

Lewes BPW
Special meeting
November 9, 2022
2:00pm

The Wednesday, special meeting was held on November 9, 2022, at 2:00pm in the Lewes City Hall Council Chambers.

1. Welcome, call the meeting to order

President Panetta called the meeting to at 2:00pm and led the pledge of allegiance.

2. Roll Call

Board Members

Tomas Panetta
Earl Webb
D. Preston Lee, P.E.
Richard Nichols
A. Thomas Owen

Others

Charlie O'Donnell, GMB
Kimberly Bellere, BPW
Sharon Sexton, BPW
Aaron Mushrush, Cape Gazette
Krystin Clark

Ex-officio Members

Austin Calaman, BPW General Manager
Robin Davis, BPW Assistant General Manager

3. Open forum/general discussion of awarding the contract for the Donovan Smith Mobile Home Park (DSMHP) project. INFORMATION/DISCUSSION/ACTION (Austin Calaman and George, Miles, and Buhr).

Mr. O'Donnell presented:

- The Board opened bids on October 31st at 2:00pm.
- Received 5 bids: A-Del Contracting Company, Atlantic Contracting & Materials Company, Inc., Mumford & Miller Concrete. Inc., Reybold Construction Group, and Teal Construction, Inc.
- The lowest base bid with contingent items, schedule A and schedule B, was received from Teal Construction in the amount of \$4,446,446.00.
- GMB has reviewed all bid documents and found the documents consistent with all the requirements.
- GMB recommends Teal Construction be awarded the contract for \$4,447,446.00.
- There was only schedule A plus schedule B. No alternatives for this project.
- GMB's estimate for the project was \$4,567,000. GMB was not the low bidder.
- Important to note what the Board has put into the SRF loan request and what was budgeted. In this case it is not expected to have to request more funds from the state.
- DNREC and ODW (Office of Drinking Water) must kept up to date on correspondence and are up to date.
- Preliminarily spoke to Teal. The agreement needs to be in place, but Teal is thinking a February 1st start date. January is not great month to start a project.
- There is a meeting scheduled next Thursday 6:00pm, at the Rollins Center, with the DSMHP residents. Mr. Calaman, GMB, and Teal are meeting on Monday for the presentation.

Mr. Calaman stated that the bid was held up because of insurance documentation. Before entering the contract, it will be confirmed that Teal meets those requirements.

Mr. Webb questioned if there have been any issues or concerns with Teal Construction in the past. Mr. Calaman stated that past work has been up to code.

Mr. O'Donnell stated that the meeting on Thursday is to inform the public of the start of the project, any disturbances, traffic control inside the park, the connections to individual units, etc. President Panetta stated that it is a pre-construction meeting to keep the residents informed.

Mr. Lee questioned what the expected completion date is. Mr. O'Donnell stated that this is a 21-month contract. In the range of October 2024 for completion.

Mr. O'Donnell stated that there is a little piece of water and sewer pipe that needs to connect to the Donovans Road. This does involve DelDot.

Mr. O'Donnell is confident that contractors have done their due diligence in the bidding process. Teal Construction had thirty questions during the bid process. Mr. Webb questioned if this was positive. Mr. O'Donnell stated that Teal Construction requested clarification.

Mr. Lee questioned if there will be paving issues expected with the February start date. Mr. O'Donnell does not expect to have issues, but DelDot will require Donovans Road portion to be paved immediately. Mr. O'Donnell expects the paving to be done in the fall of 2024.

Mr. Nichols questioned if there will there be targeted milestones of progress. Mr. Calaman stated that it depends on how the project is approached. Mr. O'Donnell stated that Teal Construction has not provided the project schedule yet, since the contract has not been awarded. Work on Donovans Road is a milestone and sewer work will be done first and will be a milestone. However, part of the work could be done in sections, depends on how the park is set up. Once the schedule is received, then the milestones can be set. The big milestone will be tie in. Harry Caswell is subcontracting to make the connections to the units. Mr. Nichols stated that the residents will want to have some idea when they will be hooked up. Mr. O'Donnell stated that he will try to get information from Teal Construction on Monday. Mr. O'Donnell stated that there will be monthly progress meetings where the residents are welcome to join.

Mr. Lee stated that many residents have drainage concerns. Mr. O'Donnell stated that there is a particular spot that is bad and is addressed with storm techs to collect the water and let it infiltrate into the ground. Not addressing stormwater, because this is a water and sewer project. Grading issue and potholes, speed bumps etc. contribute to drainage issues.

Mr. Webb questioned if the current sewage will be drained and filled. Mr. O'Donnell stated that all the holding tanks and community wells will be abandoned to DNREC standards. GMB will oversee the process and DNREC will approve. Mr. Calaman stated that the roads will not be owned or maintained by the city. Mr. O'Donnell reminded the Board that at Highland Acres the wells were abandoned like this project. Mr. Webb questioned if the owner of the park is responsible. Mr. O'Donnell stated that the abandonment is a part of Teal's responsibility.

Mr. Lee questioned the funding structure. Mr. O'Donnell stated that the total is around 6 million dollars. During construction, BPW will have to pay the interest on the loan interest, but once the construction is

complete, the loan is forgiven. BPW will bill the park owner the interest, as part of the MOU. President Panetta stated that the park owner has other limitations such as rent increases. The owner cannot pass any related charges onto the residents.

Mr. Owen questioned the total amount of BPW responsibility. Mr. Calaman stated that anything that the BPW pays will be billed out to the owner. BPW has the option to have DNREC pay the contractor directly or submit for reimbursement. Mr. Owen is concerned with the reimbursement taking time and the BPW financials. Mr. Lee stated that the BPW will not carry a substantial financial burden.

ACTION: *Mr. Owen motioned to accept the Teal Construction bid both A and B schedule, for Donovan Smith Mobile Home Park water and sewer extension project. Mr. Lee seconded the motion, which passed unanimously.*

President Panetta stated that this project was a long time coming and is to the betterment of the environment and the community.

Mr. Webb will work on a decision matrix for next project.

Mr. Mushrush questioned if the BPW is hesitant with the billing to the park owner, given past history or if there is a plan in place. Mr. Calaman stated that if the owner does not fulfill his obligations per the MOU, the repercussion is that the total amount of the loan will fall onto the owner.

4. Executive Session

ACTION: *Mr. Owen motioned to adjourn to executive session. Mr. Nichols seconded the motion, which passed unanimously.*

President Panetta adjourned to executive session at 2:24pm.

5. Return to open session.

6. Discussion and action on items from executive session, if applicable.

7. Adjournment

ACTION: *Mr. Owen motioned to adjourn. Mr. Lee seconded the motion, which passed unanimously.*

President Panetta adjourned the meeting at 3:47 pm.

Respectfully Submitted

Sharon Sexton

Executive Assistant