

**MINUTES
DD 1 LANDOWNER MEETING
APRIL 12, 2017**

Hardin County Board of Supervisor Chairman, Lance Granzow, opened the meeting. Also present was Supervisor, BJ Hoffman; Landowners, Jerry Kramer, Charles Butler, Arnold Luiken, Gordon Taylor, Ken Reece, Karol Rogers, Michael Roll, Robert Fuller Jr, Arlyn Hake, Mark Keninger, Marvin Kramer and Lora Kramer; Lee Gallentine with Ryken Engineering; Drainage Clerk, Tina Schlemme. Absent: Renee McClellan

Hoffman moved, Granzow seconded to approve the agenda as presented. All ayes. Motion carried.

After introductions and verification of attendance, Schlemme updated the landowners that the engineer's estimate was \$130,000 and two bids were received at the bid letting. One was from McDowell & Sons in the amount of \$121,380 and another from Gehrke Inc in the amount of \$149,749. At the last drainage meeting, it was discussed that statements made on the Contractor Qualifications Statement were inaccurate by the low bidder. The Trustees decided to confer with landowners regarding going forward.

Hoffman stated he wasn't comfortable awarding the bid to the low bidder as there has been issues in the past with their quality of work. After seeking legal counsel, he was made aware that he had the right to refuse any bid that was not from a responsible bidder, therefore he did not approve awarding the bid to McDowells. The difference between the two bidders is approximately \$28,000.

Hoffman further explained that statements made on the low bidders Contractor Qualifications Statement were inaccurate. McDowells had answered no to the questions 'Are there were any judgments, claims, arbitration proceedings or suits pending or outstanding against your company', 'Has your company filed any lawsuits or requested arbitration with regard to construction contracts within the last five years' and 'Has your company ever failed to complete any work it has been awarded?' Hoffman stated all those answers should have been a yes. When asked, Hoffman stated that he was speaking as one vote as a Trustee. Granzow added that the back page of the Contractor Qualifications Statement was wrong.

Landowners asked if an engineer is monitoring the project, won't they see that it is done correctly. Gallentine explained that they observe and report back what happens and if the contractor is complying with the specifications, but the means and methods are up to the contractor.

The bid sheet with individual line items was shown. Landowners noted the large difference between contractors in the tree removal line item. Landowners asked if the tree removal item could be removed from the bid. Gallentine informed all that no items can be adjusted from the bid. Change orders can be signed by both parties to add items as needed or remove items as needed. But the bid has to be either rejected or accepted with no modifications. The Trustees agreed they could talk with Gehrke's after the bid had been accepted regarding a possible change order on the tree removal line item.

Landowners were given ballots to vote on the bid: Reject McDowell- 9; Accept McDowell-2.

It was discussed that if they rebid the project, it probably wouldn't be done this season. If Gehrke's bid was accepted, then it would move forward. Another tally was taken if landowners wanted to rebid the project or accept Gehrke's bid: Accept Gehrke-7; Rebid-4.

Hoffman moved, Granzow seconded to reject the bid from McDowell and Sons due to not meeting the standards per Iowa Code as not being a responsible bidder. All ayes. Motion carried.

Hoffman moved, Granzow seconded to award the bid to Gehrke Construction in the amount of \$149,749 pending the contractor qualifications statement review. All ayes. Motion carried.

Hoffman moved, Granzow seconded to adjourn the meeting. All ayes. Motion carried.