	Site Concrete		47,580.00										47,580.00		
23	Division 4 - Masonry														
24	Unit Masonry/Masonry Veneer	040325	204,665.00										204,665.00		
25	Division 5 - Metals														
26	Steel Material	050353	123,615.00										123,615.00		
27	Steel Erection		58,030.00										58,030.00		
28	Division 6 - Wood, Plastics & Com														
29	Rough Carpentry/Trusses	060405	206,600.00										206,600.00		
30	Finish Carpentry/Casework	060415	59,445.00										59,445.00		
31	Division 7 - Thermal & Moist. Pro														
32	Sheet Waterproofing	070476	31,610.00										31,610.00		
33	Water Repellents	070477	5,020.00										5,020.00		
34	Insulation	070478	36,600.00										36,600.00		
35	Weather Barriers	070480	14,875.00										14,875.00		
PAGE TOTALS			\$1,959,480.00			\$88,653.64			3%	\$88,653.64		3%	\$1,900,806.36		\$2,932.68
REGULAR ITEM TOTALS			\$3,909,000.00			\$88,653.64			2%	\$88,653.64		2%	\$3,850,346.36		\$2,932.68
CHANGE ORDERS															
GRAND TOTALS			\$3,909,000.00			\$88,653.64			2%	\$88,653.64		2%	\$3,850,346.36		\$2,932.68

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing
 Contractor's signed Certification is attached.
 CONTRACT DATE: 04/15/2019 FROM: 05/15/2019 TO: 05/15/2019
 In tabulations below, amounts are stated to the nearest dollar.
 Use Column L on Contracts where variable retainage for line

ITEM NO	DESCRIPTION OF WORK	BILLING CODES	SCHEDULED VALUE	PREVIOUS APPLICATION		COMPLETED THIS MONTH		TOTAL COMPLETE AND		BALANCE TO FINISH	
				AMOUNT	PERCENT COMPLETE	WORK IN PLACE	STORED MATERIALS	AMOUNT	PERCENT COMPLETE	BALANCE	RETAINAGE
36	Asphalt Shingles		63,855.00							63,855.00	
37	Metal Roofing/Flashing/Spec		51,625.00							51,625.00	
38	Joint Sealants		6,675.00							6,675.00	
39	Division 8 - Openings										
40	Doors/Frames/Hardware	080502	83,185.00							83,185.00	
41	Access Doors	080510	600.00							600.00	
42	Alum Strtnt/Security Wdw/Glazing	080513	24,915.00							24,915.00	
43	Wood Windows	090551	53,860.00							53,860.00	
44	Division 9 - Finishes										
45	Gypsum Board Assemblies	090555	105,830.00							105,830.00	
46	Veneer Plastering	090560	22,225.00							22,225.00	
47	Tiling	090564	8,410.00							8,410.00	
48	Resilient Flooring	090566	28,645.00							28,645.00	
49	Tile Carpeting		56,920.00							56,920.00	
50	Acoustical Ceilings		51,310.00							51,310.00	
51	Painting/Wall Covering		57,065.00							57,065.00	
52	Division 10 - Specialties										
53	Signage	100601	22,780.00							22,780.00	
54	Toilet Compartments	100606	950.00							950.00	
55	Operable Partitions	100607	43,905.00							43,905.00	
56	Wall Protection	100610	3,920.00							3,920.00	
57	Toilet Accessories	100613	9,680.00							9,680.00	
58	Fire Protection Specialties		920.00							920.00	
59	Flagpoles		4,200.00							4,200.00	
60	Division 11 - Equipment										
61	Library Equipment	110640	6,140.00							6,140.00	
62	Division 12 - Furnishings										
63	Hortz.Blinds/Wdw Shades	120680	9,330.00							9,330.00	
64	Entrance Floor mats & Frames		5,145.00							5,145.00	
65	Division 14 - Conveying Equip										
66	Electric Traction Elevators	140755	102,170.00							102,170.00	
67	Division 21 - Fire Suppression										
68	Fire Suppression/Sprinkler	150766	109,230.00							109,230.00	
69	Division 22 - Plumbing										
70	Plumbing Mobilization		20,845.00							20,845.00	
PAGE TOTALS			\$954,335.00							\$954,335.00	
REGULAR ITEM TOTALS			\$3,909,000.00							\$3,909,000.00	
CHANGE ORDERS											
GRAND TOTALS			\$3,909,000.00							\$3,909,000.00	

CONTINUATION SHEET AIA DOCUMENT G703 PROJECT: 54095 REGULAR ITEMS										PAGE 4 of 4			
AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.										APPLICATION NO: 01			
In tabulations below, amounts are stated to the nearest dollar.										INVOICE NO: 000668			
Use Column L on Contracts where variable retainage for line										PROJECT NO: 54095			
										ARCHITECT PROJECT NO:			
ITEM NO	DESCRIPTION OF WORK	BILLING CODES	SCHEDULED VALUE	PREVIOUS APPLICATION		COMPLETED THIS MONTH			TOTAL COMPLETE AND STORED TO DATE		BALANCE TO FINISH		
				AMOUNT	PERCENT COMPLETE	WORK IN PLACE	STORED MATERIALS	PERCENT COMPLETE	AMOUNT	COMPLETE	BALANCE	RETAINAGE	
70	Plumbing Piping		83,670.00								83,670.00		
71	Plumbing Fixtures		44,460.00								44,460.00		
72	Division 23 - HVAC												
73	Mechanical Equipment		12,585.00								12,585.00		
74	HVAC Ductwork & Equip	150760	386,760.00								386,760.00		
75	Insulation		42,585.00								42,585.00		
76	Temp Controls		63,880.00								63,880.00		
77	Testing & Balancing		6,815.00								6,815.00		
78	Division 26, 27, 28 - Electrical												
79	Branch Circuit Wiring material		15,285.00								15,285.00		
80	Branch Circuit Wiring Labor		48,490.00								48,490.00		
81	Service Feeder Material		36,365.00								36,365.00		
82	Service Feeder Labor		20,030.00								20,030.00		
83	Panelboard Switch gear material		7,380.00								7,380.00		
84	Panelboard Switch gear Labor		1,055.00								1,055.00		
85	Schedule Material - Material		24,770.00								24,770.00		
86	Schedule Material Labor		6,850.00								6,850.00		
87	Lighting Fixtures material	160800	115,165.00								115,165.00		
88	Lighting Fixtures Labor		28,460.00								28,460.00		
89	Communication Material		41,640.00								41,640.00		
90	Communication Labor		1,055.00								1,055.00		
91	Motors Labor		2,635.00								2,635.00		
92	Misc Material		4,745.00								4,745.00		
93	Misc Labor		525.00								525.00		
94													
95													
96													
97													
98													
99													
100													
101													
102													
103													
104													
105													
PAGE TOTALS			\$995,205.00								\$995,205.00		
REGULAR ITEM TOTALS			\$3,909,000.00			\$58,653.64		2%	\$58,653.64	2%	\$3,850,346.36		\$2,932.68
CHANGE ORDERS													
GRAND TOTALS			\$3,909,000.00			\$58,653.64		2%	\$58,653.64	2%	\$3,850,346.36		\$2,932.68

MODIFIED AIA G703 - CONTINUATION SHEET FOR G702

DRAFT

RESOLUTION NO. 19-

Library Board of Trustees

RESOLUTION APPROVING PARTIAL PAY ESTIMATE #2

HIAWATHA PUBLIC LIBRARY EXPANSION

AND RENOVATION PROJECT

WHEREAS, the Hiawatha Board of Trustees of the City of Hiawatha, Iowa, contracted for the Hiawatha Public Library Expansion and Renovation Project with Garling Construction of Belle Plaine, and

WHEREAS, application for Partial Pay Estimate #2 (two) in the amount of \$99,408.00 has been received in the Clerk's Office, and

WHEREAS, the Hiawatha Board of Trustees has received recommendation from the Fusion Architect and city staff to make payment, and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA to approve application for Partial Pay Estimate #2 for the Hiawatha Public Library Expansion and Renovation Project, and directs the City of Hiawatha to make payment to Garling Construction, in the amount of \$99,408.00.

AYES:

NAYS:

ABSENT:

PASSED AND APPROVED this 13th day of August, 2019.

Brenda Powers, President

ATTEST:

Karlene Nesslage, Sectary

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

PAGE 1 of 4

TO (OWNER):

City of Hiawatha
101 Emmons Street
Hiawatha, IA 52233

PROJECT: Hiawatha Library

150 West Williams Street
Hiawatha, IA 52233

APPLICATION NO: 02

INVOICE NO: 000718

PROJECT NO: 54095

ARCHITECT PROJECT NO:

OWNER PO NO: 54095

Distribution to:

☒ OWNER
☐ ARCHITECT
☐ LENDER
☐ GENERAL CONTRACTOR
☐ CONSTRUCTION MANAGER
☐ OTHER

FROM:
(CONTRACTOR)

Kendall R Meyeraan
Garling Construction, Inc.

ARCHITECT:

1120 11th Street
Belle Plaine, IA 52208
General Construction

CONTRACT DATE:

FROM: 5/16/2019

TO:

6/14/2019

CONTRACT FOR: General Construction

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

Change Orders approved in previous months by Owner	APPROVED	DEDUCTIONS
Total		
Approved this Month		
Number	Date Approved	
TOTALS		
Net change by Change Orders		

1. ORIGINAL CONTRACT SUM \$3,909,000.00
2. NET change by Change Orders \$3,909,000.00
3. CONTRACT SUM TO DATE (Line 1 + 2) \$163,293.64
4. TOTAL COMPLETED & STORED TO DATE (Column I on G703)
5. RETAINAGE:
 - a. 5.00% of Completed Work \$8,164.68
 - b. (Column F + G on G703) of Stored Material (Column H on G703)
6. TOTAL EARNED LESS RETAINAGE \$8,164.68
Total in Column L of G703 \$155,128.96
(Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT

(Line 6 from prior Certificate) \$55,720.96

8. CURRENT PAYMENT DUE

(Line 6 from prior Certificate) \$99,408.00

9. BALANCE TO FINISH, PLUS RETAINAGE

(Line 3 less Line 6) \$3,753,871.04

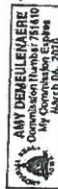
State of: IA

Subscribed and sworn to before me this 14th day of June, 2019

Notary Public:

Am. Delled

My Commission Expires: 3-6-20



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the **AMOUNT CERTIFIED**.

AMOUNT CERTIFIED \$ 99,408.00
Ninety Nine Thousand Four Hundred Eight Dollars and No Cents

(Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT:

By: *[Signature]*

Date: 7-2-19

This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein.

Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

A	B	C	D	E	F	G	H	I	J	K	L	M
ITEM NO.	DESCRIPTION OF WORK	BILLING CODES	SCHEDULED VALUE	PREVIOUS APPLICATION		COMPLETED THIS MONTH			TOTAL COMPLETE AND		BALANCE TO FINISH	
			AMOUNT	AMOUNT	PERCENT COMPLETE	WORK IN PLACE	STORED MATERIALS	PERCENT COMPLETE	STORED TO DATE AMOUNT	COMPLETE	BALANCE	RETAINAGE
1												
2	Division 1 - General Requirements											
3	Bonds/Insurance Permits	010002	22,325.00	22,325.00	100%				22,325.00	100%		1,116.25
4	Mobilization & Equipment	010003	14,050.00	1,000.00	7%				3,250.00	23%	10,800.00	162.50
5	Management/Supervision/Admin	010004	263,395.00	20,000.00	8%				38,500.00	15%	224,895.00	1,925.00
6	Temporary Utilities /Dumpster	010005	24,550.00	136.00	1%				1,636.00	7%	22,914.00	81.80
7	Temporary Construction	010009	11,840.00	3,800.00	32%				7,050.00	60%	4,790.00	352.50
8	Clean Up	010020	9,690.00						300.00	3%	9,390.00	15.00
9	Winter Conditions	010030	27,665.00								27,665.00	
10	BIM	010038	4,650.00	350.00	8%				2,350.00	51%	2,300.00	117.50
11	Division 2 - Existing Conditions											
12	Layout & Staking	020050	5,665.00	642.64	11%				1,427.64	25%	4,237.36	71.38
13	SWPPP	020051	3,480.00	400.00	11%				400.00	11%	3,080.00	20.00
14	Dewatering		37,750.00								37,750.00	
15	Demolition	020052	36,380.00						900.00	2%	35,480.00	45.00
16	Earthwork/ Site Cleaning	020063	321,645.00	10,000.00	3%				70,000.00	22%	251,645.00	3,500.00
17	Asphalt Paving	020069	57,220.00								57,220.00	
18	Landscaping	020090	37,235.00								37,235.00	
19	Division 3 - Concrete											
20	Underpinning Soil Stabilization		57,310.00								57,310.00	
21	Concrete Foundations	030150	236,570.00								236,570.00	
22	Site Concrete		47,580.00						7,325.00	15%	40,255.00	366.25
23	Division 4 - Masonry											
24	Unit Masonry/Masonry Veneer	040325	204,665.00								204,665.00	
25	Division 5 - Metals											
26	Steel Material	050353	123,615.00								123,615.00	
27	Steel Erection		58,030.00								58,030.00	
28	Division 6 - Wood, Plastics & Com											
29	Rough Carpentry/Trusses	060405	206,600.00								206,600.00	
30	Finish Carpentry/Casework	060415	59,445.00								59,445.00	
31	Division 7 - Thermal & Moist. Pro											
32	Sheet Waterproofing	070476	31,610.00								31,610.00	
33	Water Repellents	070477	5,020.00								5,020.00	
34	Insulation	070478	36,600.00								36,600.00	
35	Weather Barriers	070480	14,875.00								14,875.00	
	PAGE TOTALS		\$1,959,460.00	\$58,653.64	3%		\$96,810.00		\$155,463.64	8%	\$1,803,996.36	\$7,773.18
	REGULAR ITEM TOTALS		\$3,909,000.00	\$58,653.64	2%		\$104,640.00		\$163,293.64	4%	\$3,745,706.36	\$8,164.68
	CHANGE ORDERS											
	GRAND TOTALS		\$3,909,000.00	\$58,653.64	2%		\$104,640.00		\$163,293.64	4%	\$3,745,706.36	\$8,164.68

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing
 Contractor's signed Certification is attached.
 CONTRACT DATE: 05/16/2019 FROM: 05/16/2019 TO: 06/14/2019
 In tabulations below, amounts are stated to the nearest dollar.
 Use Column L on Contracts where variable retainage for item

ITEM NO	DESCRIPTION OF WORK	BILLING CODES	D SCHEDULED VALUE		E PREVIOUS APPLICATION		F PERCENT COMPLETE		G WORK IN PLACE		H STORED MATERIALS		I PERCENT COMPLETE		J TOTAL COMPLETE AND STORED TO DATE		K COMPLETE		L BALANCE TO FINISH		M RETAINAGE
			AMOUNT	PERCENT COMPLETE	AMOUNT	PERCENT COMPLETE	AMOUNT	PERCENT COMPLETE	AMOUNT	PERCENT COMPLETE	AMOUNT	PERCENT COMPLETE	AMOUNT	PERCENT COMPLETE	AMOUNT	PERCENT COMPLETE	AMOUNT	PERCENT COMPLETE	BALANCE	PERCENT COMPLETE	
36	Asphalt Shingles		63,855.00																63,855.00		
37	Metal Roofing/Flashing/Spec		51,625.00																51,625.00		
38	Joint Sealants		6,675.00																6,675.00		
39	Division 8 - Openings																				
40	Doors/Frames/Hardware	080502	83,185.00																83,185.00		
41	Access Doors	080510	600.00																600.00		
42	Alum Sirtfrnt/Security Wdw/Glazing	080513	24,915.00																24,915.00		
43	Wood Windows	090551	53,860.00																53,860.00		
44	Division 9 - Finishes																				
45	Gypsum Board Assemblies	090555	105,830.00																105,830.00		
46	Veneer Plastering	090560	22,225.00																22,225.00		
47	Tiling	090564	8,410.00																8,410.00		
48	Resilient Flooring	090566	28,645.00																28,645.00		
49	Tile Carpeting		56,920.00																56,920.00		
50	Acoustical Ceilings		51,310.00																51,310.00		
51	Painting/Wall Covering		57,065.00																57,065.00		
52	Division 10 - Specialties																				
53	Signage	100601	22,780.00																22,780.00		
54	Toilet Compartments	100606	950.00																950.00		
55	Operable Partitions	100607	43,905.00																43,905.00		
56	Wall Protection	100610	3,920.00																3,920.00		
57	Toilet Accessories	100613	9,680.00																9,680.00		
58	Fire Protection Specialties		920.00																920.00		
59	Flagpoles		4,200.00																4,200.00		
60	Division 11 - Equipment																				
61	Library Equipment	110640	6,140.00																6,140.00		
62	Division 12 - Furnishings																				
63	Horiz Blinds/Wdw Shades	120680	9,330.00																9,330.00		
64	Entrance Floor mats & Frames		5,145.00																5,145.00		
65	Division 14 - Conveying Equip																				
66	Electric Traction Elevators	140755	102,170.00																102,170.00		
67	Division 21 - Fire Suppression																				
68	Fire Suppression/Sprinkler	150766	109,230.00																109,230.00		
69	Division 22 - Plumbing																				
70	Plumbing Mobilization		20,845.00																		
	PAGE TOTALS		\$954,335.00						\$550.00				3%		550.00				20,295.00		27.50
	REGULAR ITEM TOTALS		\$3,909,000.00						\$550.00				0%		\$550.00				\$953,785.00		\$27.50
	CHANGE ORDERS								\$104,640.00				3%		\$163,293.64				\$3,745,706.36		\$8,164.68
	GRAND TOTALS		\$3,909,000.00						\$104,640.00				3%		\$163,293.64				\$3,745,706.36		\$8,164.68

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing
 Contractor's signed Certification is attached.
 In tabulations below, amounts are stated to the nearest dollar.
 Use Column L on Contracts where variable retainage for limit

ITEM NO	DESCRIPTION OF WORK	BILLING CODES	D SCHEDULED VALUE	E PREVIOUS APPLICATION		F COMPLETED THIS MONTH		I PERCENT COMPLETE	J TOTAL COMPLETE AND STORED TO DATE		K BALANCE TO FINISH	
				AMOUNT	PERCENT COMPLETE	WORK IN PLACE	STORED MATERIALS		AMOUNT	COMPLETE	BALANCE	RETAINAGE
71	Plumbing Piping		83,670.00								83,670.00	
72	Plumbing Fixtures		44,460.00								44,460.00	
73	Division 23 - HVAC											
74	Mechanical Equipment		12,585.00								12,585.00	
75	HVAC Ductwork & Equip	150760	386,760.00								386,760.00	
76	Insulation		42,585.00								42,585.00	
77	Temp Controls		63,880.00								63,880.00	
78	Testing & Balancing		6,815.00								6,815.00	
79	Divisions 26, 27, 28 - Electrical											
80	Branch Circuit Wiring Material		15,285.00			3,100.00		20%	3,100.00	20%	12,185.00	155.00
81	Branch Circuit Wiring Labor		48,490.00								48,490.00	
82	Service Feeder Material		36,365.00			3,650.00		10%	3,650.00	10%	32,715.00	182.50
83	Service Feeder Labor		20,030.00								20,030.00	
84	Panelboard Switch gear material		7,380.00								7,380.00	
85	Panelboard Switch gear Labor		1,055.00								1,055.00	
86	Schedule Material - Material		24,770.00								24,770.00	
87	Schedule Material Labor		6,950.00								6,950.00	
88	Lighting Fixtures material	160800	115,165.00								115,165.00	
89	Lighting Fixtures Labor		28,460.00								28,460.00	
90	Communication Material		41,640.00								41,640.00	
91	Communication Labor		1,055.00								1,055.00	
92	Motors Labor		2,635.00								2,635.00	
93	Misc Material		4,745.00			475.00		10%	475.00	10%	4,270.00	23.75
94	Misc Labor		525.00			55.00		10%	55.00	10%	470.00	2.75
95												
96												
97												
98												
99												
100												
101												
102												
103												
104												
105												
PAGE TOTALS			\$995,205.00			\$7,280.00		1%	\$7,280.00	1%	\$987,925.00	\$364.00
REGULAR ITEM TOTALS			\$3,909,000.00		2%	\$104,640.00		3%	\$163,293.64	4%	\$3,745,706.36	\$8,164.68
CHANGE ORDERS												
GRAND TOTALS			\$3,909,000.00		2%	\$104,640.00		3%	\$163,293.64	4%	\$3,745,706.36	\$8,164.68

DRAFT

RESOLUTION NO. 19-
Library Board of Trustees

**RESOLUTION APPROVING PARTIAL PAY ESTIMATE #3
HIAWATHA PUBLIC LIBRARY EXPANSION
AND RENOVATION PROJECT**

WHEREAS, the Hiawatha Board of Trustees of the City of Hiawatha, Iowa, contracted for the Hiawatha Public Library Expansion and Renovation Project with Garling Construction of Belle Plaine, and

WHEREAS, application for Partial Pay Estimate #3 (three) in the amount of \$188,133.25 has been received in the Clerk's Office, and

WHEREAS, the Hiawatha Board of Trustees has received recommendation from the Fusion Architect and city staff to make payment, and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA to approve application for Partial Pay Estimate #3 for the Hiawatha Public Library Expansion and Renovation Project, and directs the City of Hiawatha to make payment to Garling Construction, in the amount of \$188,133.25.

AYES:

NAYS:

ABSENT:

PASSED AND APPROVED this 13th day of August, 2019.

Brenda Powers, President

ATTEST:

Karlene Nesslage, Sectary

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

PAGE 1 of 4

TO (OWNER): City of Hiawatha
101 Emmons Street
Hiawatha, IA 52233

PROJECT: Hiawatha Library

APPLICATION NO: 03
INVOICE NO: 000766
PROJECT NO: 54095
ARCHITECT PROJECT NO:
OWNER PO NO: 54095

Distribution to:
☒ OWNER
☐ ARCHITECT
☐ LENDOR
☐ GENERAL CONTRACTOR
☐ CONSTRUCTION MANAGER
☐ OTHER

FROM: Kendall R Meyeraan
(CONTRACTOR) Garling Construction, Inc.
1120 11th Street
Belle Plaine, IA 52208

ARCHITECT:

CONTRACT FOR: General Construction

CONTRACT DATE: 6/15/2019
FROM: 6/15/2019
TO: 7/15/2019

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

Change Orders approved in previous months by Owner	APPROVED	DEDUCTIONS
Approved this Month		
Number	Date Approved	
TOTALS		

1. ORIGINAL CONTRACT SUM \$3,909,000.00
2. Net change by Change Orders \$3,909,000.00
3. CONTRACT SUM TO DATE (Line 1 + 2) \$361,328.64
4. TOTAL COMPLETED & STORED TO DATE
(Column I on G703)
5. RETAINAGE:
 - a. 5.00% of Completed Work \$18,066.43
(Column F + G on G703)
 - b. of Stored Material
(Column H on G703)
 Total Retainage (Line 5a + 5b or Total in Column L of G703) \$18,066.43
6. TOTAL EARNED LESS RETAINAGE
(Line 4 less Line 5 Total) \$343,262.21

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT

8. CURRENT PAYMENT DUE
(Line 6 from prior Certificate) \$155,128.96
9. BALANCE TO FINISH, PLUS RETAINAGE
(Line 3 less Line 6) \$188,133.25
..... \$3,565,737.79

State of: IA
Subscribed and sworn to before me this 15th day of July, 2019

CONTRACTOR: Garling Construction, Inc.

BY:  DATE: 7-15-19

Notary Public: 

My Commission Expires: 3-6-20



ARCHITECTS CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the **AMOUNT CERTIFIED**.

AMOUNT CERTIFIED \$ 188,133.25
One Hundred Eighty Thousand One Hundred Thirty Three Dollars and Twenty Five Cents

(Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT:  DATE: 7.30.19

By: This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET AIA DOCUMENT G703 PROJECT: 54095 REGULAR ITEMS PAGE 2 of 4

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing
 Contractor's signed Certification is attached.
 In tabulations below, amounts are stated to the nearest dollar.
 Use Column L on Contracts where variable retainage for Item

APPLICATION NO: 03
 INVOICE NO: 000766
 PROJECT NO: 54095
 ARCHITECT PROJECT NO:

CONTRACT DATE: 06/15/2019
 FROM: 06/15/2019
 TO: 07/15/2019

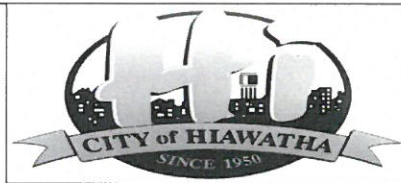
A	B	C	D	E	F	G	H	I	J	K	L	M
ITEM NO	DESCRIPTION OF WORK	BILLING CODES	SCHEDULED VALUE	PREVIOUS APPLICATION		COMPLETED THIS MONTH			TOTAL COMPLETE AND		BALANCE TO FINISH	
			AMOUNT	AMOUNT	PERCENT COMPLETE	WORK IN PLACE	STORED MATERIALS	PERCENT COMPLETE	STORED TO DATE AMOUNT	COMPLETE	BALANCE	RETAINAGE
1												
2	Division 1 - General Requirements											
3	Bonds/Insurance Permits	010002	22,325.00	22,325.00	100%				22,325.00	100%		1,116.25
4	Mobilization & Equipment	010003	14,050.00	3,250.00	23%	1,000.00			4,250.00	30%	9,800.00	212.50
5	Management/Supervision/Admin	010004	263,395.00	38,500.00	15%	22,500.00			61,000.00	23%	202,395.00	3,050.00
6	Temporary Utilities /Dumpster	010005	24,550.00	1,636.00	7%	1,000.00			2,636.00	11%	21,914.00	131.80
7	Temporary Construction	010009	11,840.00	7,050.00	60%	2,250.00			9,300.00	79%	2,540.00	465.00
8	Clean Up	010020	9,690.00	300.00	3%				1,750.00	18%	7,940.00	87.50
9	Winter Conditions	010030	27,665.00			1,450.00					27,665.00	
10	BIM	010038	4,650.00	2,350.00	51%				2,350.00	51%	2,300.00	117.50
11	Division 2 - Existing Conditions											
12	Layout & Staking	020050	5,665.00	1,427.64	25%	3,675.00			5,102.64	90%	562.36	255.13
13	SWPPP	020051	3,480.00	400.00	11%	600.00			1,000.00	29%	2,480.00	50.00
14	Dewatering		37,750.00			1,500.00			1,500.00	4%	36,250.00	75.00
15	Demolition	020052	36,380.00	900.00	2%	7,030.00			7,930.00	22%	28,450.00	396.50
16	Earthwork/ Site Cleaning	020063	321,645.00	70,000.00	22%	45,000.00			115,000.00	36%	206,645.00	5,750.00
17	Asphalt Paving	020069	57,220.00			35,000.00			35,000.00	61%	22,220.00	1,750.00
18	Landscaping	020090	37,235.00								37,235.00	
19	Division 3 - Concrete											
20	Underpinning Soil Stabilization		57,310.00			57,310.00			57,310.00	100%		2,865.50
21	Concrete Foundations	030150	236,570.00								236,570.00	
22	Site Concrete		47,580.00	7,325.00	15%	8,000.00			15,325.00	32%	32,255.00	766.25
23	Division 4 - Masonry											
24	Unit Masonry/Masonry Veneer	040325	204,665.00								204,665.00	
25	Division 5 - Metals											
26	Steel Material	050353	123,615.00								123,615.00	
27	Steel Erection		58,030.00								58,030.00	
28	Division 6 - Wood, Plastics & Com											
29	Rough Carpentry/Trusses	060405	206,600.00								206,600.00	
30	Finish Carpentry/Casework	060415	59,445.00								59,445.00	
31	Division 7 - Thermal & Moist. Prot											
32	Sheet Waterproofing	070476	31,610.00								31,610.00	
33	Water Repellents	070477	5,020.00								5,020.00	
34	Insulation	070478	36,600.00								36,600.00	
35	Weather Barriers	070480	14,875.00								14,875.00	
	PAGE TOTALS		\$1,959,460.00	\$155,463.64	8%	\$186,315.00		10%	\$341,778.64	17%	\$1,617,681.36	\$17,088.93
	REGULAR ITEM TOTALS		\$3,909,000.00	\$163,293.64	4%	\$198,035.00		5%	\$361,328.64	9%	\$3,547,671.36	\$18,066.43
	CHANGE ORDERS											
	GRAND TOTALS		\$3,909,000.00	\$163,293.64	4%	\$198,035.00		5%	\$361,328.64	9%	\$3,547,671.36	\$18,066.43

MODIFIED AIA G703 - CONTINUATION SHEET FOR G702

CONTINUATION SHEET AIA DOCUMENT G703 PROJECT: 54095 REGULAR ITEMS												
AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing												
Contractor's signed Certification is attached.												
In tabulations below, amounts are stated to the nearest dollar.												
Use Column L on Contracts where variable retainage for line												
ITEM NO	DESCRIPTION OF WORK	BILLING CODES	SCHEDULED VALUE		PREVIOUS APPLICATION		COMPLETED THIS MONTH		TOTAL COMPLETE AND		BALANCE TO FINISH	
			AMOUNT	PERCENT COMPLETE	AMOUNT	PERCENT COMPLETE	WORK IN PLACE	STORED MATERIALS	AMOUNT	PERCENT COMPLETE	BALANCE	RETAINAGE
36	Asphalt Shingles		63,855.00								63,855.00	
37	Metal Roofing/Flashing/Spec		51,625.00								51,625.00	
38	Joint Sealants		6,675.00								6,675.00	
39	Division 8 - Openings											
40	Doors/Frames/Hardware	080502	83,185.00								83,185.00	
41	Access Doors	080510	600.00								600.00	
42	Alum Strfrnt/Security Wdw/Glazing	080513	24,915.00								24,915.00	
43	Wood Windows	090551	53,860.00								53,860.00	
44	Division 9 - Finishes											
45	Gypsum Board Assemblies	090555	105,830.00								105,830.00	
46	Veneer Plastering	090560	22,225.00								22,225.00	
47	Tiling	090564	8,410.00								8,410.00	
48	Resilient Flooring	090566	28,645.00								28,645.00	
49	Tile Carpeting		56,920.00								56,920.00	
50	Acoustical Ceilings		51,310.00								51,310.00	
51	Painting/Wall Covering		57,065.00								57,065.00	
52	Division 10 - Specialties											
53	Signage	100601	22,780.00				325.00		325.00	1%	22,455.00	16.25
54	Toilet Compartments	100606	950.00								950.00	
55	Operable Partitions	100607	43,905.00								43,905.00	
56	Wall Protection	100610	3,920.00								3,920.00	
57	Toilet Accessories	100613	9,680.00								9,680.00	
58	Fire Protection Specialties		920.00								920.00	
59	Flagpoles		4,200.00								4,200.00	
60	Division 11 - Equipment											
61	Library Equipment	110640	6,140.00								6,140.00	
62	Division 12 - Furnishings											
63	Horiz.Blinds/Wdw Shades	120680	9,330.00								9,330.00	
64	Entrance Floor mats & frames		5,145.00								5,145.00	
65	Division 14 - Conveying Equip											
66	Electric Traction Elevators	140755	102,170.00								102,170.00	
67	Division 21 - Fire Suppression											
68	Fire Suppression/Sprinkler	150766	109,230.00								109,230.00	
69	Plumbing Mobilization											
70	PAGE TOTALS		20,845.00	3%	550.00	13%	2,625.00		3,175.00	15%	17,670.00	158.75
	REGULAR ITEM TOTALS		\$954,335.00	0%	\$550.00	0%	\$2,950.00		\$3,500.00	0%	\$950,835.00	\$175.00
	CHANGE ORDERS		\$3,909,000.00	4%	\$163,293.64	5%	\$198,035.00		\$361,328.64	9%	\$3,547,671.36	\$18,066.43
	GRAND TOTALS		\$3,909,000.00	4%	\$163,293.64	5%	\$198,035.00		\$361,328.64	9%	\$3,547,671.36	\$18,066.43

MODIFIED AIA G703 - CONTINUATION SHEET FOR G702

ITEM NO	DESCRIPTION OF WORK	BILLING CODES	D SCHEDULED VALUE AMOUNT	E PREVIOUS APPLICATION		F PERCENT COMPLETE		G COMPLETED THIS MONTH		H STORED MATERIALS		I PERCENT COMPLETE		J TOTAL COMPLETE AND STORED TO DATE		K AMOUNT		L BALANCE		M RETAINAGE
				AMOUNT	AMOUNT	PERCENT COMPLETE	PERCENT COMPLETE	WORK IN PLACE	STORED MATERIALS	STORED MATERIALS	PERCENT COMPLETE	PERCENT COMPLETE	PERCENT COMPLETE	AMOUNT	COMPLETE	AMOUNT	COMPLETE	BALANCE	COMPLETE	
71	Plumbing Piping		83,670.00															83,670.00		
72	Plumbing Fixtures		44,460.00															44,460.00		
73	Division 23 - HVAC																			
74	Mechanical Equipment		12,585.00															12,585.00		
75	HVAC Ductwork & Equip	150760	386,760.00															386,760.00		
76	Insulation		42,585.00															42,585.00		
77	Temp Controls		63,880.00															63,880.00		
78	Testing & Balancing		6,815.00															6,815.00		
79	Divisions 26, 27, 28 - Electrical																			
80	Branch Circuit Wiring material		15,285.00		3,100.00	20%								3,100.00	20%			12,185.00		155.00
81	Branch Circuit Wiring Labor		48,490.00															48,490.00		
82	Service Feeder Material		36,365.00		3,650.00	10%								3,650.00	10%			32,715.00		182.50
83	Service Feeder Labor		20,030.00															20,030.00		
84	Panelboard Switch gear material		7,380.00					2,110.00				29%		2,110.00	29%			5,270.00		105.50
85	Panelboard Switch gear Labor		1,055.00															1,055.00		
86	Schedule Material -Material		24,770.00															24,770.00		
87	Schedule Material Labor		6,850.00															6,850.00		
88	Lighting Fixtures material	160800	115,165.00															115,165.00		
89	Lighting Fixtures Labor		28,460.00					6,660.00				16%		6,660.00	16%			28,460.00		
90	Communication Material		41,640.00															41,640.00		
91	Communication Labor		1,055.00															1,055.00		
92	Motors Labor		2,635.00															2,635.00		
93	Misc Material		4,745.00		475.00	10%								475.00	10%			4,270.00		23.75
94	Misc Labor		525.00		55.00	10%								55.00	10%			470.00		2.75
95																				
96																				
97																				
98																				
99																				
100																				
101																				
102																				
103																				
104																				
105																				
PAGE TOTALS			\$995,205.00		\$7,280.00	1%		\$8,770.00				1%		\$16,050.00	2%			\$979,155.00		\$802.50
REGULAR ITEM TOTALS			\$3,909,000.00		\$163,293.64	4%		\$198,035.00				5%		\$361,328.64	9%			\$3,547,671.36		\$18,066.43
CHANGE ORDERS																				
GRAND TOTALS			\$3,909,000.00		\$163,293.64	4%		\$198,035.00				5%		\$361,328.64	9%			\$3,547,671.36		\$18,066.43

CITY ADMINISTRATOR'S OFFICE MEMO**cityadmin@hiawatha-iowa.com****319-393-1515 ext.523****To:** Mayor and City Council**From:** City Administrator, Kim Downs**Date:** August 9, 2019**RE: Hiawatha Public Library Expansion and Renovation Project Change Order #2,**

The Garling Construction has submitted Change Orders #2

Change Order #2:

Garling Constructed submitted Change Order #2 requesting additional soil stabilization for the protection of the neighboring Dairy Queen retaining wall above the project specifications in an additional amount of \$48,883.65. Fusion Architect and city staff reviewed the request and rejected the change order claiming the request was unreasonable. Garling Construction then implemented a new plan to stabilize the retaining wall within the estimated project cost. Therefore, we request the Library Board of Trustees to decline Change Order #2.

Upon your approval the change order will be presented to the city council acknowledging and authorizing city staff to proceed with the direction given by the board.

Wade Squires for Fusion will be present for your meeting to help you with the approval if needed.

Thank you for your consideration and approval.

Kim

DRAFT

RESOLUTION NO. 19-

Library Board of Trustees

RESOLUTION DECLINING CHANGE ORDER #2
Hiawatha Public Library Renovation and Expansion Project

WHEREAS, the Hiawatha Public Library Board of Trustees of the City of Hiawatha, Iowa, has contracted for the Hiawatha Public Library Renovation and Expansion Project with Garling Construction Inc. of Belle Plaine, Iowa, and

WHEREAS, the principal architect of Fusion Architect has decline Change Order #2 for adjustment of contract for a type of soil stabilization for the purpose of the Dairy Queen retaining wall with an increase of \$48,883.65, and

NOW, THEREFORE, BE IT RESOLVED BY THE HIAWATHA PUBLIC LIBRARY BOARD OF TRUSTEES, IOWA, declines Change Order #2 for the Hiawatha Public Library Renovation and Expansion Project with an increase in contract amount of \$48,883.65, the total project contract amount remains \$3,905,563.85.

AYES:

NAYS:

ABSENT:

PASSED AND APPROVED this 13th day of August, 2019.

Brenda Powers, President

ATTEST:

Karlene Nesslage, Sectary

AIA® Document G701™ – 2017

Change Order

PROJECT: (name and address)

Hiawatha Library
150 West Williams Street

OWNER: (name and address)

City of Hiawatha
101 Emmons Street
Hiawatha, IA 52233

CONTRACT INFORMATION:

Contract For: Garling Construction
Date: 06/05/2019

ARCHITECT: (name and address)

Fusion Architects
1950 Boyson Rd
Hiawatha, IA 52233

CHANGE ORDER INFORMATION:

Change Order Number: 002
Date: 06/05/2019

CONTRACTOR: (name and address)

Garling Construction Inc
1120 11th Street
Belle Plaine, IA 52208

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

Change order in response to RFI 004, to provide same type of soil stabilization being utilized for the existing library building for the protection of the neighboring Dairy Queen retaining wall.

NO

The original	(Contract Sum)	was	\$	<u>3909000.00</u>
The net change by previously authorized Change Orders			\$	<u>(3617.00)</u>
The	(Contract Sum)	prior to this Change Order was	\$	<u>3905383.00</u>
The	(Contract Sum)	will be (increase) by this Change Order in the amount of	\$	<u>48883.65</u>
The new	(Contract Sum)	, including this Change Order, will be	\$	<u>3954266.65</u>
The Contract Time will be	add	by Five (5) days.		
The new date of Substantial Completion will be				

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Fusion Architect inc
ARCHITECT (Firm name)

SIGNATURE

Wade Squiers
PRINTED NAME AND TITLE

DATE

Garling Construction Inc
CONTRACTOR (Firm name)

SIGNATURE

Kendall Meyeraan/Project Manager
PRINTED NAME AND TITLE

06/05/2019

DATE

City of Hiawatha
OWNER (Firm name)

SIGNATURE

Kim Downs
PRINTED NAME AND TITLE

DATE



General Contractors

1120 11th Street • Belle Plaine, IA 52208 • Phone: (319) 444-3409 319-444-3409 • Fax: (319) 444-2437 319-444-2437

COR #. **0002**

Date	Thursday, May 16, 2019
Project: Hiawatha Library	
Change order in response to RFI 004, to provide same type soil stabilization being utilized for the existing library building for the protection of the neighboring Dairy Queen retaining wall.	

#	Description	Type	Qty	Rate	Expense Amount	MarkUp	Cost
00002	Bond 2%	Other Expense			958.500	0.0000	\$958.50
00002	Kent Companies				45643.000	5.0000	\$47,925.15

PROPOSAL SUMMARY

Other Expense \$958.50
\$47,925.15
Net Costs \$48,883.65

Proposal Total \$48,883.65

PLEASE REVIEW AND SIGN BELOW FOR INCLUSION IN THE NEXT OWNER CHANGE ORDER

Architect: x _____ Date: _____

Owner: x _____ Date: _____

PM: x *Kendall Meyeraan* Date: 05/16/2019
Kendall Meyeraan, Project Manager



GENERAL CONTRACTORS SINCE 1971

Hiawatha Public Library Renovation and Expansion
05-16-19
COR 002

To Provide Soil Stabilization for the Dairy Queen Retaining Wall:

In response to RFI #004, to provide same type of soil stabilization being utilized for the existing library building for the protection of the neighboring Dairy Queen retaining wall:

Subcontractor:

Kent Companies = \$ 45,643.00

Subtotal = \$ 45,643.00

Mark-Up (5%) = \$ 2,282.15

Bond (2%) = \$ 958.50

TOTAL = \$ 48,883.65



318 Axminister Drive | Fenton, MO 63026 | P: 636.244.6069 | 800.968.2345

April 30, 2019

Garling Construction
ATTN: Kendall Meyeraan
1120 11th St.
Belle Plaine, IA 52208
Office: 319.444.3409
Cell:
Email:

RE: Haiwatha Public library - 150 W. William St., Haiwatha Public library, IA

Kent Companies proposes to furnish labor and material per the [S1-11] dated [9-21-18] and the geotechnical report prepared by [Terracon] dated [6-29-18] and according to the following scope of work (see included scope of work):

- 1) Furnish labor, materials and equipment to install a total of (45) soil screws with shotcrete facing to retain the soil along the north wall of the new library addition.
- 2) Soil screws will be installed to an ultimate capacity of at least 30 kips.
- 3) Furnish and install shotcrete facing with bolted connection.
- 4) Provide installation logs upon completion of the project.
- 5) Provide stamped engineering calculations for helical pile work only.
- 6) Access to point of installation for mini-excavator to be provided by others.
- 7) **This proposal is based upon customer arranging site surveying and layout.**

For the Sum of: \$45,643.00 Forty Five Thousand Six Hundred Forty Three Dollars

This Proposal is contingent on acceptance of the attached Terms and Conditions and excludes: pile layout, bonds, permits, excavation, dewatering, backfill, and testing.

Respectfully Submitted,

Steve Schmidt

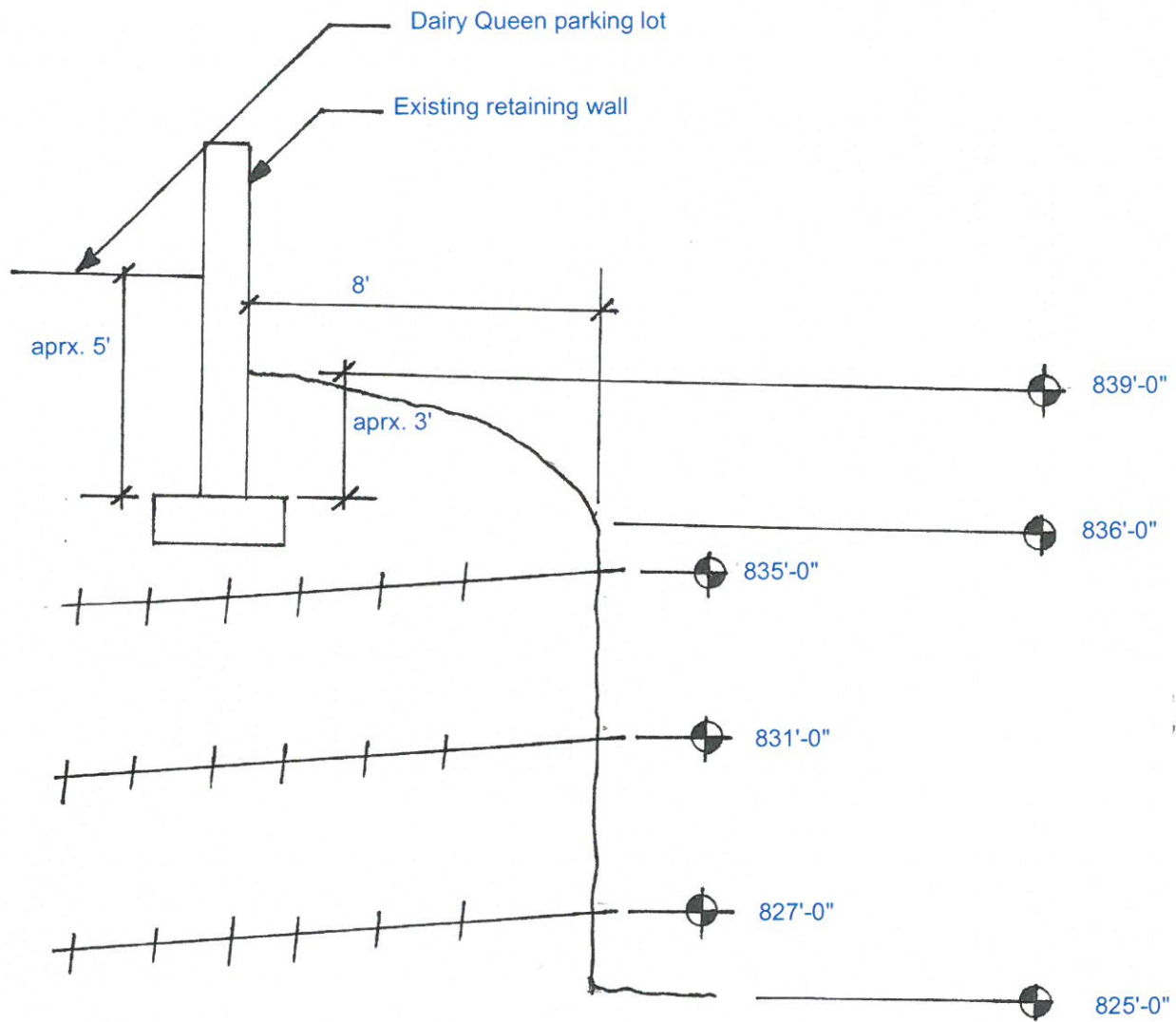
Kent Companies, Inc.
318 Axminister Drive
Fenton MO 63026
P 314.221.6507 F 616.434.4908

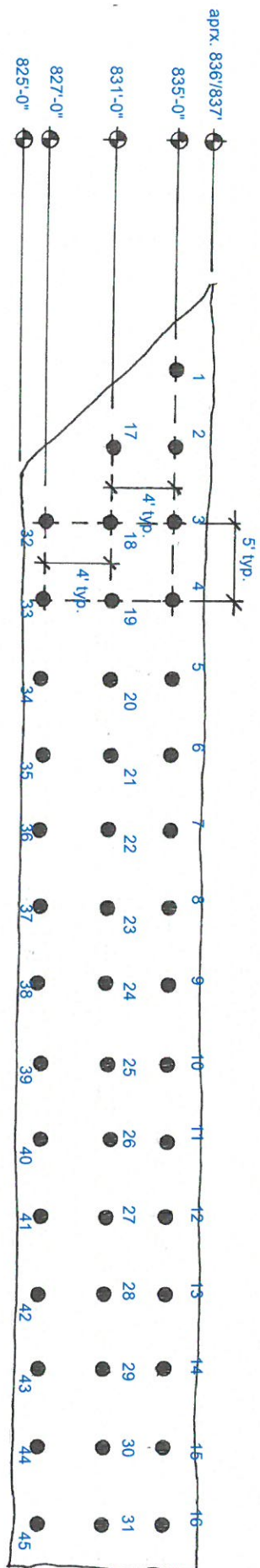
ACCEPTANCE OF PROPOSAL

By accepting this proposal, the Owner authorizes the Contractor to perform the work as specified above, to make payment to the Contractor as specified above, and expressly accepts and agrees to be bound by the all of the attached Terms and Conditions

Owner Signature: _____

Date: _____





Open Records and Confidentiality

“Every person shall have the right to examine and copy public records ... [however] the following records shall be kept confidential unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information ... The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library. The records shall be released to a criminal or juvenile justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The records shall be released only upon a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.” (Iowa Code sections 22.2 and 22.7(13))

Library boards should take every precaution to guard the confidentiality of library customers. This includes ensuring that:

- a confidentiality policy for the library is adopted by the board
- circulation cards for library materials, which the public see, do not indicate the name of the customer checking out the material
- circulation records in an automated system are not kept after statistics are recorded and the material is returned, and any fines or fees attached to the record are paid
- overdue notices are sent only in sealed envelopes or via e-mail and never on postcards where others could see what the customer has checked out
- phone reminders of overdue items and reserves left on answering machines maintain confidentiality

Included in a policy on confidentiality should be statements on the confidentiality of library circulation records and a statement as to when the custodian of the records may open the records. The identity of which customer requested which materials or information may be revealed only:

- if the library is presented with a court order. (The court order must indicate that this information is needed for the investigation of a particular person or an organization and may only be issued after a judge has determined if the connection between the case and the record makes it “cogent and compelling” that the information is released.)
- if the lawful custodian of the records, defined by an Iowa Attorney General’s opinion to be the library director, releases the information. (To safeguard customers’ confidentiality, the library board should state in the policy that the record shall be opened by the lawful custodian only upon receipt of a court order as indicated above.)

Library customer information (such as names and addresses) that is not attached to a circulation record may also be kept confidential if the library board reasonably believes that releasing the information would discourage people from applying for library cards. The board should adopt a policy on release of this type of information. See Iowa Code section 22.7(18).

Questions on Confidentiality and Open Records

Q. Can parents see their children's library records to determine whether they have overdue materials?

A. This is a complex question and the library board may want to consult with the city attorney for legal advice. According to a 1993 letter from the Legal Consultant at the Iowa Department of Education, persons who contract with a minor do so at their own risk for the minor lacks the legal capacity to contract. Parents, under Iowa Code 613.16, are liable for the acts of their children. At the same time, Iowa Code subsection 22.7 (13) protects the confidentiality of all library patrons regardless of age. Thus, parents are liable for the acts of their children and yet children are included in the right to have their library records kept confidential. Obviously, libraries are in a difficult position as a result of these two Iowa Code sections.

As noted previously, Iowa Code section 22.7 does allow for discretion on the part of the custodian of the records, who is the library director. In other words, the Iowa Code gives the custodian of the records, the library director, the authority to decide whether or not to release library records. If records are requested by a criminal or juvenile justice agency, the library director may release the records **only** upon receiving a court order.

The board should adopt a confidentiality policy which designates the library director as the custodian of the records and which states when the library director may release the records. Some libraries in Iowa will not release the records of a child to a parent under any circumstance. Others will release them in certain situations. To protect intellectual freedom, library boards should err on the side of confidentiality. Releasing the records of a library patron, regardless of age, should be the exception rather than the rule. For example, if a three year old has checked out a number of Dr. Seuss books and the parent wants to know the titles to be sure all items have been returned, many library boards would find it reasonable to release the titles. However, the older the child is, the more difficult the decision becomes. If it is a 14 year old child who has checked out books on child abuse and adult alcoholism, most library boards would, without question, protect this child's confidentiality.

A parent who wishes to know what a child has checked out has at least two other options besides asking the library director for the child's library records. A parent could simply ask the child what is checked out or require the child to check out materials under the parent's card.

Q. If requested for a purpose such as a library fund raiser, may the library provide lists of library card holders?

A. Yes, as long as the list does not link the customer with the material or information requested, it is an open record and is open to inspection by the general public. However, as noted earlier, this information may also be kept confidential if the library board reasonably believes that releasing the information would discourage people from applying for library cards.