

Agenda Item #4 (a)

**Board of Trustees  
Minutes of Meeting  
Douglass Branch Library  
November 2, 2007**

1. The meeting was called to order at 5:32 p.m. by Sandra Jones, Treasurer.
2. Members Present: Russell Dankert, Sandra Jones, Minnie Pearson, Robert Shierry, and Michael Smeltzer

Members Absent: Rusty Freeland, Rochelle Funderburg, Michael La Due, and Beth Sandore Namachchivaya

Library Staff Present: Marsha Grove, Mary Bissey, and Jill Bouvet

Visitors Present: Joe Hooker, *Assistant City Attorney*; Pat Dorsey and Mike Stilger, *PKD, Inc.*

3. Main Library Project Update:

- a. Demolition Bid Approval (Mike Stilger and Pat Dorsey, PKD, Inc.):

- Grove explained that PKD's letter recommends that the bid from DEM/EX Group is neither a responsive nor a responsible bid and therefore should be rejected and an award be made to the second lowest bidder which is Brandenburg Industrial Service Co.
- Dorsey explained that they have asked DEM/EX for acknowledgement from their bonding company that the bid results were reviewed and they were willing to move forward with the performance bond. If that bonding company was willing to provide a bond, they would have been more than willing to write a letter stating so.
- Dorsey also explained that in analyzing the bid breakdown, the biggest difference between DEM/EX and the other bidders was that they intended to place on the job site, a 50 ft. long mobile crushing plant to crush concrete and use as backfill material which is specifically not allowed in the bidding documents. DEM/EX was asked to confirm that they would not do that and they were not willing to say that this would not happen. PKD's accountant also reviewed the financials submitted by DEM/EX which showed that they are heavily in debt and have a low net worth which does not seem responsive if they are not a financially sound company.
- MOTION by Smeltzer to reject the DEM/EX Group bid as discussed, seconded by Pearson.  
All: Aye.
- Shierry asked Hooker how he would feel defending this in court.

- Hooker stated that it is clear that they were not responsive on two counts with the concrete crushing on site and not removing all the material. The other reason to reject this bid is that Brandenburg would have a reason to challenge this. Our position is sound.
- MOTION by Shierry to approve the second lowest bidder, Brandenburg Industrial Service Company as presented; seconded by Dankert. All: Aye.
- Dorsey suggested that we should release their bid bond.
- Hooker agreed that it is the appropriate thing to do under the circumstances.
- Dorsey announced that Stilger has a pre-award meeting set on Monday.
- Stilger explained that Brandenburg has a responsible bid and they do not plan on using any material on site as they plan to haul the debris away. After the pre-award meeting if everything is in order, a notice of award letter will be sent to Brandenburg and DEM/EX will be notified.
- MOTION by Smeltzer that upon awarding Brandenburg the contract, all bid bonds will be released back to the unsuccessful bidders as discussed, seconded by Pearson. All: Aye.

4. Comments from the Audience:

- No comments.

5. Comments from the Board:

- No comments.

6. Next Meetings or Events:

- Regular Meeting, Thursday, December 13, 2007, 5:30 p.m., Douglass Branch
- Regular Meeting, Thursday, January 17, 2008, 5:30 p.m., Julia F. Burnham 3<sup>rd</sup> Flr. Conf. Room
- Regular Meeting, Thursday, February 21, 2008, 5:30 p.m., Julia F. Burnham 3<sup>rd</sup> Flr. Conf. Room

7. Adjournment:

- MOTION by Dankert to adjourn, seconded by Shierry. All: Aye.
- The meeting was adjourned at 5:55 p.m.

Respectfully submitted,

---

Rusty W. Freeland, President

---

Minnie Pearson, Secretary

---

Jill Bouvet, Recorder