



**NEWBERRY COUNTY COUNCIL
SPECIAL CALLED MEETING
MINUTES
JUNE 17, 2015**

Newberry County Council met on Wednesday, June 17, 2015, at 6:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a special called meeting..

PRESENT: **Henry H. Livingston, III, Chairman**
Kirksey Koon, Vice Chairman
Bill Waldrop, Councilman
Leslie (Les) Hipp, Councilman
Steve Stockman, Councilman
Scott Cain, Councilman
Travis Reeder, Councilman
Wayne Adams, County Administrator
A.J. Tothacer, County Attorney
Laurie Renwick, Clerk to Council

MEDIA: **Andrew Wigger, Newberry Observer**
Samie Truong, WKDK

The meeting was duly advertised as required by law.

Chairman Livingston called the meeting to order.

1. *Discussion of Courthouse Areaway Bids*

Mr. Ervin West, Facilities Manager, shared with members of Council the history of the waterproofing of the Courthouse to date (Attached and part of the official minutes). He also reviewed the two bids that were received for the areaway construction project (Attached and part of the official minutes). Having concluded his update, he entertained questions from Council.

Mr. Hipp enquired about the break out cost on the traditional membrane method of waterproofing.

Mr. West noted that initially the membrane waterproofing was included in the entire waterproofing project; however, they asked Stafford to break this out and the estimates ranged from \$152,500.00 to \$247,836 on up to \$300,000.00

Mr. Hipp recalled that Mr. Chao had provided cost estimates on the areaway and the membrane methods and asked Mr. West what those estimates were.

Mr. West responded that he did not have that information in front of him but he believed the membrane estimate was around \$180,000.00 and the areaway at \$300,000.00. Mr. Chao was using the \$1,000.00 per linear sq. ft. and the Courthouse is about 300 and that is where this number came from.

Mr. Hipp stated that we know now that the areaway was grossly underestimated at that time.

Mr. West commented that if you go back to Stafford, their estimates were underestimated and that if why Council did not take any action at that time because there was not that much money in the budget.

Mr. Hipp asked Mr. West if he has been down in the basement recently after a significant rain.

Mr. West responded that there is evidence of water intrusion through the foundation after a heavy rain on the Harrington Street side. No flooding; but there are damp spots and red mud coming in where the tie rod holes are located. There is also evidence of water intrusion coming from the basement slab to the exterior wall configuration.

Mr. Hipp asked if we went back to the original configuration of the basement and sealed around it, would that allow the Clerk of Court enough room for her break out session.

Mr. West responded that he thought Mrs. Bowers was looking to use the entire basement.

Mr. Stockman wanted clarification that Mr. Chao had expressed that everything that has been done to the Courthouse so far has not in any way harmed the footings so the integrity of the Courthouse has not been hurt.

Mr. West agreed with Mr. Stockman's assessment.

Mr. Koon shared the list that Mrs. Bowers submitted on June 10th of 2014 for possible uses of the basement: a conference room for depositions, worker's comp and arbitration hearings, room for real estate records, Self Help Center, Grand Jury room, jury assembly room and room for expansion of Clerk's Office.

Mr. Koon shared that if we are thinking about not waterproofing the basement he did not know where Mrs. Bowers was going to put all this stuff. He said during the work sessions and meeting with Mr. Chao, Council decided that if we were going to waterproof it that we would do the areaway approach and not the membrane. The membrane has been tried twice in the past and did not work.

Mr. Hipp commented to Mr. Koon that if we go back to the minutes we did get Mr. Chao to give us a price but there was no commitment, we never voted on which option to choose. The reason we got Mr. Chao to get us the areaway cost was because we needed to have a cost comparison and he felt the minutes will reflect that. Now that we have received the cost, it is extremely high; much higher than the initial estimates.

Mr. Koon stated that he felt it will be a lot higher if we don't do the work and the basement leaks again and we have mold and mildew problems like we did before. The Courthouse is a vital part of this county.

Mr. Hipp said there is no about that but the people are upstairs and the only use in question is if we put offices back downstairs. The quote we have here does not even include up fitting for office space.

Mr. Koon understood Mr. West to say that Mrs. Bowers indicated she would take money that she has to appropriate to do whatever work that needs to be done down there.

Mr. West responded that Mrs. Bowers told him that if nothing, she would take some 4-D money and fix what she could.

Mr. Hipp mentioned that any unused 4-D money comes back to the county.

Mr. Adams stated that any amount that she doesn't expend in the current budget year rolls over to the county's fund balance.

Mr. Hipp said so in essence, we are paying for it regardless of whether she uses it during her year or it rolls over to our fund balance.

Mr. Adams responded that it depends on how well she can anticipate what she is going to get. It is within her power to spend it before the end of the year if she

has a qualifying expenditure. Whether this is or is not the case he stated he was not an expert on that.

Mr. Cain commented on the structural integrity of the building when you dig out, and from an engineering standpoint, this should not have any effect on that so he felt the issue here was office space. We need to dry in the basement so there is no mold. He said he did not think anyone can guarantee you will not have problems with a basement. Even if we do this, I do not think we can guarantee forever not having issues with water. If we are going to spend a little over \$900,000.00 for office space and then add on the cost for interior renovations for a total of around 1.2 million, we can go over to the Market Basket and renovate; move Council and Administration over there and she can have the Courthouse Annex Complex. All of this needs to be studied; there are other things we can do for office space for 1.2 million dollars.

Mr. Waldrop questioned Mr. West about the need for a deposition room, grand jury room, and jury assembly room and thought there was already space in the Courthouse for that. He thought that circuit court was only held about 4 times a year.

Chairman Livingston commented that he was sensing some concerns that probably need to be worked out. He said this meeting was held to cut agenda item #9 on our main agenda a little short tonight. He felt we would not have all the answers tonight to make that decision so he recommended that when we get to that item we make a motion to put the money in and then have another meeting to determine how we will utilize it. He asked if this was OK with Council.

Mr. Stockman said he would not like it put in and couldn't see us putting a million dollars in the ground. He felt we can go elsewhere and build space. He said as long as we do not designate that the money is going in the ground he would be ok with it being in contingency.

Chairman Livingston commented that this was done during a bad bid environment and we might can do it later and get a better bid. If we do not put it in then we have nothing to work with regardless of what we decide to do.

2. *Public Comments*

No comments.

3. *Adjournment*

Chairman Livingston declared the meeting adjourned at 7:05 p.m.

NEWBERRY COUNTY COUNCIL

Henry H. Livingston, Chairman

APPROVED:

Laurie N. Renwick, Clerk to Council

Newberry Courthouse Waterproofing & Repairs Summary
06/16/15

<u>Item</u>	<u>Description</u>	<u>Action</u>	<u>Comments</u>
RFQ 2011-01	Seeking Waterproofing Consultant	Stafford selected	
IFB 2012- 06	complete waterproofing bid	no award, base = \$ 537,000 + alts	with alternates total project = \$ 596,000 breakout price for basement = \$ 152,500 to \$ 247,836
rebid	took out basement waterproof	No action, low at \$ 258,000	seperated roof for next bid below
IFB 2012- 21	Basement carpet removal, etc	Awarded to Moats at \$ 16,900	tile included and floor cleaning
IFB 2012-26	Roof only	awarded to Alicepohl at \$ 268,000	total paid out with changes = \$ 272,097
IFB 2013-24	Storage at Newberry Square	awarded to Cannon at \$ 26,610	total paid out = \$ 26,610
IFB 2014- 1	Interior demo and abatement	awarded to Moats at \$ 19,000	total paid out = \$ 39, 980 (asbestos abatement)
IFB 2014-18	Exterior walls waterproofing	awarded to Watertight at \$ 109,151	total paid out to date = \$ 106,379
IFB 2014-20	Interior upfit	awarded to Capital at \$63,151	total paid out = \$ 116, 842 (solicitor suite added)
IFB 2015-	Basement Areaway	Low bid at \$ 502,890 + alternates	Total alt adds = \$ 436,205 Total project = \$ 939,095
Construction cost to date:	\$568,808		New roof, exterior walls, interior work
Total all in repairs:	\$753,044		Design, CM, Testing, etc.



Bid Checklist
Newberry County Court House Areaway Construction 2015-13
Bid Opening: June 10, 2015 10 A.M.
C&A Project #: 573887-14



	Lesco Restorations	Clayton Construction	Watertight Restorations	AOS Specialty Contractors	Capitol Construction
Amount of Base Bid:			\$ 599,359.00	\$ 502,890.00	
Additional Alternate #1:			\$ 140,288.00	\$ 185,406.00	
Additional Alternate #2:			\$ 209,852.00	\$ 163,799.00	
Additional Alternate #3:			\$ 124,374.00	\$ 87,000.00	
Acknowledgement of Ammendment No. 1			✓	✓	
Acknowledgement of Ammendment No. 2			✓	✓	
Bid Bond			✓	✓	