

TOWN OF MCMILLAN
M403 ELM STREET MARSHFIELD, WI. 54449

TOWN BOARD SPECIAL MEETING
July 20, 2017 4:30 P.M.

The meeting was called to order at 4:30pm by Chairman Carolyn Optiz. The Pledge of Allegiance was recited.

ROLL CALL- Debbie, Dave, Carolyn, Gary, Kevin – All Present

OLD BUSINESS – Review the Award of Road Project Bids made at the July 10th Board Meeting – Carolyn began discussions of bidding process stating the ad in paper listed different things needing to be done and the bids submitted by Dan DeBoer and Paul Bugar appear that both bid the items as separate projects, then Board combined. It is unclear if this process was correct, hence the reason for the meeting.

Dave asked the Clerk to review the minutes of the previous meeting. Clerk did so with the caveat the minutes are unofficial as they've not been approved by the Board.

Carolyn called upon Dan DeBoer who read the ad for bids: read title and stated his impressions of projects being broken down. Dan repeated the bids stating in all items the low bidder would be successful and as a taxpayer in the township he is concerned with the decisions made. Brought up 2016 bids and reason he wasn't awarded the bid.

Carolyn called upon Paul Bugar, Jr. who explained his bids stated on Sugarbush he just bid the excavating part of it. No problem splitting it out. Excavating was bid on all three roads included in his bid.

Board discussion included questions regarding the award already taking place and if changes are made, will the town open itself to possible litigation from previous successful bidder? Gary asked should the projects have been split out by road and awarded to low bidder. Kris Stroetz interpreted the call for bid as separate projects and stated it is the duty of board to go with lowest bid. Carolyn corrected that statement, citing there is no requirement to accept low bid; the question being was the bid awarded appropriately? Probably not.

Gary asked if anyone contacted legal advice and what the Board's options are; further stating the bottom line is one or the other of the bidders is going to be upset and possibly end up in a legal dispute.

Debbie asked for a copy of the bid, and after reading stated the way it is written bids should have been reviewed separately.

Carolyn stated the way ad went out, Board was wrong.

Approve/Disapprove Awarding Individual Projects by Road – Debbie/Dave move to approve the award of individual projects by road. Discussion: Kevin problem is American is not available. Paul stated if Dan thinks that job should go together, then the Board should approve Sugarbush as one project with the award to American. Roll Call: Debbie, Dave, Carolyn, Gary, Kevin – All Ayes.

Award Marsh Street Project – Carolyn read bids. Debbie/Kevin moved to award Marsh St in the amount of \$7,635.50 to Paul Bugar Trucking. No discussion. Roll Call: Debbie, Dave, Carolyn, Gary, Kevin – All Ayes

Award Elm Street Project – Carolyn read bids. Dave/Gary moved to award Elm Street Paving in the amount of \$145,994 to American Asphalt. Discussion included clarification on bid amount. Roll Call: Debbie, Dave, Carolyn, Gary, Kevin – All Ayes

Award East McMillan Street Project – Carolyn read bids. Debbie/Gary moved to award Earth Inc. as low bid for the East McMillan project. Discussion: Kevin asked if the project is split, excavation & paving. Roll Call: Debbie, Dave, Carolyn, Gary, Kevin – All Ayes

Award Sugar Bush Lane Project – Debbie asked if the bids are to be considered as submitted. Paul stated it is the assertion of Dan this is one project and he should be doing a 20K job for \$1,000. Carolyn asked what the wants of the bidders were. Paul stated to accept as project. Debbie/Dave moved to award Sugar Bush to Paul Bugar Trucking in the amount of \$1000. Discussion: Amend motion to award for excavation only. Debbie/Dave moved to amend the previous motion to award Sugar Bush excavation project in the amount of \$1,000 to Paul Bugar Trucking. Roll Call: Debbie, Dave, Carolyn, Gary, Kevin – All Ayes

Clerk clarified the awards made are only for excavation and prep work. The Board needs to review and amend the awards previously made for asphalt and paving.

Marsh St Project: Debbie/Dave moved to award blacktopping Marsh St in the amount of \$9,148 to American Asphalt. No discussion. Roll Call: Debbie, Dave, Carolyn, Gary, Kevin – All Ayes

East McMillan Project: Dave/Debbie moved to award the asphalt work of the project to American Asphalt in the amount of \$23,916. Roll Call: Debbie, Dave, Carolyn, Gary, Kevin – All Ayes

Sugar Bush Lane Project: Debbie/Dave moved to award blacktopping to American Asphalt in the amount of \$22,513. Roll Call: Debbie, Dave, Carolyn, Gary, Kevin – All Ayes

Carolyn stated lessons were learned and it may behoove the Board in future to open bids at one meeting and review, to award at a following meeting. Bids should come in March or April to be well ahead of the schedule.

Paul Bugar asked if it is the Boards intention to rescind award motions made at previous meetings. Carolyn stated affirmatively this needs to be addressed. Debbie/Kevin moved to rescind the previous motions regarding road bids from July 10th meeting. Discussion: How will this affect the minutes when the Board goes to approve as presented. Debbie apologized to both companies; Dan for insurance last year and Paul for this year. George Derfus stated the process seemed crooked and not quite right. Dave mentioned that part of the problem is communication with Clerk; having part time hours and hours spent in the office, etc. Carolyn stated the ad was fine. Gary stated this can't be blamed on the Clerk. Kris Stroetz mentioned issues in the past and different interpretation of the ads. Debbie advised Dan to be aware that when bids are open vocal is ok. Kevin asked if there were any instance in the past where the certificate of insurance was omitted. Roll Call: Debbie, Dave, Carolyn, Gary, Kevin – All Ayes

Debbie moved to adjourn at 5:11pm. Dave second. All in favor. Motion carried.

Respectfully submitted,
Patti Rahn, Clerk