

COOS BAY-NORTH BEND WATER BOARD  
P O BOX 539 – 2305 Ocean Boulevard  
Coos Bay, Oregon 97420

Minutes  
Regular Board Meeting

May 5, 2022  
7:00 a.m.

Coos Bay-North Bend Water Board met in open session in the Board Room at the above address, date, and time with Chair Dr. Charles Sharps presiding. Other Board members present: Greg Solarz and Bob Dillard. Board Members absent: None. Water Board staff present: Ivan D. Thomas, General Manager; Matt Whitty, Engineering Manager; Bryan Tichota, Customer Relations Supervisor; and Karen Parker, Administrative Assistant. Board Legal Counsel Jim Coffey was present. Media present: None. Carmen Matthews was present. Chair Sharps opened the meeting at 7:00 a.m. and asked Mr. Dillard to lead the Board and assembly in the Pledge of Allegiance.

Chair Sharps asked if there were any corrections or additions to the April 21, 2022, Regular Board meeting minutes. Mr. Solarz moved the minutes be approved as written. The motion was seconded by Mr. Dillard and passed unanimously.

Chair Sharps asked if there were any public comments, and there were none.

Regarding consideration of award of the FY2023 Bundle Water Main Replacement Project, Engineering Manager Matt Whitty stated bids were opened on April 21. The project includes 12<sup>th</sup> Street off of Coos Bay Blvd.; North Empire from the Hollering Point at the end of Newmark; Empire Blvd. in Bunker Hill; Ferguson off of North 11<sup>th</sup> Street; and Sheridan Avenue from Ohio to Maryland. Four bids were received for the project. The two highest bids had incomplete bid forms and were determined to be non-responsive. The non-responsive bid amounts are included below.

The four bids received are as follows:

<b>Cradar Enterprises</b>	<b>\$593,425</b>	
<b>Johnson Rock Products</b>	<b>\$738,945.50</b>	(unit prices left blank on bid schedule)
<b>Laskey-Clifton Corporation</b>	<b>\$684,814.80</b>	
<b>Jesse Rodriguez Construction</b>	<b>\$864,817</b>	(acknowledged addendum but submitted original unedited bid schedule)

Cradar Entreprises Inc. is a qualified construction company based in Roseburg. They have submitted bids on past projects and are well regarded in the industry. Notice of Intent to Award has been sent out which included a 5-day protest period that expired on Monday, May 2<sup>nd</sup>. No protests were received, although one bidder expressed concern that Cradar's bid was too low.

The total budgeted amount for these projects, including engineering and inspection costs, is \$560,300. When staff initially budgeted this project, some of the recent price increases were not captured. We have used \$21,875 of staff resources for survey and design, and preparation and execution of the bidding documents. Remaining inspection and project management costs are estimated at \$21,000. With Cradar's bid and a 5% allowance for change orders the total anticipated project cost equals \$665,970, leaving a \$105,670 budget shortfall.

Funds to cover the shortfall are available in the active capital fund which currently has a projected July 1, 2022 balance of \$1,397,798.

After a brief discussion, Mr. Solarz moved to award the 2022 Bundle Water Main Replacement Project to Cradar Enterprises, Inc. in the amount of \$593,425. The motion was seconded by Mr. Dillard and passed unanimously.

Dr. Sharps stated he would like to make note a letter was received from Melissa Cribbins resigning her position as Board member of the Coos Bay-North Bend Water Board effective April 21, 2022 at 9:30 a.m. Motion was made by Mr. Solarz accepting the terms set forth in Melissa Cribbins' letter of resignation. The motion was seconded by Mr. Dillard and passed unanimously.

Regarding response to Request for Proposals for Legal Counsel Services, Mr. Thomas stated after receiving Jim Coffey's notice he would be retiring and resigning as the Board's legal counsel in May of 2022, staff solicited proposals for legal counsel services via advertisements in numerous publications as well as to other law firms. The Board received one response from Melissa Cribbins. Ms. Cribbins' submittal was complete and met all criteria in the Request for Proposals (RFP). Ms. Cribbins represents several clients but demonstrates in the RFP that adequate time is available to represent the Water Board. Reference checks on Ms. Cribbins were complete and very positive from her clientele.

A draft Agreement for legal services has been prepared by Mr. Coffey and reviewed by Mr. Thomas and Ms. Cribbins pending approval by the Board of Directors. Mr. Solarz asked what the effective date for new legal counsel would be. Mr. Thomas stated as soon as the Agreement is signed.

After a brief discussion, motion was made by Mr. Dillard approving the Attorney Employment Agreement and authorizing the General Manager to enter into the Attorney Employment Agreement with Melissa Cribbins to be the Coos Bay-North Bend Water Board's legal counsel. The motion was seconded by Mr. Solarz and passed unanimously.

Dr. Sharps asked Carmen Matthews to address the Board as to his presence at the meeting. Mr. Matthews stated he is currently on the Council for the City of Coos Bay. He is Co-owner of Seven Devils Brewing Company and water plays a very important role in his business and also for the community at large. Mr. Matthews commented one topic he focuses on is emergency preparedness. When he became aware the Water Board had a vacancy on their Board he requested the City of Coos Bay's Council, if they were willing, to appoint him as a member to the Board of Directors of the Water Board. Dr. Sharps asked Mr. Matthews if he was appointed at the City of Coos Bay's Council Meeting on May 3<sup>rd</sup>. Mr. Matthews stated a discussion was held at the meeting, and it was his understanding an appointment would be formalized at the City's May 17<sup>th</sup> Council meeting.

The Board's next regular meeting was set for Thursday, May 19, 2022, at 7:00 a.m.

Updates were given as follows:

- Service Center Renovations – Staff finalized and signed the contract with Z Terrell and Son so the project will be done in phases
- IMS Cap Replacement Project – Currently on Filter 3 and the project should be complete within the next couple of weeks.
- Water Board IT Services – The Request for Proposals has been advertised.
- Parking Lot Paving – Additional design was completed for ADA purposes. Proposals to be solicited soon.

At 7:18 a.m. Chair Sharps directed they go into executive session for the purposes of discussing potential litigation pursuant to ORS 192.660(2)(h) and personnel issues pursuant to ORS 192.660(2)(a). They returned to open session at 7:48 a.m.

Mr. Dillard moved to accept reorganization of the Board members as follows: Bob Dillard to Vice-Chair and Greg Solarz to Secretary. The motion was seconded by Mr. Solarz and passed unanimously.

There being no other business to come before the Board, Chair Sharps adjourned the meeting at 7:50 a.m.

Approved: \_\_\_\_\_, 2022

By: \_\_\_\_\_  
Chair Dr. Charles Sharps

ATTEST: \_\_\_\_\_