

**MINUTES OF THE BOARD OF COUNTY ROAD COMMISSIONERS
MONROE, MICHIGAN
March 29, 2016**

1. At a Regular Meeting of the Board of County Road Commissioners at their offices located at 840 S. Telegraph Road, Monroe, Michigan on Tuesday, March 29, 2016 the meeting was called to order by Chairman Iacoangeli at 3:05 p.m.

2. Roll Call by Deputy Clerk as follows:

PRESENT	EXCUSED
Dan Minton	
Stephen J. Pace	
Charles A. Londo	
Bruce R. Stammer, Jr.	
Paul Iacoangeli	

A quorum being present, the Board proceeded to transact business.

3. Commissioner Iacoangeli led the Pledge of Allegiance.

4. Commissioner Iacoangeli led the Opening Prayer.

5. Commissioner Iacoangeli added #10[1] Discussion of Managing Director contract.

Commissioner Minton moved, seconded by Commissioner Stammer to approve the March 29, 2016 regular meeting agenda as amended. Vote: Ayes: 5 Nays: 0 Motion carried.

6. Public Comment – None.

7. Closed Session

Chairman Minton moved, seconded by Commissioner Pace to enter into closed session at 3:08 p.m. for the purpose of considering the periodic personnel evaluation of the Managing Director.

Chairman, Paul Iacoangeli	YES	
Commissioner, Dan Minton	YES	
Commissioner, Charles Londo	YES	
Commissioner, Stephen J. Pace	YES	
Commissioner, Bruce R. Stammer, Jr.	YES	Motion carried.

Reconvene –

The Board of County Road Commissioners reconvened the Tuesday, March 29, 2016 meeting at 3:55 p.m. with the following Commissioners present:

Chairman, Paul Iacoangeli	YES
Commissioner, Dan Minton	YES
Commissioner, Charles Londo	YES
Commissioner, Stephen J. Pace	YES
Commissioner, Bruce R. Stammer, Jr.	YES

Commissioner Iacoangeli moved, seconded by Commissioner Minton to move item #10[1] to the next order of business before the consent agenda. Vote: Ayes: 5 Nays: 0 Motion carried.

10. NEW BUSINESS

1) Discussion of Managing Director contract.

Commissioner Pace moved, seconded by Commissioner Stammer to approve the contract with the Managing Director.

Commissioner Pace asked that in Attachment B under Funeral Leave, the word ‘grandchild’ be moved from eight (8) hours to twenty-four (24) hours absence in the case of death. He would also like to see this changed in the Local #543 contract during negotiations. No objection from other Board members.

Commissioner Pace inquired about the \$100,000 life insurance coverage and asked about the amount that the unions received. Mr. Pierce indicated all management employees have that life insurance provision.

Commissioner Iacoangeli indicated that was not unreasonable for the management staff. Commissioner Londo indicated the Board wasn’t dealing with the union contracts, but negotiating with the Managing Director. The union can bring that to the table during negotiations.

Commissioner Londo asked that under Section 15 (page 6) that the words “for reasons other than retirement” be added to the end of the provision. No objection from the other Board members.

Commissioner Londo also indicated a correction to Section 16, the word “Employee” should replace the work ‘age.’ No objection from the other Board members.

Commissioner Londo questioned when will we look at retirees paying health insurance coverage for spousal coverage. Mr. Pierce all new contracts only cover the employee, no spouses.

Commissioner Pace moved, seconded by Commissioner Stammer to approve the 3 year contract (May 28, 2016 through May 28, 2019) with Randy Pierce as Managing Director with recommended changes.

Roll Call:

<u>AYES</u>	<u>NO</u>
Pace	
Stammer	
Londo	
Minton	
Iacoangeli	

Vote: Ayes: 5 Nays: 0 Motion carried.

Note: Commissioner Pace was excused at 4:05 p.m. for work.

8. Commissioner Minton asked that item #8[6] be removed for further discussion.

The following items were listed on the Consent Agenda: *(with immediate effect)*

1) Approval of Minutes- March 14, 2016 Regular Meeting Minutes

2) Approval of Journal Entry

No. 144 Vendor Checks #67974-68038	\$ 455,738.50
No. 158 Payroll Checks #62992-63003 & Advice #18583-18670	\$ 227,223.60
No. 167 Cafeteria Checks #63004-63017	\$ 13,240.95

3) Township Contracts

Berlin Charter Township
2016 Local Road Mowing

Commissioner Londo asked if the staff could go to the low bidder and ask them to do field inspection work for the same price of their bid. Mr. Assenmacher indicated that would skew the process.

Commissioner Londo explained he has evaluated lots of contracts in his lifetime and he liked the format for evaluating the criteria, but with scoring that close and a \$7,000 cost difference, he felt the Road Commission could negotiate to get the work done that was needed.

Commissioner Iacoangeli indicated he also spoke with Road Commission Engineer, Mike Smith and the selected vendor is more familiar with the federal aid program which gave them an edge over the low bidder who has no experience with the federal aid projects. He understood that \$7,000 looks like a good size spread, but the low bidder didn't meet staff expectations and inspection work would need to be done in-house so how much true savings would there be.

Commissioner Londo indicated it would all depend on how the staff negotiated the contract, but he felt the question should be asked. Maybe they didn't totally understand the scope of work when they wrote their bid.

Commissioner Stammer asked if the motion could be amended so that staff gets the assurance that the low bidder will do the field inspection and if not, the award would go to next low bidder (Mannik & Smith). He stated we wouldn't be saving if we had to use our people to conduct the inspections. The scores are very close and he felt it would benefit the Road Commission to start involving other firms with federal aid projects to give them the experience.

Commissioner Londo agreed that these other firms cannot become familiar with federal aid if they aren't given the opportunity. He inquired about the percentage of contracts that are awarded to Mannik & Smith.

Mr. Assenmacher explained that 8 of the 15 townships have secured Mannik & Smith as their township engineer, so a majority of the work ends up going to Mannik & Smith. The townships want to use the engineer that is familiar with their plans because they have the home field care and experience. Mr. Assenmacher explained the Road Commission does use other companies for various needs and opportunities are being given to other firms through the bid process.

Commissioner Londo indicated he would accept Commissioner Stammer's friendly amendment to the motion.

Commissioner Minton felt the blanket scoring for past experience wasn't accurate since some firms didn't have past experience with the Road Commission. Without the blanket scoring the results would have been much different. He stated the Road Commission has the obligation to be frugal with tax payer money but the firm needs to be able to do the work required and do it well. He applauded the staff for the good job done on the selection process. The recommended firm is familiar with Road Commission procedures and with federal aid and their cost includes inspection. He felt the Road Commission would be better in using the recommended firm due to their knowledge and past experience with these types of projects. He understood where Commissioner Londo was coming from but this is part of the bid process. The Road Commission's professional staff did their due diligence in making their recommendation through the bid process.

Commissioner Londo argued that the Road Commission needs to start giving other companies a chance and maybe we would see more competitiveness. Right now there is no incentive to be competitive. He felt if the Managing Director contacted the low bidder to explain our concerns he might be able to determine if the firm could perform the proper scope of work. We need to give other companies opportunities also.

Mr. Assenmacher explained that each company put a fair amount of time into their bid. Mike Smith provided information back to each bidder with the bid tabulation and the grade received in the selection process. Mr. Smith also let each bidder know what the staff's recommendation was going to be for Board approval.

Commissioner Minton added that when possible he would like to spend tax dollars that stay in our local community. Mr. Assenmacher indicated Somat currently does not have an office in Monroe County.

Commissioner Stammer would like to give everyone the same opportunity to do business with the Road Commission but his concern was that the low bidder didn't include inspection. If the staff has to perform the inspection then he wouldn't want to go with low bidder.

Commissioner Iacoangeli indicated that the Board discussed and agreed to take the Professional Services process out of the Purchasing Policy. The idea was to have the professional staff evaluate the bids based on specific criteria and provide a written recommendation to the Board. This process has been followed. He understood wanting to save money, but this was a sealed bid process.

Commissioner Londo wanted to make sure we were comparing apples to apples. To get a clarification from the low bidder on the services included isn't uncommon.

Commissioner Iacoangeli indicated it was the bidder's responsibility to provide all the information in their bid. If they had questions, they should have asked before they submitted their bid. Once they received the scoring, they should have contacted the office and inquired about the recommendation. He would feel uncomfortable going to them now asking them to change their bid, because it goes against the bid process. He stated the staff was fair and equitable in their evaluation process.

Commissioner Londo stated in his way of thinking the process is skewed toward one firm and wanted to know how to fix that so everyone gets the same opportunity. Mr. Assenmacher stated the Road Commission is sharing the work as other firms are getting opportunities, but we also need to acknowledge the townships preferences since they are our customers.

Commissioner Stammer asked if a list to show the Board the townships and their engineering firm would prove helpful. It might also help to have a list of other companies and the work they are doing for the Road Commission. Commissioner Londo liked that idea but would also like to see the dollar volume for each firm.

Roll Call on the motion to award bid to low bidder.

<u>AYES</u>	<u>NO</u>	<u>EXCUSED</u>
Stammer	Minton	Pace
Londo	Iacoangeli	

Motion failed to pass with Ayes receiving 2 votes, No receiving 2 votes and one excused.

Commissioner Minton moved, seconded by Commissioner Iacoangeli to approve the staff recommendation and award the contract for construction engineering to Mannik & Smith for US Turnpike and S. Stoney Creek federal aid projects.

Roll call:

<u>AYES</u>	<u>NO</u>	<u>EXCUSED</u>
Minton	Londo	Pace
Iacoangeli	Stammer	

Motion failed to pass with Ayes receiving 2 votes, No receiving 2 votes and one excused.

Commissioner Iacoangeli indicated the item would need to be brought back before the board at the next meeting. Commissioner Minton asked if there could be a motion to reconsider. Mr. Costello indicated that Commissioner Stammer or Londo would need to make that motion. Commissioner Londo indicated he would not make that motion.

Commissioner Stammer asked if delaying the vote until the next Board meeting would cause any type of jeopardy to the project. Mr. Assenmacher indicated it would push things back because the company wanted to start on the US Turnpike project a week from Monday.

Commissioner Stammer moved, seconded by Commissioner Minton to reconsider awarding the contract for US Turnpike and S. Stoney Creek to Mannik & Smith. Vote: Ayes: 3 Nays: 1 Excused: 1 Motion carried.

Commissioner Minton moved, seconded by Commissioner Iacoangeli to award the construction engineering contract to Mannik & Smith for the US Turnpike and S. Stoney Creek federal aid projects as recommended by staff. Vote: Ayes: 3 Nays: 1 Excused: 1 Motion carried.

9. Unfinished Business – None.

10. Moved.

11. Report of Officers –

Randy Pierce (Managing Director/Superintendent of Maintenance) – Mr. Pierce informed the Board he met with Gayle Pratt from MCRCSIP regarding the fire at the West District facility. The Arson Investigator proved the disconnect switch was left on so the MCRC will need to develop a policy with strict enforcement and write a letter explaining what preventative measures will be taken to guarantee this does not happen again. The staff is working on a daily checklist and developing a policy to where the first time a driver forgets to engage the disconnect switch it would be 3 days off, and the second time the driver would be subject to discharge. The policy will be brought before the Board for approval in the coming weeks.

Mr. Pierce also indicated complaints are being received on N. County Line Road and he would like the Board to consider turning this road back to gravel. The road is too far gone for routine maintenance. He would like to look at turning this road back to gravel in sections all the way to Milan.

Commissioner Minton asked if the Supervisors would be using a check sheet to verify the switches have been turned off. Why wouldn't they physically check each truck at night to make sure the switch is turned off.

Mr. Pierce indicated the supervisor would physically examine every truck to make sure the disconnect switch was engaged, doors locked, cords pulled out of the way and all this information would be noted that on the checklist which will be turned in on a daily basis.

Commissioner Iacoangeli asked if there was a policy already in place. Mr. Pierce indicated MCRCSIP notified all Road Commissions of this required procedure in 2003. There were memos sent to all the drivers and MCRCSIP has been on-site to conduct training for this issue at least 2 times in recent years. The MCRC will now formally put a policy in place with procedures and disciplinary action for non-compliance.

Phillip C. Masserant (Director of Finance) – Mr. Masserant indicated the audit has been completed and should be uploaded to the State tomorrow. Scot Hoskins is scheduled to attend the second meeting in April to present the audit results to the Board. He also provided the updated financial report as of 2/29/2016 which includes activity comparisons, departmental expenditures against the budget, and a new labor analysis report.

Scott Assenmacher (County Highway Engineer) – Mr. Assenmacher informed the Board that the Road Commission received the SEMCOG information on the Fast Act which provides the outlook for federal and state aid. He indicated there isn't a great deal of difference but we have locked in anticipated funding levels. No windfalls.

Philip Costello (General Counsel) – Mr. Costello indicated he still is working with Berlin Township and the Detroit Edison attorney on the quirk to the property deed.

12. Public Comment –

Phil Heath, Milan Township Supervisor, indicated he was disappointed with comments from the Board. A company should know and understand the expectations when submitting a bid. Shame on them. He stated he feels the staff does a good job in reviewing information before bringing their recommendation to the Board. He said you just don't go back and renegotiate a bid.

13. Commissioners' Comments -

Commissioner Pace was excused.

Commissioner Stammer had nothing additional to report.

Commissioner Londo stated he still has concerns with the process and it is the Board's job to hold the staff accountable. He wants to make sure the process is open, fair and complete.

Commissioner Minton had nothing additional to report.

Commissioner Iacoangeli defended the staff citing all the vendors were informed of the results of the bid and selection process. He felt the process was very transparent. He was encouraged that the staff had the insight to share this valuable information with the vendors.

14. Adjournment -

Chairman Iacoangeli stated if there are no objections, the meeting is adjourned at 5:00 p.m.

Cheryl A. U'Ran

Cheryl A. U'Ran, Deputy Clerk