



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Workshop Session**
Meeting Location: **McConnell Center, Room 306**
Meeting Date: **Wednesday, October 15, 2014**
Meeting Time: **5:30 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Garrison led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Weston, Deputy Mayor Carrier, Councilor Cheney, Councilor Gagnon, Councilor Garrison, Councilor Hooper, Councilor McManus, Councilor O'Connor, and Councilor Thibodeaux.

Also Present: City Manager Joyal and City Clerk Lavertu.

5. CITIZEN'S FORUM

Citizens are invited to speak on the subject matter of the Workshop. Statements shall be limited to five minutes.

Jeffrey Brissette, 11 Fieldstone Drive: He spoke about the project and the problems with it. He said the changeover presented to the Council would have been fine, but it wasn't the correct information. He suggested that the contractor be brought before the Council and asked to take less.

Donald Medbery, 3 Covered Bridge Lane: He said the Council should be grateful than a local engineer was spending the time to speak with the Council about this error. He said they should check any resolution that bypasses the bidding process. He said this was a betrayal of trust.

Mayor Weston, seeing no one else wishing to speak, closed the Citizen's Forum.

6. DISCUSSIONS

A. WATSON ROAD PROJECT

Councilor Gagnon asked where the numbers came from on the third spreadsheet.

Councilor O'Connor moved to suspend the rules to allow Mr. Brissette to speak; seconded by Councilor Cheney.

Vote: 8/1; Passed. Deputy Mayor Carrier was opposed.

Mr. Brissette said the third page was just a comparison between Tolend Road and Watson Road.



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City Manager Joyal introduced the representatives from CMA Engineers, William Straub and Daniel Hudson. He gave an overview of the Watson Road resolution and the process. In reviewing the background on this resolution he realized two issues have caused this confusion. He said the pricing quoted was from original quote in June 2014 that was rejected by the City. The pricing was revised in July. He said the resolution was presented without the pricing sheet or engineer recommendations. He said he is ultimately responsible that the information presented to the Council is accurate and he apologized that it wasn't. He explained why he agreed with the City's engineers and going ahead of the change order and waiving the bidding process. He said there definitely was no intent to misrepresent information to the Council.

Mr. Straub introduced himself and turned it over to Mr. Hudson who was the project manager on this project.

Mr. Hudson gave an overview of how the contract is structured, and went over the differences between Watson Road and Tolend Road projects, and with getting a new subcontractor for Watson Road. He said there were also a number of items that were used in the Watson Road contract and not in the Tolend Road contract.

Councilor O'Connor asked about the trees that were removed on Watson Road. He said the Watson Road contract took the higher numbers from the Tolend Road contract.

Mr. Straub said that was correct.

Councilor McManus talked about the original Tolend Road contract, and asked why it wasn't the same.

Mr. Straub said it was because it was a two-year contract, and the price for the second year was higher.

Mayor Weston asked about the asphalt adjustment and contingency allowance.

Mr. Straub explained that it is built into the contract to allow for the possibility of an increase price of asphalt.

Councilor Cheney asked about the resolution and the background information.

City Manager Joyal said the attachment was not presented to the Council, but if it was it would have reflected the June amount which was incorrect.

Mr. Straub said a good low bid would probably have been \$50,000 more than the contract.

Councilor Cheney asked when the City knew there was a problem with the contract.

City Manager Joyal said they knew in January.

Councilor Cheney said she wants the background information printed with the packet.

Councilor O'Connor said the second revised contract in July should also have been rejected.

City Manager Joyal said he agreed with the engineers' recommendations.

Councilor O'Connor recommended that the American Excavators be brought in to speak with the Council. He wanted an independent set of eyes looking at this.



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Councilor McManus spoke about the significance of the difference between the June and July pricing. He said it was the original unit prices and then City agreed to increase the prices. City Manager Joyal said this was a good price based on the engineers' recommendations. Councilor McManus said his vote on the resolution was based on the City Manager and Community Services information. He said he would not vote for this resolution now.

Councilor Gagnon talked about the complexities of the bidding process. He said the contractor did hold the unit costs from Tolend Road. He said the bidding process would have pushed off the project for another year, and would have cost the City more.

Councilor Garrison went over the comparison of numbers. He said unit prices were held and reflected in contract. He trusts the City Engineers and City Manager. He said the City Manager made a mistake, but is getting us current information.

Mayor Weston asked if they should go out to another bid.
Mr. Straub said no, because the contractor is already working.

Mayor Weston asked for consensus from the Council to let this go or look into this further.

O'Connor moved to suspend the rules to allow Mr. Brisette to speak; seconded by Councilor Cheney.

Vote: 5/4; Passed. Deputy Mayor Carrier, Councilor Gagnon, Councilor Garrison, and Councilor Hooper were opposed.

Mr. Brisette talked about getting figures for the site work in cubic yards. He said Watson Road is a lot more, and the City isn't being treated fairly.

7. ADJOURNMENT

Deputy Mayor Carrier moved to adjourn; seconded by Councilor Garrison.

Vote: 7/2; Passed. Councilor Cheney and Councilor O'Connor were opposed.