

Town Board Meeting November 26, 2007

James Parent called a special Town Board meeting to order at 7:00 PM in the meeting room at the town hall. Present James Parent, Barbara Anschutz, Robert Schultz, Jane Pluff, Douglas Smith, Steven Parent, Attorney Randy Nesbitt, Mike Cole, Donald Prust, Joe Parent, absent Peter Jacobs.

Motion made/second Barb/Bob to accept the agenda with the change from 3 to 2. Carried.

Approve Northeast Asphalt blacktop bill- Steve was present and he did review the bill and check it over for accuracy. It was the correct amount. Motion made/second Bob/Barb to pay Northeast Asphalt for \$27969.92 invoice # 858567. Carried.

Award contract for Frog Town Road – Steve reported on the bidding. We received four bids: Iron Works \$89,875.00, Harbor Construction \$133,800.00, Peters Construction \$138,862.50, ED Gersek Inc \$174,125.00. Steve stated the Town has some flexibility in awarding bids, rejecting bids, be sure it is in the best interest of the town, but they also have a obligation by Statutes to enter into a contract with a responsible bidder. Steve checks to see if a bidder is responsive. They have their bid on time, used the proper forms, signed the bid, included a bid bond, have crossed things out or changed the bid form in any fashion, before he even reads the bid. If it is not complete he won't read the bid. All four bidders were correct and read. Steve was personally concerned about Iron Works because of the difference in the two low bidders. He had Iron Works provide us with a list of his equipment, also any recommendations from other jobs, manpower. He was hoping for a better list of equipment.

Bob asked about bonding which he doesn't understand. When a bid is submitted there is a bid bond with the bid, which insures the town that they will enter into a contract. It is 5% of the bid. If they would decide not to do the job because they made a mistake they can walk away from it but then they would lose the money to the town. When we award the contract then they have to receive a performance bond and payment bond. The Performance bond is if they do not do the job the bonding company would come and finish the job and payment bond is that they would pay any sub contractors for the job. That assures us that all the subs will be paid. Jim stated when there is a large gap sometimes the bonding company will not award the bonds. Bob said he does not feel comfortable with the difference between the bids. Mr. Nesbitt stated there are more issues that he would like to talk about. Jim said it is not up to us to say that he won't be able to receive a bond. Bonding companies are looking at bids very carefully. Steve stated we could ask Mike for more details.

Randy presented the information that he had concerning Iron Works. Mr. Cole Has not paid the State of Wisconsin for his LLC license fee and also he has a minor claim against him personally. Jim doesn't see a big concern about the fee because he can have that taken care of real easy. Bob has concerns about the job getting done. He is very concerned about the difference in the cost. Barb is also concerned about the difference and if there will be a lot of change orders coming in.

Mike stated he feels very comfortable with the cost. He has one other person working for him and the stone will be coming from his pit. It would be a short haul. He feels they could do 12 loads per day.

Steve stated the bond will protect us if something does go wrong. It will take longer but with any construction company if something would go wrong and the bonding company steps in it would take time.

Clerk asked if we could put a time limit on for Mike to have his items taken care of and all the bonding to us in. Randy stated we could put on so many days and if things were not done then we would go with the next low bidder.

Motion made/second Barb/Jim to grant the job to Iron Works of Baileys Harbor pending his completion of the LLC Status and Civil Judgment, have performance and payment bonds to us by the close of business day December 7, 2007. Jim, Barb, Bob yes. Carried.

Motion made/second Bob/Barb to adjourn at 7:30 PM. Carried.

These minutes are subject to correction at the next monthly meeting.

Town Clerk, Jane Pluff