Official Proceedings of the Stutsman County Commission

Aug 3, 2011

At 4:00 p.m., Chairman Klose called the special meeting of the Stutsman County Commission to order. Dale Marks, David Schwartz, Craig Neys and Mark Klose answered roll call. Dennis Ova was absent. The purpose of this meeting was to review the 2011 Emergency Relief (ER) bids.

Klose questioned if the rip rap portion was eliminated at this time would the County qualify for 80/20 later on this fall when the rip rap would be more attainable. Steve Thompson, Interstate Engineering, said that it would qualify. Al Lindberg, Lindberg Brothers Inc., stated that penalties were factored in and also the availability and hauling of rip rap. Johnson stated that it was his understanding that if the specs of the projects were changed, the project would need to be rebid. ND DOT had awarded jobs this year that were over 100% over estimate just to be able to get the job done.

Thompson provided three alternatives for Site 47-1 and 47-4. Alternatives were: 1) award the contract as quoted, 2) reject the contract, or 3) reject the contract and request quotes with a revised set of plans that would incorporate a later completion date and an alternative to utilize a manufactured flexible concrete erosion control product rather than rip rap. For Site 47-3, in which no bids were received, one alternative would be to revise the completion date of the contract and allow for various alternatives for the erosion controls on the project or allow a County supplied rip rap source. A new request for quotes with changes would be sent out.

Thompson stated that if the quotes were rejected and rebid anything that was completed after September 18, 2011 would fall into the 80/20 split for costs. The percentage of the project that was completed by September 18 would qualify for 100% reimbursement.

Johnson reviewed how the County was financially for the road department, emergency fund, county highway aid, matching federal aid and road & bridge building fund. With taking available funds less committed funds, the County had approximately $1.6 million projected funds available. Whatever projects that were awarded would decrease this availability. Alternatives were to access the federal aid held in escrow ($1.3 million), tap the general fund sub-account ($770,000) or interim financing from the Bank of North Dakota and replace the funds when reimbursement was received. Liquidity needed to be considered.

Lindberg asked if there was room to negotiate within the quote. The Commission does have the authority to negotiate a contract.

Projects near Kensal were discussed. Any project would fall into the 80/20 split time frame. Cost would be comparable to quotes on other projects.

After discussion on the necessity of each site, the commissioners felt that they could not change the projects without having possible legal ramifications. Awarding the bids with the September 18, 2011 completion date would be eligible for 100% reimbursement - no cost to the tax payers.

Schwartz made a motion seconded by Marks to reject the quote on Site 47-4 and rebid minus the rip rap with the same completion date. Roll call vote: Marks, Schwartz, Neys and Klose voted aye.

A motion to accept the quote for Site 47-1 with a reduction of $25,000 of mobilization fees by Lindberg was made by Schwartz and seconded by Neys. Roll call vote: Schwartz, Neys, Klose and Marks voted aye.

A motion to have Thompson re-bid Site 47-3 using county supplied or manufactured products for rip rap was made by Schwartz and seconded by Marks. Motion carried.

Schwartz made a motion seconded by Neys to adjourn. At 4:55 p.m. the special meeting was adjourned.

ATTEST:

Noel A Johnson
County COO (Auditor)

Mark T. Klose
Commission Chairman