

**WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS**  
**March 8, 2017, 2:15 p.m. - Commission Board Room**  
**1331 South Blvd., Chipley, FL 32428**

DISTRICT 1 Alan Bush	DISTRICT 2 Charles Kent Chairman	DISTRICT 3 Tray Hawkins	DISTRICT 4 Todd Abbott Vice-Chairman	DISTRICT 5 Steve Joyner
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- I. PROCLAMATION – Deputy Rackard
- A. Call to Order – Chairman Kent
  - B. Invocation/Pledge – County Administrator Hamilton/Chairman Kent

The Washington County Board of County Commissioners met on the above referenced date with the following members present: Commissioners Kent, (Chairman) Bush, Hawkins, Abbott, and Joyner.

Also attending the meeting are as follows:

Jeff Goodman, County Attorney

Lora C. Bell, Clerk of Court

Hank Hamilton, County Administrator

Risha Brantley, Deputy Clerk

Chairman Kent added the clarification of the Sunny Hills mowing contract to the agenda in order to proceed with the bid process.

Chairman Kent expressed concern about the (10) cycles included in the previous contract suggesting to lower the cycles to (7) and do 12-months of trash pickup.

Commissioner Hawkins asked if the contract included (10) mandatory cycles.

County Administrator advised the Board that the contract included (10) cycles but they have paid every cycle that they cut.

Commissioner Hawkins suggested to include (7) mows and the other (3) would be upon discretion.

Commissioner Joyner suggested it remain the same as last year and to allow room for adjustments. The list of roads that were done last year were included in the cycles, which is what the Board should use to allow future adjustments when suggestions are made by the future MSBU Board.

County Administrator Hamilton asked the Board if they would like the cycles to be (6) main thoroughfares and then identified.

Commissioner Abbott suggested the Board previously held discussion to leave the contract as it previously was and advice could be received from the future committee.

Commissioner Hawkins addressed the Board. They will a lot the contract on the (6) main thoroughfares that were already in place and then take advice on any additional from the committee. Also, include a guarantee of (7) mows and any additional would be at the discretion of the MSBU committee.

County Administrator Hamilton suggested that a clause could be included in the contract identifying the rate that each additional cycle above (7) would cost.

Commissioner Hawkins addressed County Administrator Hamilton. The cycles aren't a problem but each additional road.

Commissioner Bush addressed the Board. The guaranteed minimum would be (7) cycles, but bid it for (10). The cycle length needs to be identified. There were complaints that it never seemed as though the cycles were completed. Commissioner Kent commented that the contractors subcontracted the work.

Commissioner Hawkins asked County Attorney Goodman could the county inspect it.

County Attorney Goodman advised yes.

County Administrator Hamilton advised that the Board is the contract administrators.

County Administrator Hamilton addressed the Board for clarification. The Board would like 12-months trash pickup, (7) cycles minimum but will bid on (10), may increase the roads that need the cycles, and cycle needs to be defined.

County Attorney Goodman asked if it mattered to the Board what percentage of the actual work the bidder does or are they allowed to subcontract.

Commissioner Joyner advised that he does not want it subcontracted.

Commissioner Kent agreed suggesting that he would like someone to answer.

County Administrator Hamilton clarified with the Board they would like mowing, and trim.

Commissioner Hawkins included litter removal.

- II. **ADOPT THE AGENDA – Commissioner Abbott offered a motion, seconded by Commissioner Joyner and unanimously carried to adopt the agenda with the addition.**

III. NON-AGENDA AUDIENCE - Effective October 1, 2013, Florida Statute 286.0114 mandates that “members of the public shall be given a reasonable opportunity to be heard on a proposition before a Board or Commission.” Each individual shall have three (3) minutes to speak on the proposition before the Board.

#### IV. AGENDA ITEMS

- FEMA Rock Bid – Tom Terrell, Public Works Director addressed the Board in reference to the FEMA rock bid and staff recommendation. The rock bids received came in \$1,063,261.99 over budget. The budget is based upon the amount of money they have left from FEMA for the work to be completed.

County Attorney Goodman clarified that based on what FEMA provided the low bid was \$1,000,000.00 over it.

Tom Terrell, Public Works Director advised that is correct; the apparent low bid. With that in mind there will always be over runs. The price may be able to be reduced by rebidding the contract specifying limestone instead of granite. The availability of lime rock is currently unavailable in the Tri-County area.

Commissioner Hawkins asked why the rock wasn't considered initially since it is 30% cheaper.

County Engineer Knauer advised that the difference is around 10 – 15% cheaper. Limestone and granite side by side is very difficult to differentiate between. Limestone is dustier than granite. All the discussion with the Board leading up to this was to try and use granite.

Commissioner Hawkins asked if they would still be around \$635,000.00 over budget.

Tom Terrell, Public Works Director advised that he doesn't know the exact figures because that is a materials budget.

County Engineer Knauer advised that limestone comes from a different place than granite. There could be additional savings in trucking over the granite because of the limestone. The large suppliers such as Vulcan, they handle both kinds of materials. There will be some savings in the material cost.

County Attorney Goodman addressed County Engineer Knauer. If the direction is to rebid limestone would that rock be acceptable to DOT and FEMA.

County Engineer Knauer advised there is a DOT specification for #57 limestone.

County Attorney Goodman clarified what would possibly be rebid is okay as far as DOT standards.

County Engineer Knauer/Tom Terrell, Public Works Director advised that is correct.

Commissioner Hawkins asked about the additional timeframe.

County Engineer Knauer suggested about (3) weeks total.

Commissioner Hawkins clarified, (3) working weeks.

County Engineer Knauer advised that is correct. The discussion held at the pre-construction conference was the way that it worked out with 51,000 tons was that they would have to haul and place an estimated 10,000 tons per month. There were no contractors that felt that was unreasonable. With the new timeframe that

would mean a need to put out closer to 12,000 – 14,000 tons per month, which is still not unreasonable.

Commissioner Hawkins advised that he has had concerns with the timeframe initially asking if County Engineer Knauer felt the work could still be done at the same quality.

County Engineer Knauer advised that is his belief.

Commissioner Abbott asked what the issue is with the granite that was bid.

Tom Terrell, Public Works Director advised the price.

Commissioner Abbott asked if the state is willing to pick up the price.

Tom Terrell, Public Works Director advised that he doesn't know.

Commissioner Abbott addressed the Board. What he is hearing is that they asked for the wrong thing.

County Engineer Knauer addressed Commissioner Abbott. He does not feel they asked for the wrong thing.

Commissioner Abbott addressed County Engineer Knauer. They all knew that the granite was going to be more than what FEMA had allotted for this but they were going to go back and ask FEMA to cover it.

Why has the plan changed?

Tom Terrell, Public Works Director addressed the Board. His past experience with FEMA goes further than the local audit. He referenced a prior bad experience

several years prior where years after the work was done FEMA went to close out and the federal government and OIG audited FEMA.

Effort is being made and documented to show due diligence has been done to put the Board in the best position. Every day that limestone is unavailable it is documented.

Commissioner Hawkins advised that he would have liked for the bid to have been initially for both.

County Engineer Knauer addressed Commissioner Hawkins. That is a tough option because you can't hardly distinguish between limestone and granite. It is hard for an inspector that is on the job to know that one is being used and not the other.

It can be tested but that takes time and that is not something that can be done on every few loads. It is a bigger deal than that.

Commissioner Abbott advised that he didn't want lime because it is dusty.

County Engineer Knauer advised Commissioner Abbott that it is nothing like lime rock.

Commissioner Abbott asked if the bid for lime rock was let out approved for district 4.

County Engineer Knauer addressed The Board. They bid out two projects that had lime rock, which was contract a. and b. Those are currently under construction.

Tom Terrell, Public Works Director advised they are mainly in district 5.

County Engineer Knauer addressed the Board. The second largest project, which was bid out for lime rock where Commissioner Abbott wanted 1,400 tons of granite in district 4, the contractor was never able to meet the specifications that were called for in the project on lime rock.

It was brought back to the Board.

Commissioner Abbott asked County Engineer Knauer what about the granite.

County Engineer Knauer addressed the Board. It was hard to award to the contractor when he had millions of dollars' worth in lime rock as well. He is not sure if the Board could have pulled the granite out of the contractors bid and only awarded the granite to the contractor.

It was bid as separate line items.

Commissioner Abbott thought that the Board previously award the contract.

County Engineer Knauer advised that they never signed the award or the contract. It was to stockpile and now they are talking about placing it on the roads.

It was brought before the Board with the direction being to rebid using granite due to the contractor being unable to meet the specifications.

Tom Terrell, Public Works Director addressed the Board. They still have the results. This is a separate recommendation.

County Engineer Knauer recommended to reject all bids and re-advertise using limestone, which should result in cost savings for the county. They feel they can demonstrate to FEMA they did everything possible to try to make a reasonable



cost to fulfil the projects.

Commissioner Joyner addressed the Board. In the past they had FEMA clarify the rock description and somewhere they recommended to use lime rock or limestone when available and then go to granite.

Commissioner Abbott asked if the contractors are being affected because he understands that some of them have purchased and stockpiled the material.

County Engineer Knauer advised the contractor had never been awarded a contract.

Tom Terrell, Public Works Director advised that would have been a risk.

Commissioner Joyner addressed the Board. He does not want to have to go back to FEMA and pay money later.

Commissioner Hawkins asked if the bid could be ready by the meeting in March.

County Engineer Knauer advised they have to advertise for (30) days because of the size of the contract.

Tom Terrell, Public Works Director advised that is FEMA's requirement.

County Attorney Goodman addressed the Board. The timeframe would be April 10th – 11th.

County Engineer Knauer addressed the Board. The direction from FEMA is the county should always use what they normally use when putting rock on the road. The county normally uses lime rock.

It has been documented that it is not available.

Commissioner Joyner advised that he does not want to lose any of the rock or carry any future financial liability. It is the Board's decision and he is okay either way but he would like to keep the county out of any harm.

Commissioner Bush addressed the Board. They have some bids and granite is what they normally use in the event they cannot get lime rock. Has limestone been used in the past.

County Engineer Knauer advised that he does not know.

Commissioner Bush addressed the Board. If they use the current bids they can go ahead and start but otherwise they are awaiting the next bids and if they don't come in lower that would be time wasted.

When is the deadline?

Tom Terrell, Public Works Director advised August 2nd.

Commissioner Bush addressed the Board. The roads in District 1 and 3 are mainly done. There are a couple pw's in District 1 that need to be closed.

Commissioner Kent addressed the Board. They were mainly satisfied with what was already on there but because of time restraints they decided there were more in the other districts and to let that happen.

Commissioner Hawkins asked if there was ever any discussion on Commissioner Abbott's roads.

County Engineer Knauer addressed the Board. When the bids were submitted to FEMA for review they made adjustments to the pw's called versions and that is how they moved forward with those projects.

Commissioner Bush asked if they have been approved.

Commissioner Hawkins asked County Engineer Knauer whenever Commissioner Abbott decided to change from lime rock to granite what was FEMA's thoughts and discussions on that.

County Engineer Knauer advised that he didn't have any thoughts or discussions with them. They packaged the bid package and sent it to them.

Commissioner Kent advised Commissioner Hawkins that it wasn't only Commissioner Abbott. They all did it.

Tom Terrell, Public Works Director addressed the Board. They sent it to FEMA who apparently wrote a new version for those roads.

Brenton Sempreviva, Wheeler Emergency advised they did.

Commissioner Hawkins asked Brenton Sempreviva, Wheeler Emergency what were FEMA's thoughts.

Brenton Sempreviva, Wheeler Emergency advised they haven't reviewed all of the internal inspections.

Possibly the Board may be thinking of the state's review. FEMA has not reviewed it.

Commissioner Hawkins asked if they had been paid for it.

Brenton Sempreviva, Wheeler Emergency advised yes, through the state.

Tom Terrell, Public Works Director addressed the Board. They are the sub-grantee. The grantee is the state who has received a grant from FEMA.

He advised that is why he referenced earlier that there is a bigger process.

The answers are currently coming from the state and Emergency Management, not necessarily FEMA.

Commissioner Hawkins asked how the state received it.

Brenton Sempreviva, Wheeler Emergency addressed the Board. It was paid for. When he writes the close out he is including that lime rock was not available on the project, so granite was used and that was accepted. As long as it is not available, it will generally go through.

Commissioner Abbott offered a motion to rebid with the stipulation that County Engineer Knauer is sure that they can do it in the timeframe, but other than that he would like to go with the motion that they go with the current bids.

County Engineer Knauer advised that he feels comfortable that the work could be done in the timeframe.

Based on the discussion with the contractors at the preconstruction conference, none of them seemed to have an issue handling 10,000 tons per month.

Commissioner Abbott asked if the recommendation is to bid the limestone.

Tom Terrell advised yes.

Chairman Kent confirmed that the recommendation is to reject all current bids and rebid with limestone.

County Engineer Knauer addressed the Board. There are some changes that have been added to the contract documents based on the OIG audit that occurred, which include provisions that encourage minority and women owned businesses from participating. It is in the contract, advertisement, and some are contacted by phone. A list is obtained from DOT and those listed are called to ensure they have knowledge of the project.

Commissioner Abbott asked if the state/county give preference to companies that are from Florida.

County Attorney Goodman advised no it is the low bidder.

County Engineer Knauer advised there is nothing in the procurement policy to give a local company any benefit over another.

County Attorney Goodman advised that FEMA doesn't allow it.

Chairman Kent went back to the motion on the table.

**Commissioner Abbott offered a motion, seconded by Commissioner Joyner and carried to reject all bids.**

**Roll Call Vote –**

**Commissioner Hawkins - Yes**

**Commissioner Bush - No**

**Commissioner Kent - Yes**  
**Commissioner Abbott - Yes**  
**Commissioner Joyner - Yes**  
**The motion carried 4 to 1.**

**Commissioner Abbott offered a motion, seconded by Commissioner Hawkins and unanimously carried to rebid the project using limestone #57 and get it done in the same timeframe.**

**Roll Call Vote –**

**Commissioner Joyner - Yes**  
**Commissioner Abbott - Yes**  
**Commissioner Kent - Yes**  
**Commissioner Bush - Yes**  
**Commissioner Hawkins - Yes**

**The motion carried 5 to 0.**

**V. Commissioner Abbott offered motion to adjourn.**

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Deputy Clerk Brantley

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Date Board Approved