

SPECIAL TOWN COUNCIL MEETING

Tuesday, September 5, 1989

5:30 P.M.

1. Waive the Bidding Procedure and Seek Proposals for Appraisal Services for Open Space Projects.
2. Authorize the Town Attorney to Proceed with the Appraisals.

TOWN COUNCIL MEETING SUMMARY

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TOWN COUNCIL MEETING

SEPTEMBER 5, 1989

5:30 p.m.

A special meeting of the Wallingford Town Council to consider a waiver of bid for appraisal services of the Open Space Projects was held in Council Chambers and called to order at 5:36 p.m. by Chairman Albert Killen. Answering present to the roll called by Town Clerk Kathryn J. Wall were Council Members Bradley, Doherty, Holmes, Papale, Parisi, Solinsky, Zandri and Killen. Council Member Adams was absent.

The Pledge of Allegiance was given to the flag.

ITEM 1 Waive the Bidding Procedure and Seek Proposals for Appraisal Services for Open Space Projects. Motion was made by Mrs. Papale, seconded by Mr. Holmes.

Don Roe stated we've been working on getting back to the DEP with an application for monies to purchase open space. We received notification from them late in July and they indicated a September 1 deadline. Administratively we organized and mobilized around that and anticipated being able to cover most of the big pieces. We came to you on August 8 to get approval to accomplish the required survey work. We knew the survey work would exceed the \$2,000 limit and in order to expedite that we had sought proposals and requested the bid waiver. At that point it was my understanding that the appraisal work was not going to exceed the bid limit. We discovered late in the eleventh hour that that was not the case, particularly with one of the pieces of property under consideration. The phone estimates ranged from \$2,200-\$3,500. What is before you tonight is a request to waive the bidding process so that we can seek proposals and award to the low proposal.

Mr. Bradley asked is there a reason why you didn't bring us three proposals first and then waive the bid? Aren't we doing this in reverse?

Mr. Roe replied actually we're doing it the proper way. It is my understanding we come before you first and identify that we need to have the bid waived. Then we go out and seek proposals. I've seen it done both ways and I've seen the Council be critical of either way. The correct way is to get the waiver first. I know sometimes there is aggravation with it depending on what the issue is. In this case I'm asking for the waiver first. You always have the option to review the proposals.

Mr. Bradley asked is there any problem with the September 1 deadline?

Mr. Roe replied DEP has indicated we send them the pieces of the application as quickly as possible. I think they recognize that some of these things take time. The more critical issue is until the appraisal work is done we really are not in a position to begin talking about whether we are indeed interested in moving ahead with negotiations with the property owners.

Mr. Bradley asked is there any chance that even though we expend the money for the appraisal work and survey work that we may not get the grant based on the deadline?

Mr. Roe replied the DEP is still very interested in us moving ahead with the projects. We've requested a formal extension, but we haven't heard back from them yet.

Mr. Parisi asked why can't we bid this if in fact we have more time?

Mr. Roe replied yes we have more time, but I have no idea how many hours, days, or weeks that entails, not only from the DEP end but also from the property owner end. I think it is in our best interest to be as expedient as possible.

Mr. Zandri stated is there a procedure the Purchasing Department uses as far as soliciting these prices from the vendors? Is there a recommended list you would go out to?

Mr. Roe replied we will contact vendors by letter and ask them to submit a written price. We will look to have a minimum of three responses.

Mr. Zandri stated the only thing that bothers me on the waiver of bid is you're almost giving them a blank check as to what has to be done here. I would like to know up front what the costs are.

Mr. Roe replied we do know that one property, because of the acreage involved, entails a higher price. The ballpark figure is \$2,200-\$3,500.

Mr. Zandri stated why can't we solicit prices, have Don come back at next Tuesday's meeting with the estimates, and then waive the bid?

Mr. Killen replied I think Don made it plain that he will get the proposals and we will all know what they are before they award the contract. We're just giving him the okay to proceed.

Mr. Zandri stated if he had formal quotes in front of him tonight, I wouldn't have any problem waiving the bid.

Mr. Roe replied we could have done that. But I've sat in the audience and watched department heads get beat up for soliciting proposals from consultants and not coming before you first hand to get the bid waiver.

Mr. Zandri stated I understand where you're coming from. What I'd like to do is say go ahead and solicit formal proposals. Waiving the bid is different but maybe I misunderstand waiving the bid. If we waive the bid, you can go ahead and award the contract to anybody you want. You don't have to come back to us anymore.

Mr. Parisi stated I thought he would have to bring the request for proposals back to the Council.

Mr. Killen stated you're correct Geno. When you waive the bid they don't have to come back to the Council. But Don has told you that he will come back with the quotes. Don's is going to try to get the lowest possible bid, bring them back to us, and if we're dissatisfied we'll throw them out at that point.

Mr. Holmes asked is there any money appropriated for this purpose?

Mr. Roe replied the appraisal work is done through the Town Attorney's office.

Mr. Holmes stated I agree that you should come here first. We can always amend the motion to state Don has to come back to review the proposals with the Council before proceeding.

Mr. Zandri stated my point is if he has to come back anyway then what's the problem of waiving the bid next week.

Mr. Parisi stated I don't understand why we're not bidding it?

Mr. Killen replied we're not going out to bid because of the time constraints.

Mr. Solinsky stated I agree with Geno. We went through this a few meetings ago and it was the majority's opinion that we should waive the bid, get the prices and then at the next meeting we approved the work. I think it depends on what meeting you come to as to what procedure we use.

Mr. Holmes stated I think we have to start being consistent.

Mr. Solinsky stated I don't see any problem with getting the prices first and then waiving the bid.

Mr. Roe replied the difficulty is after getting proposals if you decide not to waive the bid, those people who have submitted prices are bare. And if you decide to then go out to bid they're dead in the water. When you waive the bid you're basically waiving the legal noticing process whereby you're broadcasting to the entire world that the Town of Wallingford is looking to have X, Y and Z done. What you're doing when you waive the bid is saying we're not trying to disseminate the bid proposal to the entire world. There are a handful of vendors that provide this kind of service and we're going to solicit proposals. The step that is cut out is the legal noticing to all potential vendors. You're still not sidestepping a process for establishing a low price. You will still get competitive proposals.

Mr. Solinsky stated I'm not arguing with you, but once we waive the bid it's told to us that we're supposed to buy or purchase whatever we waive the bid for. We can't decide not to at that point if the prices come in too high. I'm not specifically talking about this particular item. One meeting it's one way and another meeting it's another way. So there really isn't a procedure. I think every case has to be dealt with individually. I have no problem with waiving the bid tonight on this.

(Mayor Dickinson arrived at 5:55 p.m.)

Mr. Killen stated everyone says they have no problem with this and yet we're still discussing it. If there is no problem, let's call the roll and see if it will pass.

VOTE: Parisi and Zandri voted no; all other ayes; motion duly carried.

ITEM 2 Authorize the Town Attorney to Proceed with the Appraisals. Motion was made by Mrs. Papale, seconded by Mr. Bradley.

Mr. Holmes asked why don't we take up this issue when Don comes back on September 12? On one hand we're saying come back with prices for final approval and now we're giving authorization to go ahead with the appraisals.

Motion was withdrawn by Mrs. Papale.

Meeting adjourned at 6:00 p.m.

Meeting recorded and transcribed by:
Katrina M. Manley, Council Secretary

Approved:

Albert E. Killen, Chairman

Date

Kathryn J. Wall, Town Clerk

Date