

COLUMBIA COUNTY UTILITY COMMITTEE
POST OFFICE BOX 1529
LAKE CITY, FLORIDA 32056-1529

LAKE SHORE HOSPITAL AUTHORITY
259 N.E. FRANKLIN STREET
LAKE CITY, FLORIDA 32055

AGENDA

OCTOBER 13, 2009

9:00 A.M.

HONORABLE JODY DUPREE, UTILITY COMMITTEE CHAIRMAN:

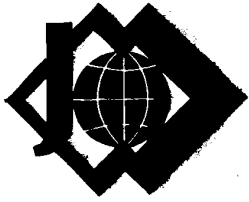
- (1) Call to Order**
- (2) Bid Award – Groundwater Storage Tank**
- (3) Bid Award – 441 Water Main**
- (4) Bid Award – I-75 North Water Main**
- (5) NKRP, Inc. – Ellisville Waste Water Treatment Facility - Offer to Sell**
- (6) Approval of Minutes – Columbia County Utility Committee - August 18, 2009**
- (7) Other Discussion**

Columbia County Bid Tabulation

Bid No. 2009-V		Date of Opening: 10/08/2009		Bid Title: Ellisville Hwy 441 Water Main Installation	
Bidders	Dale's Excavation	Utility Systems Construction	Music Construction	The Davidson Group	Onas Corporation
Description	Lump Sum	Lump Sum	Lump Sum	Lump Sum	Lump Sum
Total Amount of Base Bid	\$ 594,108.03	\$ 694,193.75	\$ 508,588.90	\$ 557,390.55	\$ 511,982.05
Total Amount of Alternates	\$ 61,284.53	\$ 58,592.20	\$ 48,625.00	\$ 40,445.80	\$ 31,089.80
Total Base Bid Plus Alternates	\$ 655,390.56	\$ 752,785.95	\$ 557,213.90	\$ 597,836.35	\$ 543,051.85
Bidders	Grimes Contracting	Croft Contracting	RE Arnold Construction	Commercial Industrial Corporation	TB Landmark
Description	Lump Sum	Lump Sum	Lump Sum	Lump Sum	Lump Sum
Total Amount of Base Bid	\$ 564,394.84	\$ 607,521.20	\$ 542,095.85	\$ 557,076.75	\$ 610,384.63
Total Amount of Alternates	\$ 36,349.05	\$ 52,043.90	\$ 44,698.57	\$ 44,172.46	\$ 56,274.18
Total Base Bid Plus Alternates	\$ 600,743.89	\$ 659,565.10	\$ 586,794.42	\$ 601,249.21	\$ 666,658.81
Bidders	Worth Construction	Blue Rok Inc.	Jax Utilities Management	Andrews Paving	Pipeline Contractors
Description	Lump Sum	Lump Sum	Lump Sum	Lump Sum	Lump Sum
Total Amount of Base Bid	\$ 512,971.72	\$ 498,904.80	\$ 686,847.20	\$ 621,815.20	\$ 512,362.60
Total Amount of Alternates	\$ 40,253.80	\$ 43,797.44	\$ 39,939.55	\$ 54,915.00	\$ 37,519.00
Total Base Bid Plus Alternates	\$ 553,225.52	\$ 542,702.24	\$ 726,786.75	\$ 676,730.20	\$ 549,881.60
Bidders	R & B Contracting	T G Utility Company	A J Johns	Phillips & Jordan	Curt's Construction
Description	Lump Sum	Lump Sum	Lump Sum	Lump Sum	Lump Sum
Total Amount of Base Bid	\$ 582,014.00	\$ 637,800.60	\$ 547,333.94	\$ 757,143.71	\$ 525,505.60
Total Amount of Alternates	\$ 52,774.00	\$ 49,283.80	\$ 39,094.69	\$ 59,196.75	\$ 35,284.15
Total Base Bid Plus Alternates	\$ 634,788.00	\$ 687,084.40	\$ 586,428.63	\$ 816,340.46	\$ 560,789.75
Bidders	Marion Dunn Contracting	GWP Construction	O'Steen Brothers	Grimes Utilities	Youngs Communication
Description	Lump Sum	Lump Sum	Lump Sum	Lump Sum	Lump Sum
Total Amount of Base Bid	\$ 591,671.61	\$ 508,881.00	\$ 788,311.00	\$ 665,850.65	\$ 688,178.75
Total Amount of Alternates	\$ 43,376.40	\$ 33,058.45	\$ 60,689.00	\$ 47,417.50	\$ 55,018.00
Total Base Bid Plus Alternates	\$ 635,048.01	\$ 539,939.45	\$ 849,000.00	\$ 713,268.15	\$ 743,196.75
Bidders	Anderson Columbia	Belair	Core Construction Group	Boyd Irrigation	
Description	Lump Sum	Lump Sum	Lump Sum	Lump Sum	Lump Sum
Total Amount of Base Bid	\$ 543,706.10	\$ 648,913.95	\$ 585,222.30	\$ 519,034.90	
Total Amount of Alternates	\$ 42,385.00	\$ 38,488.25	\$ 54,545.00	\$ 32,177.00	
Total Base Bid Plus Alternates	\$ 586,091.10	\$ 687,402.20	\$ 639,767.30	\$ 551,211.90	

Columbia County Bid Tabulation

Bid No. 2009-W		Date of Opening: 10/08/2009		Bid Title: Ellisville I-75 North Water Main Installation	
Bidders	Dale's Excavation	Utility Systems Construction	Music Construction	Onas Corporation	Grimes Contracting
Description	Lump Sum	Lump Sum	Lump Sum	Lump Sum	Lump Sum
Total Amount of Base Bid	\$ 697,473.01	\$ 797,115.90	\$ 581,361.00	\$ 600,717.60	\$ 766,459.87
Total Amount of Alternates	\$ 32,716.30	\$ 28,280.00	\$ (57,100.00)	\$ 16,176.50	\$ 33,526.25
Total Base Bid Plus Alternates	\$ 730,189.31	\$ 825,395.90	\$ 524,261.00	\$ 616,894.10	\$ 799,986.12
Bidders	Croft Contracting	RE Arnold Construction	Commercial Industrial Corporation	TB Landmark	Worth Construction
Description	Lump Sum	Lump Sum	Lump Sum	Lump Sum	Lump Sum
Total Amount of Base Bid	\$ 735,920.70	\$ 717,272.48	\$ 577,970.60	\$ 727,786.83	\$ 587,712.95
Total Amount of Alternates	\$ 35,684.00	\$ 20,068.05	\$ 27,800.00	\$ 32,486.70	\$ 30,050.00
Total Base Bid Plus Alternates	\$ 771,604.70	\$ 737,340.53	\$ 605,770.60	\$ 760,273.53	\$ 617,762.95
Bidders	Blue Rok Inc.	Jax Utilities Management	Andrews Paving	Pipeline Contractors	R & B Contracting
Description	Lump Sum	Lump Sum	Lump Sum	Lump Sum	Lump Sum
Total Amount of Base Bid	\$ 561,364.72	\$ 828,672.30	\$ 648,378.08	\$ 515,085.00	\$ 623,977.00
Total Amount of Alternates	\$ 30,500.40	\$ 39,054.25	\$ 32,430.00	\$ 24,655.00	\$ 39,885.00
Total Base Bid Plus Alternates	\$ 591,865.12	\$ 867,726.55	\$ 680,808.08	\$ 539,740.00	\$ 663,862.00
Bidders	A J Johns	Phillips & Jordan	Curt's Construction	Marion Dunn Contracting	GWP Construction
Description	Lump Sum	Lump Sum	Lump Sum	Lump Sum	Lump Sum
Total Amount of Base Bid	\$ 613,011.10	\$ 872,297.12	\$ 626,847.85	\$ 671,966.77	\$ 554,397.35
Total Amount of Alternates	\$ 22,540.00	\$ 28,401.90	\$ 22,283.75	\$ 18,810.00	\$ 18,444.50
Total Base Bid Plus Alternates	\$ 635,551.10	\$ 900,699.02	\$ 649,131.60	\$ 690,776.77	\$ 572,841.85
Bidders	O'Steen Brothers	Grimes Utilities	Youngs Communication	Anderson Columbia	Belair
Description	Lump Sum	Lump Sum	Lump Sum	Lump Sum	Lump Sum
Total Amount of Base Bid	\$ 889,000.00	\$ 749,778.00	\$ 758,791.90	\$ 807,520.50	\$ 752,197.68
Total Amount of Alternates	\$ 77,448.00	\$ 32,999.50	\$ 27,246.00	\$ 34,350.00	\$ 24,817.60
Total Base Bid Plus Alternates	\$ 966,448.00	\$ 782,777.50	\$ 784,037.90	\$ 841,870.50	\$ 776,815.28
Bidders	Boyd Irrigation				
Description	Lump Sum	Lump Sum	Lump Sum	Lump Sum	Lump Sum
Total Amount of Base Bid	\$ 655,948.06				
Total Amount of Alternates	\$ 28,800.00				
Total Base Bid Plus Alternates	\$ 684,748.06				



James M. Wallace

Attorney and Counsellor At Law

October 1, 2009

RECEIVED
OCT 08 2009

Board of County Commissioners
Columbia County, Florida
Area Code 941
Phone: 746-7157
1-800-690-4942
Fax: 746-9430

Via Certified Mail and Regular U. S. Mail
Columbia County Board of Commissioners
135 N. E. Hernando Avenue, Suite 203
Lake City, FL 32055

Re: NKRP, Inc./Ellisville Waste Water Treatment Facility
Located at U. S. Highway 441 & I-75 Interchange
Columbia County, Florida

Dear Sirs:

I represent Mr. Kush B. Pathak, President of NKRP, Inc., and this letter will confirm that NKRP, Inc., owner of the real property on which the above referenced waste water treatment facility is situated, accepts and agrees to the terms of the offer to purchase by Columbia County for said waste water treatment facility together with 1.50 acres, or 65,340 square feet of vacant land thereon.

Based on an average of the two appraisal reports furnished to you by Ketcham Appraisal Group, Inc. dated August 12, 2009 in the amount of \$190,000.00, and Cantrell Real Estate, Inc. dated July 31, 2009 in the amount of \$172,400.00, NKRP, Inc. agrees to a sale price of \$181,200.00.

The sale shall be contingent upon Columbia County waiving any and all impact fees due from NKRP, Inc. upon hook-up to county water for the existing motel on the premises owned by NKRP, Inc., and further that NKRP, Inc. would retain all rights to the billboard sign located on the property.

I understand that Ellisville Investments, Inc., the holder of the easement rights and the permit is also in agreement with said purchase and will be confirming this in writing to you as well.

Sincerely yours,


JAMES M. WALLACE

JMW/dh

APPROVED AND ACCEPTED:

NKRP, INC.

By: 

KUSH B. PATHAK, its President

Bill Whitely (FYI)
Jody -
Stephen -
Scarlet -
Bia -
Lisa - (10/13/09
Utility Committee
Meeting)

Columbia County
UTILITY COMMITTEE
August 18, 2009

The Columbia County Utility Committee met in a scheduled meeting at the Lake Shore Hospital Authority Office. The meeting opened at 9:00 a.m. with prayer. The Pledge of Allegiance to the Flag of the United States of America followed.

Members Present:

Commissioner Jody Dupree
Commissioner Scarlett Frisina
Commissioner Stephen Bailey

Members Absent:

Councilman Eugene Jefferson
Councilman George Ward

Others in Attendance for County:

County Manager Dale Williams
Asst. County Manager Lisa Roberts
Deputy Clerk Sandy Markham
County Purchasing Director Ben Scott
County Attorney Marlin Feagle
County Engineer John Colson
Marc Neihaus of Eutaw Utilities
Dale Dransfield of Eutaw Utilities
Todd Manning, I.T. Director

Others in Attendance for City:

City Manager Wendell Johnson
Executive Utilities Director Dave Clanton
Water Plant Director Steve Roberts
Utilities Director Richard Lee
City Engineer Henry Sheldon

ORDER

Commissioner Bailey who serves as the Chairman for the Board of County Commissioners called the meeting to order. He explained that the county found it important to form a Utility Committee as it embarks upon providing utilities to the Ellisville area.

Commissioner Bailey opened the floor for nominations for a chairperson. Commissioner Frisina nominated Commissioner Dupree. There being no other nominations, Commissioner Dupree was nominated as chairman.

Chairman Dupree welcomed everyone to the Inaugural Utility Committee Meeting. He particularly thanked the City for being in attendance and offering to share with the county their expertise and advise as it relates to utilities.

BYLAWS

A draft of the Utility Committee Bylaws were presented to each of the members. They were asked to consider the draft and offer input prior to the next meeting. A second draft will be available at the next meeting.

UTILITIES UPDATE by Mr. Marc Neihaus

Projects currently out for bid are the Waste Water Treatment Plant including a portion of the plant collection system and additions to the Water Distribution System. Except for the additions to the Water System, these projects are funded by the *American Reinvestment and Recovery Act* ("ARRA"), which comes with a stringent timeline. The contractor must be given the Notice to Proceed on the Waste Water Treatment Plant by October 01, 2009. There will be a Pre-bid Meeting at the County Emergency Operations Center on Friday, August 21, 2009. Bids will be due two (2) weeks later. Recommendations will follow. On Friday, August 28, 2009 the Water Distribution

System for the northern side of I-75 will be bid. Mr. Neihaus said also out for bid is the ground service tank, high service pumps, electrical system and chlorination system.

Mr. Neihaus explained the portion of the Water System currently out for bid is the ground water storage tank, high service pumps, chlorination system, and electrical system. The issues surrounding this bid needs to be resolved and the bid awarded by December 01, 2009. This project will be paid for through grant monies.

The County Manager said that the state utilized ARRA funds to provide the State Revolving Loan for the Waste Water Program. This money must be repaid by the county according to the terms and conditions of the State Revolving Loan Fund. Because the state chose to utilize the ARRA funds, all conditions and restrictions of ARRA money will also apply to this loan. County Manager Williams added that the county has received a \$1,900,000 grant to be applied to the drinking water side of the project.

DISTRIBUTION ROUTES by Mark Neihaus

From a large diagram, Mr. Neihaus pointed to the distribution routes that are going out for bid. He said the distribution route on the northern side "is exactly the way it was." The county can still make changes to the route. As long as the route does not create a significant increase in the scope of work, it would still remain eligible for the AARA funds. Mr. Neihaus reminded the committee that the Notice to Proceed must be given in December. He suggested if the county is inclined to increase the scope of the project that they may want to do it with a loan and a change order through the contractor. After the stimulus money is spent, the county can continue with the project as they wish with private funds.

Commissioner Bailey was not completely satisfied with all of the small "loops" in the project and recalled the idea was to build one big loop.

SEWER

There is no stimulus money for the sewer plant. Money for the sewer plant will likely have to come in the form of a loan that will be repaid by the county. Mr. Neihaus estimated the cost of the sewer plant being put out for bid to cost approximately \$3,500,000. This would include the package plant, running a distribution line to Ellisville on the southern side of I-75, and extending the line under I-75.

Commission Dupree recalled that in past discussions, the county was not interested in subsidizing this project. The County Manager said that new cost pro-formas will need to be done on sewer just as it was done on the water, because there is the issue of having to repay the loans.

Mr. Neihaus said that the county currently has no way to pay for a large scale distribution system. Nor has it adopted an ordinance or a policy that would require the public to hook on to the lines, which would help the system support itself. Once the package plant is decommissioned, there will be a few businesses and several commercial lots that could hook on. Mr. Neihaus said that Eutaw Utility prepared a Water-Sewer Policy for the county some time back to address hookup and impact fees. That policy was never adopted.

As a matter of information, the County Manager said that the ordinances have been prepared, the numerical values may change due to a lapse of time, and that the commission has already made policy decisions that helped in developing those documents. None of the documents or policies have been adopted by the Board or filed.

Mr. Neihaus said Eutaw has contracted with Clay Electric to get electricity to the property for both water and sewer.

There is an existing and functional package plant located in Ellisville that has a capacity of approximately 100,000 gallons. Commissioner Dupree said as an alternative to building a new package plant, the county is looking at this existing facility as a possible alternative. A distribution

system would then be developed for that package plant that would serve the immediate area. The county has recently received two appraisals on the plant. The County Manager said work has begun on the cost pro-forma.

The County Manager said that it has always been and continues to be staff's recommendation that the County contract with the City of Lake City for operation and maintenance of the plant. Before the cost pro-forma can be finalized, the County Manager will have to meet with the City to obtain the cost for operation and maintenance.

Chairman Dupree said that in addition to having someone operate and manage the plant, there will eventually be the issue of reading meters, setting taps, etc. The County Manager said that this would be handled by a contract, but the details would have to be worked out through the attorneys.

Before the City is able to provide numbers to the county, they will have to inspect all aspects of the plant and will address the quality issues. The package plant the county is considering purchasing is a secondary plant and is not the same level of treatment as the one the county has considered building.

City Engineer Henry Sheldon questioned why, if this is going to be a spray/irrigation type plant, the county would want to build such an advanced system. Mr. Neihaus replied it was the directive of the Board when the project first began. Mr. Sheldon believes it would be in the best interest of the county to figure in "add ons" into the cost for a higher level of treatment.

Mr. Neihaus said that Mr. Sheldon made a good point. He said that DEP has a huge file on the plant's violations. One of the violation issues was that there was no regular flow. He added there are many regulatory issues, specific to that plant, the county would be assuming with the purchase.

The County Manager said as he understands it, the perk ponds would have to be eliminated. The capacity of the plant is limited by permit, because of the perk ponds and their volumes. Mr. Shelton said it is also limited, because it is very likely that the plant cannot produce nitrogen to twelve milligrams per liter, which is required to build perk ponds. He said that a spray field requirement is that nitrogen is produced at twenty milligrams per liter. Mr. Neihaus said most of the violations are to do with the nitrogen levels.

City Manager Johnson said that customarily one will not find a city/county relationship whereby the county owns the entire asset and contracts the operation to the city. He said that typically the city provides capacity and the county owns the collection system. He voiced concern that there may be a legal impediment with the city managing without any ownership in the plant. Mr. Johnson said the county may also want to consider private companies who manage these types of plants. The County Manager explained that when the initial discussions began several years ago, the idea was once there was an established GUA; this asset would be transferred to the GUA. Mr. Johnson said that while he does have some concerns, that he is open-minded, and interested, and that sees the potential benefits for both the city and the county. County Manager Williams asked the City Manager to let him know what information the county could provide to the city that would help them come up with the figures needed to complete the cost pro-forma. Mr. Dave Clanton will provide dollar figures to operate and maintain a new plant.

County Attorney Feagle said that he has had an opportunity to speak with City Attorney Herbert Darby and that he would be surprised if there was a legal impediment. Mr. Feagle will research the matter.

Chairman Dupree and Commissioner Bailey said that the cost to bring the old plant into compliance, up to standards and to make operational will also be needed. The two pro-formas will need to be compared.

Answering a question from Commissioner Dupree, Mr. Sheldon said if the existing plant is operating as a secondary plant (that will go to a spray field), the collection system is fairly insignificant to expand over the commercial accounts.

Answering a question from Commissioner Bailey, Mr. Neihaus said the condition of the existing plant is terrible. Regarding the collection system in the private area, Mr. Neihaus said the county will be required to obtain easements to run a collection system for the commercial side, because the D.O.T. will not allow the county to have manholes. Mr. Sheldon said if the condition is awful, the city will definitely not want to operate it. Mr. Neihaus reminded everyone that there is little time to work with, but said whoever operates the plant definitely needs to assess the plant so they understand what they are taking on. The city agreed to do an assessment on the existing plant prior to the county taking action to purchase.

The County Manager said two appraisals have been received for the package plant. He asked that the committee to recommend to the full Board of County Commissioners that they allow negotiations to begin with the plant property owner. The appraisals came in at \$172,400 and \$190,000.

MOTION by Commissioner Bailey to recommend to the full Board to allow staff to begin negotiations for the purchase of the property the two appraisals were received on. Second by Commissioner Frisina. The motion carried unanimously.

The County Manager said that regardless of the scenario selected, the easement leading from the county utility site and then parallels I-75 up to where the package plant is located is an easement that must be acquired. Mr. Neihaus said there is a survey that describes the easement the County Manager spoke of. County Engineer John Colson said that there is no written easement, but that is being worked on now.

Mr. Colson told the Committee that someone needs to clarify the acreage to be purchased for the existing plant. He said that he understands the appraisal is based on a description somewhat different than the actual description of the parcel. There is a difference in approximately 6/10 of an acre.

Chairman Dupree said regarding the easement, it is his understanding the owner is the same person who owns the piece of property the Board had previously discussed [he was not specific]. The Chairman said it is his understanding that the property owner has stated that he wasn't going to do anything to work with the county on the property. Mr. Neihaus said that both legs of the collection system are alternates. The County Manager said it is absolutely necessary that the county acquires this piece of property and that eminent domain is a possibility. He said that the County Engineer has suggested that it not be acquired as an easement, but instead that it be acquired fee simple and have title. Mr. Neihaus said the easement would be a purchase that the \$1,200,000 waste water grant money could be used on. Engineer John Colson said there is another problem with the easement, and that is there is an existing AT&T easement that parallels the interstate. Mr. Colson said that he suspects that AT&T will want compensation for the entire fifty feet, because they will no longer have any use for a portion of that strip.

MOTION by Commissioner Bailey to recommend to the full Board to secure the easement for fee simple title that is needed for the critical piece of property located between the county's property and the spray field. If negotiations are not successful, then the county should proceed with eminent domain. Second by Commissioner Frisina. The motion carried unanimously.

There was discussion between Mr. Ronnie Hughes and Mr. John Colson that the easement/property being discussed is in estate with Gary Brown as trustee. The property located from I-75 to the northern side of Mr. Arky Rogers' property is in that estate. Mr. Hughes said that according to Mr. Law of Clay Electric, when they attempted to go from single phase to three phase electrical. A land owner/manager who lives up north was holding up the process of getting electricity to the county's operation. Mr. Neihaus said that they have contracted with Clay Electric

to get the power to the operation. The estimated cost to get the power run is approximately \$97,000. Mr. Neihaus said that he understands through Clay Electric that since the power will be three phase an additional qualification to the easement was required.

WATER

Commissioner Dupree recalled at the previous Board of County Commissioners meetings the largest hurdle has been the issue of whether the county could subsidize the water plant. This may have corrected itself. The second largest issue has been the distribution of the water system and who would be required to hook on in Ellisville.

Commissioner Dupree said that he has concern that a Request for Bid has already been disseminated for a water distribution system that was never authorized by the Board of County Commissioners. He questioned how much of a problem there would be, considering timing, if there is a need to change the distribution system.

Mr. Neihaus explained that the hearing [he was not specific] was held last week. In order to be considered for that hearing, everything [he was not specific] had to be done by July 17th in order to receive the \$1,900,000 grant. He said that permits and specifications were required to be in place by July 17th. Mr. Neihaus said they had already permitted and previously bid that route. To start over again, we would have missed the window altogether, and this money would not have been available to the county.” Mr. Neihaus said that there was no way to get an alternate route permitted by July 17th. Commissioner Dupree replied he knew that this was going to happen and that was the reason he had tried several times to get a workshop set by the Board. The Commissioner asked if his understanding was correct, that if the distribution system for the well field has been decided on, any changes the Board makes will have to be paid for from private money instead of stimulus money. Mr. Neihaus said that the change would have to be cleared with DEP to make sure that they agree the scope of the work was not being changed.

The County Manager said that the AARA funding received was based on the old application and report filed in 2005. He said that nothing has changed in terms of doing the expansions. The sitting Board never expected to build the system now being talked about with the amount of funding the county had. He said regarding the additions being discussed, that he fully expects by the time the county gets to that point, that all AARA money will be exhausted. He said that would have been the case if the county had the State Revolving Loan Fund and nothing else. The County Manager said that whatever the system being discussed would have cost, the bottom line is that the system will now be \$1,900,000 less because of the grant received.

Commissioner Dupree said once the lines are in the ground, they have to be tapped, metered, the meters must be read, statements sent out, etc. He said that he is concerned that unlike the city, the county does not have people on the payroll with expertise in these areas. He said that it wouldn't be prudent for the county to hire the expertise needed. He asked the city to begin considering how the county may be able to draw from their expertise.

No recommendations were currently needed relating to distribution.

Mr. Neihaus used a large map to point out the south side distribution route.

Answering a question from Commissioner Dupree, Mr. John Colson said that he had previously suggested that the county purchase the “little triangular piece of property” adjacent to the well field in order to have direct access to that well field. He said it is approximately 1.5 acres.

MOTION by Commissioner Frisina to suggest to the Board of County Commissioners this approximately 1.5 acres from Ms. Cason to have direct access to the well field. Second by Commissioner Bailey. The motion carried unanimously.

INVOICES

Hughes Well Drilling based on Mr. Hughes' last pay request, has contract obligations of \$513,296. The County Manager said, "The contract sum assumes that the Board is going to accept what was Deductive Change Order #4." Deductive Change Orders #4 and #5 have been presented to the Board of County Commissioners. The Board withdrew both.

The County Manager said that with Change Order #4, the county would owe Hughes Well Drilling \$29,498 to complete the job. Without this change order, it would be \$128,816 for Hughes Well Drilling to complete the scope of work. These two figures added together would be the total required in order to complete the supply side of the Ellisville Water Utility.

County Manager Williams said that there has been some discussion about reducing the amount of this contract to exclude the chlorination system and the electrical and telemetry control, because it could be best completed by other parties. Likewise there has been discussion that Mr. Hughes should be allowed to complete the entire project.

Mr. Hughes told the Board that he signed the contract to do the job and that he is able to complete the work.

County Purchasing Agent Ben Scott said the change order deducts those amounts for chlorination, electrical and telemetry control that were in Mr. Hughes' original bid. Mr. Scott said, "In order for Mr. Hughes to finish that...the system has changed and there was an additional change order for him to finish it. Engineers believe we can finish the project for the deductive change order amount. We can finish it separately for that without adding an additive change order on to it." He said that Mr. Hughes needs an Increased Change Order to do this, for just what's in the contract." In order to avoid the Increase Change Order for the work remaining in the contract, the engineers believe that they can do the work for the amount in the contract and avoid an Increase Change Order by Mr. Hughes

After an in-depth discussion a motion was offered.

Commissioner Dupree said he is in favor of single source responsibility. He said that he could not support bringing in another contractor when the scope of this work is very near completion. Further, he said that no one has been able to produce any proof that there would be a savings and if so, how much. He said that he would support having Mr. Hughes finish this contract, and submit the change orders. Relating to the chlorination system, Commissioner Dupree said that issue can be negotiated. He said that he would be happy to meet with Mr. Hughes and Eutaw to negotiate the price. If they can't come to a common ground on the price, the issue could then be handled differently.

Mr. Ben Scott asked for the clarification as to where Mr. Hughes' contract would terminate. Mr. Neihaus understands that Mr. Hughes will provide everything except for the ground storage tank. Commissioner Bailey said that if the county and Mr. Hughes can come to an agreement on the dollar amount, his contract should technically stop at the end of the chlorination system.

Mr. Hughes said that the chlorination system was figured as a lump sum, not individual prices per job. He didn't think it was fair to pull one item out of the contract and specify a price when it was figured as a lump sum.

MOTION by Commissioner Bailey to recommend to the Board of County Commissioners that Mr. Hughes be allowed to finish out his contract, and for Commissioner Dupree to negotiate with Eutaw Utilities and Mr. Hughes to resolve the chlorination issue. (The ground storage tank is excluded). Second by Commissioner Frisina. The motion carried unanimously.

The City agreed to review the specs on the well and offer comment.

EUTAW UTILITIES

The County Manager reviewed a funding summary of the water and sewer projects. The county has received nearly \$6,000,000 in funding for the Waste Water Treatment Plant (Sewer Side). Of these funds, the county has spent approximately \$368,000, and has an invoice pending for

\$257,111.

Funds in the amount of \$2,900,000 have been received from a State Revolving Loan for drinking water.

Funds spent relating to drinking water total \$501,000.

Accounts paid, but not submitted for reimbursement total \$248,000. This was withheld because it now qualifies under ARRA.

There is also an accounts payable due of \$9,150.

Commissioner Dupree recalled Eutaw submitting an invoice to the county for over \$14,000. He said the invoice never went before the Board of County Commissioners for approval. The County Manager said that the invoice had not been paid. Mr. Neihaus said the invoice was replaced with the invoice for \$9,150.

Left owing on the project for planning and design is \$75,000 (drinking water).

MOTION by Commissioner Bailey to recommend to the Board of County Commissioners that the invoice for \$257,111 and the invoice for \$9,150 be approved. Second by Commissioner Frisina. The motion carried unanimously.

PROJECT CONSTRUCTION MANAGEMENT

The County Manager said that he feels strongly that the county needs construction management services providing that will represent the county's interest and whose scope of work will exceed what an engineer firm will do. He said that this has benefited the county well in road construction and he believes it will be beneficial in the utility construction. If the Board is inclined to do this, the person would need to be in place by October.

Commissioner Dupree said that since the county is interested in having the city assist with the management of the facility once in operation, that he would be interested in speaking with the city to see if it would be possible to have a contract for their people to assist with project management. He said that he would rather have the city fill that role over a private contractor.

The City Manager said that it would be a possibility and that the city would be open for discussions. He said it would be something that the City Utility Committee would also need to discuss.

The County Manager said that should the city not be willing or able to assist, that he has had some conversation with an employee who recently retired from the City Utility Department, Billy Dow who would be a strong candidate for the position. Mr. Neihaus said that Eutaw has an engineer that they work with that contracts for this type of work also.

Mr. Henry Sheldon offered from an engineering perspective that engineers working with Eutaw would have a vested interest in the successful completion of the project. He said that it may not be in the county's best interest to involve someone affiliated with Eutaw in day-to-day activities of the project. He said that the engineer of record for the design should be the one to review and approve shop submittals and drawings, they should also be on call for contract interpretation. He said that when you involve a third party, and even more so if they are a technician and not an engineer, you could create disasters. He said that he has experienced this first hand in Lake City. Mr. Sheldon said a retired Public Works Director would be very talented in laying pipe lines and inspecting them. However, handling construction, chlorinators, tanks, high service pumps, control

panels, structural slabs, etc. one must be able to be involved in the project and have an open line to the designer.

The County Manager said that he would not disagree with Mr. Sheldon and that the person in the field will give daily reports, or more frequent as needed to them and the county. He said that he wants continuous inspections. He said that the county is limited in who they can select, but are fortunate in that there are some people "here" that are qualified to "do that." He said they would not exclude the designers. County Manager Williams said that someone will need to be hired for the duration of the job.

Mr. Sheldon said that Mr. Dow's experience is in pipeline. He said when it gets to the point of electrical controls and so forth that the county needs to be fair to the person involved by making sure they are qualified to do the job needed. He agreed that continuous inspections are necessary for anything going into the ground, and that daily logging will be needed. The County Manager agreed and said that Billy Dow may not do 100% of the continuous inspection, but that the county would be interested in him assisting with the distribution portion.

Commissioner Dupree asked if the scope of work needed from this person would be defined to distribution and collection inspections. The County Manager replied that the motion should include all facets.

MOTION by Commissioner Bailey to recommend to the Board of County Commissioners that they approve hiring project construction management. Second by Commissioner Frisina. Persons chosen for the position will come back before the Utility Committee. The motion carried unanimously.

VICE CHAIR

MOTION by Commissioner Bailey to appoint Commissioner Frisina. Second by Commissioner Dupree. The motion carried unanimously.

NEXT MEETING

The next Utility Committee is scheduled for September 01, 2009 at 9:00 a.m. at same location.

APPOINTMENTS

Commissioner Bailey asked if the two appointments to the County Utility Committee will not be able to make meetings through the day that they re-appoint two others.

ADJOURNMENT

There being no further business to come before the Committee, the meeting adjourned at 11:55 a.m.

ATTEST:

Utility Committee Chairman

P. DeWitt Cason
Clerk of Circuit Courts