

## **PUBLIC NOTICE**

### **TOWN OF NEW GLARUS | GREEN COUNTY, WISCONSIN**

#### **CLASS 1 NOTICE: NOTICE OF INTENT TO CONTRACT FOR PUBLIC CONSTRUCTION**

**Project Name:** Town Garage Site Preparation and Grading Work

**Owner:** Town of New Glarus

**Contractor:** Hilliard Concrete & Excavating LLC (Monticello, WI)

**Estimated Project Cost:** Negotiated Estimated Cost, \$38,000.00 (Under \$50,000 statutory limit)

#### **1. Notice of Public Contract**

Pursuant to Wis. Stat. § 60.47(2)(a), notice is hereby given that the Town Board of the Town of New Glarus, Wisconsin, intends to enter into a public contract for site preparation and grading work associated with the construction of the new Town Garage.

Because the estimated cost of this public work is under the \$50,000 formal public bidding threshold, the Town Board is authorized to let this contract directly without a competitive bidding process. The Town Board intends to award this contract to **Hilliard Concrete & Excavating LLC** of Monticello, WI.

#### **2. Scope of Work**

The work to be performed under this contract consists of civil earthwork and site preparation at the future Town Garage site, including:

- Clearing, grubbing, and stripping of topsoil.
- Rough grading and structural fill placement for the building pad.
- Fine grading of the access driveway.
- Installation of required temporary erosion control measures.
- Curb and Gutter and

#### **3. Execution of Contract**

The Town Board of the Town of New Glarus will consider final approval and execution of this contract at its special meeting on **July 30th at 8:00 AM** at the Town Garage, N8799 Hayes Lane, New Glarus, WI.

#### **4. Public Inspection**

Details of the proposed scope of work and the negotiated contract terms are available for public review at the Town Clerk's office during normal business hours, or by contacting the Town Clerk-Treasurer:

- **Phone:** (608) 527-2390
- **Email:** clerk@townofnewglaruswi.gov

**Published by Authority of the Town Board of New Glarus:**

*Darla Kramer, Town Clerk-Treasurer*

*Town of New Glarus*

**Published Date:** July 23, 2026

**Sources**

1. [Hilliard Concrete And Excavating LLC | Rose Rocket Trucking Company Directory](#)
-



P.O. BOX 930220  
VERONA, WI 53593-0220  
(608) 845-9700 / 800-373-5550  
FAX: (608) 845-7070

Date Received: \_\_\_\_\_

Date Recorded: \_\_\_\_\_

Job Number: 2025102450

**CONTRACT CHANGE ORDER # 4**

Purchaser: TOWN OF NEW GLARUS GARAGE / CHRIS NARVASON

Address: PO BOX 448 NEW GLARUS WI

Current Tentative Date to Start Erection: \_\_\_\_\_ New Tentative Date to Start Erection: \_\_\_\_\_

Reason for Change: Add New Subcontract work to the original contract.

The construction of the Cleary Building has been completed.

|                                                                                                               |                  |
|---------------------------------------------------------------------------------------------------------------|------------------|
| Description of Change: <u>Hilliard Concrete, will install an Additional 240 lf of Curb and Gutter</u>         | \$ <u>19,994</u> |
| <u>on the East Side of the driveway. All other work has been completed by Cleary Building</u>                 | \$ _____         |
| <u>this Building is considered complete and Cleary's Insurance will stop. The Builders Risk Insurance</u>     | \$ _____         |
| <u>will be removed upon the signing of this Change Order. All Warranties to be in effect on the completed</u> | \$ _____         |
| <u>work and stated duration of those warranties to begin on the signing of this change order.</u>             | \$ _____         |
| <u>The Final Payment amount of from the original contract \$10,500 and this additional amount</u>             | \$ _____         |
| <u>\$19,994 for the extra subcontract work will be paid to Cleary Building by July 31, 2026</u>               | \$ _____         |

**NEW TERMS OF PAYMENT**

Down Payment \$ 148,653 Paid

Amount of Change Order \$ 19,994

Balance Due Upon Delivery \$ 300,429 Paid

Previous Contract Amount \$ 710,993

Truss Payment \$ 125,706 Paid

New Contract Amount \$ 730,987

Other Payment Sub Payment \$ 125,705 Paid

Other Payment Change Order \$ 19,994

Balance Due Upon Completion \$ 10,500

Seller: \_\_\_\_\_

☒ Purchaser: \_\_\_\_\_

Date: \_\_\_\_\_

**Assignment**

*This change order contract is assigned by Seller to Cleary Building Corp. and accepted by Cleary Building Corp. this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (Office use only)*

**CLEARY BUILDING CORP.**

By (Office Use Only): \_\_\_\_\_ Seller: \_\_\_\_\_

Sketch If Change: (if helpful)

## ESTIMATE

Hilliard Concrete & Excavating,  
LLC  
W6470 County Road C  
Monticello, WI 53570-9794

taylor@hilliardconcreteandexcavating.  
com  
+1 (608) 214-4104

### Bill to

Cleary Building Corp.  
P.O. Box 930220  
Verona, WI 53593-0220

### Ship to

Cleary Building Corp.  
P.O. Box 930220  
Verona, WI 53593-0220

### Estimate details

Estimate no.: 2434

Estimate date: 07/20/2026

| #             | Date | Product or service | Description                                                                          | Qty         | Rate       | Amount              |
|---------------|------|--------------------|--------------------------------------------------------------------------------------|-------------|------------|---------------------|
| 1.            |      | Gravel             | Gravel parking lot area and bigger parking lot in front building                     | 1025        | \$11.50    | \$11,787.50         |
| 2.            |      | Excavating         | Excavating moving pond, making parking lot bigger, and extending rd. behind building | 45          | \$250.00   | \$11,250.00         |
| 3.            |      | Jack Hammer        | Jack Hammering of rock when doing foundation                                         | 1           | \$2,500.00 | \$2,500.00          |
| 4.            |      | Extras             | concrete aprons                                                                      | 1420        | \$7.50     | \$10,650.00         |
| Total         |      |                    |                                                                                      |             |            | <b>\$36,187.50</b>  |
|               |      |                    |                                                                                      |             |            | <b>Paid in Full</b> |
| Accepted date |      |                    |                                                                                      | Accepted by |            |                     |

JUL 30 2026

**Date:** July 30, 2026

**Subject:** Request for Legal Review of Public Contracting Procedures, Public Notice Requirements, and Approval of Additional Construction Work

---

## **PURPOSE**

I respectfully request that the Town Board postpone final approval of the additional construction work associated with the Town Garage project until the Town Attorney provides a written legal opinion addressing whether the Town's actions comply with Wisconsin law governing public contracts, public notice, and municipal procurement procedures.

This request is not intended to accuse any individual or contractor of wrongdoing. Rather, it seeks clarification of the legal authority supporting the Town's actions and to ensure that public funds are expended in accordance with Wisconsin law and accepted principles of transparent local government.

---

## **BACKGROUND**

At its July 8, 2026 meeting, the Town Board approved expenditures of up to **\$100,000** for additional work associated with the Town Garage construction project.

Residents understand that the additional work includes, among other items:

- construction of curb and gutter;
- construction of a roadway surrounding the building;
- construction of additional parking areas;
- redesign and reconstruction of the stormwater retention pond;
- additional excavation and grading;
- additional concrete work; and
- other work reportedly resulting from changes to the building footprint and site elevations.

Residents have also been informed that the Town considers these expenditures to be "change orders" under the existing construction contract.

Questions have arisen because these improvements are believed not to have been included within the original bid documents presented to contractors during the competitive bidding process.

---

JUL 30 2026

## **TIMELINE REQUIRING CLARIFICATION**

Based upon publicly available information and observations, residents understand the sequence of events to be substantially as follows:

1. The Town Board authorized additional expenditures for work associated with the Town Garage project.
2. The contractor proceeded with and reportedly completed the additional work.
3. After the work had been performed, the Town published a Type 1 Notice stating its intent to enter into a public contract for site preparation and grading.
4. The Town Board scheduled a special meeting to approve or award the work following publication of the notice.

If this chronology is accurate, residents respectfully request an explanation of the legal authority supporting this procedure.

---

## **REQUEST FOR LEGAL REVIEW**

Residents respectfully request that the Town Attorney review the Town's actions under, at a minimum, the following provisions of Wisconsin law:

### **1. Wis. Stat. § 60.47 – Public Contracts**

Please explain:

- whether the additional work was properly authorized under the existing construction contract;
  - whether the work constitutes valid change orders within the scope of the original contract;
  - whether any portion of the work constitutes a separate public improvement requiring independent procurement procedures;
  - whether the statutory requirements governing public contracts were satisfied.
- 

### **2. Chapter 985 – Public Notice**

Please explain:

- whether publication of the Type 1 Notice satisfied all statutory notice requirements;
  - whether the timing of the notice complied with Wisconsin law;
  - whether publication after completion of the work fulfills the purpose of the applicable notice requirements.
-

### **3. Change Order Authority**

JUL 30 2026

Please identify:

- every written change order approved for the project;
  - the contract provisions authorizing each change order;
  - the engineer or architect recommending each change;
  - the total value of all approved change orders to date;
  - whether each change was reviewed and approved before the work commenced.
- 

### **4. Contract Authorization**

Please identify:

- the date the contractor was authorized to begin the additional work;
  - the individual or governmental body granting that authorization;
  - whether authorization occurred before construction began;
  - whether all required approvals had been obtained before the work was performed.
- 

## **REQUEST FOR SUPPORTING DOCUMENTATION**

To promote transparency and public confidence, I respectfully request that the following documents be made available for public inspection:

- Original construction contract.
  - Original bid specifications and plans.
  - All written change orders.
  - Engineer's recommendations and approvals.
  - Architect's recommendations and approvals.
  - Contractor proposals.
  - Public notices.
  - Meeting minutes.
  - Resolutions authorizing the work.
  - Payment applications and invoices relating to the additional construction.
  - Any legal opinion concerning procurement or change-order authority.
- 

## **QUESTIONS FOR THE TOWN BOARD**

For the benefit of the public record, I respectfully request that the Town Board answer the following questions:

1. Were the additional improvements included within the original bid documents?

JUL 30 2026

2. If not, what legal authority permits the work to be treated as change orders rather than separate public improvements?
3. On what date was the contractor authorized to begin the additional work?
4. Was the work substantially completed before publication of the Type 1 Notice?
5. If so, what legal authority permits publication of the notice after the work had already been performed?
6. Was any contractor other than the selected contractor provided an opportunity to submit proposals for this work?
7. Has the Town Attorney reviewed these procurement procedures and determined that they comply with Wisconsin law?

---

## REQUEST FOR BOARD ACTION

In the interest of transparency, fiscal accountability, and protection of taxpayer funds, I respectfully request that the Town Board:

1. Delay final approval of the additional work until the legal questions identified in this memorandum have been addressed.
2. Obtain and publicly release a written opinion from the Town Attorney addressing the Town's compliance with applicable Wisconsin statutes.
3. Make all procurement and construction documents available for public inspection.
4. Include the Town Attorney's written opinion and all supporting documentation in the official meeting record.

---

## CONCLUSION

Residents have a legitimate interest in understanding how public funds are being spent and whether the Town's procurement procedures comply with Wisconsin law. This request is made in the spirit of transparency, accountability, and good governance. A clear explanation of the Town's legal authority and supporting documentation will help maintain public confidence and ensure that future public improvements are undertaken in a manner that is both lawful and transparent.

Respectfully submitted,

---

Rob Ready

Concerned Town Resident and Taxpayer

Town of New Glarus, Wisconsin

*Rob Ready*  
7/30/26