

ITEM #: 42
DATE: 03-24-26
DEPT: P&R

COUNCIL ACTION FORM

SUBJECT: STAINING OF PRECAST CONCRETE PANELS AT FITCH FAMILY INDOOR AQUATIC CENTER

BACKGROUND:

At the October 28, 2025 City Council meeting, staff along with representatives from RDG and Story Construction, described the mottled appearance of the gray, sinus wave precast concrete panels on the exterior of the Fitch Family Indoor Aquatic Center. Staff indicated this was not the look the City was expecting and that RDG and Story were investigating possible causes and potential resolutions to this problem.

RDG and Story investigated possible causes, which included:

1. Integral pigment/color admixture
2. Smooth cast panels may lead to mottling
3. Environmental factors such as sun exposure, airborne particulates, etc.
4. Detergent washing methods used onsite
5. Inconsistent concrete mixing
6. Form release agent could still be present on the wall panels
7. Efflorescence
8. Change in cement makeup in recent years.

Additionally, staff contracted with a concrete expert from the firm of Simpson, Gumpertz & Heger (SGH) to obtain a professional opinion from concrete engineers. In addition to the above items, SGH stated that differential drying time may be a contributing factor, but it is hard to determine if it was a factor with these panels. RDG, Story, and SGH all agreed that no matter what the cause, there are two potential solutions:

1. Time - Do nothing and see if the issue improves over time. SGH indicated they would expect the mottling to reduce after one year, but that does not appear to be the case.
2. Stain - Applying a penetrating stain to cover the defects but will not take them away. The darker the stain, the more the defects are hidden. SGH indicated stain is routinely used on precast concrete panels.

In Attachment A, RDG's opinion is that the mottling of the sinus wave precast panels is due to the contractor failing to include integral color in the panels as required in the specifications. Additionally, the contractor failed to submit a design mix for the panels, which does not allow for any additional reviews. For these reasons, RDG recommended staining the precast concrete panels at the contractor's cost.

There have been multiple conversations with the Prime Contractor (Core Construction Services, LLC) related to this issue. Story Construction sent a Notice to Cure letter (Attachment B) to Core on February 17. In this letter, it is stated that City Council will make the

final decision regarding either staining the precast concrete panels or receiving a credit for the cost of this scope of work.

On Friday, March 6, 2026, staff received an email from Stephen D. Marso, Attorney for Whitfield & Eddy Law, regarding the staining of the precast concrete panels. Staff also received the same information included in the email in a certified letter on March 9, 2026. The letter (Attachment C) states that Core and the precast supplier disagree with the City's claim that the panels are non-conforming to the specifications. However, the letter does not provide any evidence to support that position.

The letter further states that "Core will perform the demanded work, but it will do so under protest. Core hereby gives notice of claims for all time and money related to the Precast Appearance Issue and the demanded work. Core's rough estimate for its money claim is \$52,000 (plus markup); this is a rough estimate, and the actual costs could be lower or higher. At this time, Core does not have an estimate of its time claim."

Stain or no stain:

On March 17, Core had representatives from Nawkaw apply three different colored stains to the mockup panel. The three colors included 1) Cement, 2) Silver Lining, and 3) Rushing River. The precast concrete panels were specified to have Rushing River as the integral color. Several photos are attached showing the colors on the mockup panel. A section of the mockup was left unstained so one can compare the color differences against what the building looks like right now. For reference, the right side of the mockup has not been detergent washed. **Of the three stain colors, staff prefers the Rushing River over the other two darker colors.** The Rushing River stain is the lightest of the colors and is what the original color was meant to be.

The proposed stain is NawTone-K manufactured by Nawkaw. Because NawTone-K chemically binds with concrete, it is an ideal choice for use on precast concrete. This stain is a penetrating, UV resistant, weather resistant, nonflammable, nontoxic, water-based, solvent-free, and non-film-forming product. It also comes with a 25-year warranty.

Alternatively, the Council could choose to leave the precast panels as-is and not have stain applied. A credit would then be received for the scope of services associated with this work.

ALTERNATIVES:

1. Approve staining of the precast concrete panels with the Rushing River color at the Fitch Family Indoor Aquatic Center at no cost to the City.
2. Approve staining of the precast concrete panels with a different color at the Fitch Family Indoor Aquatic Center at no cost to the City.
3. Approve receiving a credit in lieu of staining the precast concrete panels at the Fitch Family Indoor Aquatic Center in the amount of \$52,000.
4. Refer back to staff.

CITY MANAGER'S RECOMMENDED ACTION:

The color of the precast concrete panels encompassing the natatorium portion of the Fitch Family Indoor Aquatic Center is not what was specified. The panels were to have integral color of Rushing River and the contractor omitted this when the panels were formed. Thus, the current appearance is one of a mottled look with inconsistent coloring across the panels.

City Council has two alternatives to consider. The first is to have the panels stained so the appearance closely matches what was originally intended. The second is to leave the panels unstained and hope the appearance improves over time. If the Council chooses to not stain the panels, the City would receive a credit.

The original intent was to have the natatorium panels be colored. Core has indicated they will perform the work but will do so under protest. The aesthetics of the current panels diminishes the quality look to the building. Therefore, it is the City Manager's recommendation that City Council approve Alternative No. 1, as stated above.

ATTACHMENT(S):

[Attachment A - RDG Staining Recommendation.pdf](#)

[Attachment B - Notice to Cure Precast Appearance.pdf](#)

[Attachment C - SDM Notice of Claim.pdf](#)

[Stain Colors Against Building.jpg](#)