

MINUTES OF A SPECIAL SESSION OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, HELD IN THE COMMISSION COURTROOM, LOCATED IN CHARLESTON, WEST VIRGINIA THEREOF ON OCTOBER 7, 2024.

A SPECIAL MEETING OF THE COUNTY COMMISSION OF KANAWHA COUNTY, WEST VIRGINIA, WAS HELD ON OCTOBER 7, 2024, BEGINNING AT 8:30am

THE FOLLOWING MEMBER WAS PRESENT:

**LANCE WHEELER, COMMISSION PRESIDENT
BEN SALANGO, COMMISSIONER
MARC SLOTNICK, COMMISSIONER**

8:30 A.M. AGENDA ITEMS

Discussion regarding Notice of Intent to award the contract for the Judicial Renovation, which will include authorizing the President to sign all documents, pending review by all necessary parties

Commission President Lance Wheeler

Commissioner Ben Salango

Commissioner Marc J. Slotnick

Jennifer Herrald, County Manager

Christopher M. Settles, Acting County Attorney

Kim Fleck, Deputy County Manager/Director of Finance

Leslie Koepsel, Office Manager

Present via Zoom is Curtis Elswick and Jeremy Jones

Jennifer Herrald stated that the two bids that were submitted were opened on Thursday.

The two companies were Dan Hill and MCS. Dan Hill's bid was \$19M and MCS

\$16.2M. Jennifer Herrald stated that seven companies participated in the pre-bid but

only two submitted actual bids. Jennifer Herrald stated per state code 5-22-4B2 we

have to maintain the confidentiality of the total cost and we have 30 days to negotiate

with the low bidder. Commissioner Wheeler stated per that state law the Commission

can negotiate with the lowest bidder as long as we don't change the scope.

Commissioner Salango asked under state law we are not allowed to say what our max

budget? Jennifer Herrald stated that is correct. Commissioner Salango said the

Commission has already discussed in public meetings what our budget was, but even

the lowest bid came in 60% over our budget given to us by the architects.

Commissioner Salango asked if anyone was here from Silling in person. Jennifer

Herrald said no Jeremy Jones is online via Zoom. Due to technical difficulties, Jeremy

Jones called in via telephone. Jeremy Jones stated that during the development phase,

they gave an estimated cost of \$13.5M and when bids came in, we were at a place of

20% overage. There are a lot of factors here due to night work and the actual estimate

was set at 24 months, which they compressed to 20 months, stated Mr. Jones.

Commissioner Salango said Silling knew of the night work when they did the estimate.

Mr. Jones said under competitive bidding that their number would stand.

Commissioner Salango asked at what point did we go from \$10M to \$13.5M. Mr.

Jones said at the design development. Commissioner Salango said right there we

jumped 30% and now we are up to \$16.2M. Mr. Jones said they cannot predict what market prices will be. Commissioner Wheeler said that most of the time the architects are very close to what the bids will come in at and Jeremy and his team have been working on this for a long time. Commissioner Wheeler stated there are two options: use state law and negotiate or option we can reject this and start all over. Commissioner Wheeler stated that the Commission has a responsibility to taxpayers to be responsible with the money and we have to make this project affordable. Commissioner Wheeler said that they cannot accommodate all the judge's needs and make this a fair project. The Commission has until Nov 4th to work with the lowest bidder without changing the scope, just the price. Commissioner Wheeler said those conversations need to happen now, not tomorrow. Commissioner Salango stated, or we can go with option A. Mr. Jones said but we received a sign-off with the Supreme Court on the hybrid option. Option A was not advisable due to a lack of improvements and security stated Mr. Jones. Commissioner Salango asked how much the Commission has already spent which is not in the \$16.2M. Kim Fleck said the total will be almost \$18M because the Commission has already spent almost \$1M now. Commissioner Salango stated that the project has virtually doubled since we picked the Cadillac plan. Commissioner Wheeler asked if someone was present from MCS, the lowest bidder. Joe Hill stated he is with MCS Construction. Commissioner Salango asked if the owner's rep was present. Jennifer Herrald said yes, he is on Zoom, and he is working on negotiations and looking at the line items. Joe Hill with MCS Construction said he would meet with the architects and owner's rep. John Strickland, owner of MCS is on via Zoom. Commissioner Slotnick asked if the work schedule was the biggest issue. Mr. Jones stated yes this would be a highly undesirable project to pull the manpower in with night work and limited lay-down space and trying to figure out where the swell from the estimate came in. We only had two interested bidders and that is due to the complications of this project. If we back up and go to a total redesign, then the time frame works against us. Commissioner Salango said the problem is that the Supreme Court isn't paying for this. Joe Hill said they are willing to work on this, but everyone needs to understand that they don't want to spend a lot of money and then see this go to rebid. Commissioner Wheeler said that the county attorney needs to be in every meeting to follow the state law and the Commission will table this and schedule a special meeting before the November 4 deadline.

**Discussion regarding repair of concrete ramp for B-Building
Evidence Garage in the approximate amount of \$60,000.00**

Commission President Lance Wheeler

Commissioner Ben Salango

Commissioner Marc J. Slotnick

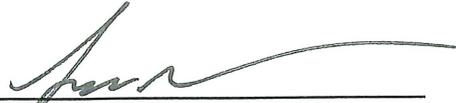
Mike Moles, Maintenance Director

Mike Moles said since the last storm some plaster fell, and it needs to be fixed before it gets worse. Commissioner Wheeler said that this is known as concrete cancer and if it is not fixed soon, it just gets worse. Kim Fleck stated this is an operation maintenance expense. Mike Moles said it will be about \$60,000. Jennifer Herrald said since it is an emergency it does not need to be put out to bid.

Commissioner Salango moved to approve the \$60,000 for the emergency repairs. Commissioner Slotnick seconded. Motion carried.

THE KANAWHA COUNTY SPECIAL COMMISSION MEETING OF OCTOBER 7,
2024, ADJOURNED AT 8:54am UNTIL THE 16TH DAY OF OCTOBER 2024.

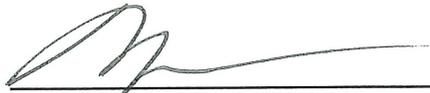
THE FOREGOING MINUTES ARE APPROVED ON THIS 16TH DAY OF OCTOBER
2024.



Lance Wheeler, President



Ben Salango, Commissioner



Marc J. Slotnick, Commissioner



Christopher M. Settles, Acting County Attorney