

**MINUTES OF SPECIAL BOARD MEETING
HORRY COUNTY SOLID WASTE AUTHORITY, INC.
December 29, 2020**

The Horry County Solid Waste Authority, Inc. held a Special Board Meeting on Tuesday, December 29, 2020, at 1:00 P.M., at the Authority's Administrative Office, 1886 Highway 90, Conway, South Carolina. In accordance with the Freedom of Information Act, notices setting forth the date, time, and place of the meeting were posted as required.

Present were the following Board Members: Bo Ives, Chairman; W. Norfleet Jones, Vice Chairman; Carl H. Schwartzkopf, Treasurer and Board Members Amos C. Berry, Pam J. Creech and Michael H. Hughes. Board Secretary Samuel T. Johnson, Jr. was not in attendance.

Horry County Administrator Steve Gosnell, Vance Moore and Craig Fortner of Garrett & Moore and Amelia Wood attended the meeting. Two members of the public also attended the meeting via conference call. There were no members of the media in attendance.

The following individuals were also in attendance: Danny Knight, Executive Director; Mike Bessant, Director; Jan Bitting, Director and staff members Cecil Terry, Victoria Johnson, Kendra Hooks, Stephanie Todd and Nannette Powell.

CALL TO ORDER

Chairman Ives called the meeting to order and rendered the invocation.

PLEDGE OF ALLEGIANCE

Mr. Jones led the group in the Pledge of Allegiance.

Chairman Ives expressed his pleasure that Mr. Berry and Mr. Gosnell were both doing better after their illnesses. He advised the Board that inasmuch as the South Carolina Department of Health and Environmental Control had not yet released their guidelines pertaining to 1A COVID-19 vaccines, a letter had been forwarded to them requesting that sanitation workers and all in the solid waste industry be held in high priority and be given the highest consideration regarding vaccines.

Chairman Ives thanked Mr. Moore and Mr. Fortner for being in attendance and stated the SWA had received the results of the bid process and the Board had seen the results. He commented the Board would not be considering any motions or making any votes during this meeting. Chairman Ives stated the purpose of the meeting was to inform the Board of the bidding process and the results of the process. He stated a letter of intent and a letter to proceed had already been issued and again stated the purpose of the meeting was to inform the Board how these decisions were made.

APPROVAL OF AGENDA

Chairman Ives asked for any revisions to the Agenda as contained in the Agenda Packet.

Mr. Schwartzkopf moved to approve the Agenda as presented. There was a second by Ms. Creech and the Motion was carried.

PUBLIC INPUT

There were no requests to present Public Input.

OLD BUSINESS

Update on the 1187 Bridge and Borrow Area Backfill Project – Mr. Knight commented it had been a long process with good end results. He stated Mr. Moore would present an overview of the process and Mrs. Bitting would give an update on the project budget.

Mr. Moore thanked the Board for the opportunity to give an update on the 1187 Bridge and Borrow Area Backfill project, also referred to as Project #2. Mr. Moore began with a review of the bidding process. He indicated the bidding process contained a number of steps, to include a mandatory pre-bid meeting, open bidding/questions/addenda period (issuance of four (4) addendums on this project), receipt of bids and a bid evaluation process. Mr. Moore offered additional information on each step.

Regarding the mandatory pre-bid meeting, Mr. Moore stated one of the key questions asked and responded to at the pre-bid meeting was “Do bidders need to bid all three options?” Mr. Moore indicated the response to that question was “No. Bidders are encouraged to bid all three options but are not required.” Mr. Moore commented this response was also included in Addendum #2.

Mr. Moore pointed out that the bid form states “Bidder understands that the Owner may select a Bidder based on the lowest responsible, responsive Base Bid plus or minus any Bid Alternates which the Owner selects in order to determine the combination of lowest responsible, responsive bids for which the determination that the Bidder is suitably experienced.” He stated this gives the SWA the option to choose what combination would be in their best interest.

Mr. Moore then discussed the opportunities for bidders to submit alternatives for consideration. He stated there were several questions and shared the following questions and answers from Addendum #3:

Question #2: Will all soil need to be conditioned to + or – 3% of optimum? The majority of the fill will be under the water table making it difficult to achieve the specified moisture content. Will an initial bridge lift be acceptable?

Answer #2: Any proposed deviation from the requirements of Section 02200 should be presented and discussed in the submitted Work Plan. If proposing a deviation from specifications, Bidder shall provide a discussion of how backfill performance will be verified.

Question #25: What is the maximum depth of the backfill lifts?

Answer #25: Refer to Section 02200 and answer to Q2 in this Addendum.

Question #38: As a potential cost savings to the owner can the dewatering be quantified monthly and split out per each dewatering area?

Answer#38: Bidders may provide value engineering proposals of potential cost savings for Owner consideration. Bidder shall provide a base bid as required by the contract documents, with any value engineering proposals added as supplement.

Mr. Moore then shared the following question/answer from Addendum #4:

Question #8: Reference question and answer #2 on Addendum #3. Will a 4 foot bridge lift be acceptable? If not spot undercut and replacement may be required which is considerably more expensive than conventional undercut and replacement.

Answer #8: Addendum #3, Answer #2 applies. Bidders may provide value engineering proposals of potential cost savings for Owner consideration. Bidder shall provide a base bid as required by the contract documents, with any value engineering proposals added as supplement.

The last step Mr. Moore reviewed was the evaluation of bids. He advised the Board that bids had been received from seven (7) contractors. Mr. Moore commented that all bids were considered responsive and responsible, therefore there was no reason to disqualify any of the bidders or any of the options. He stated three (3) key contractors were identified for interviews in regards to their bids - King Construction in particular for Option 3, L. Dean Weaver in particular for Option 2 and RE Goodson in particular for Option 2.

Mr. Moore stated three different options were developed in order to give the SWA the flexibility to know what the value of time was and what the value of onsite resources was. He said the three options were as follows:

Option #1 – All backfill from 1187 site via bridge, long contract time (requires approximately 6 months of C&D co-disposal with the MSW landfill).

Option #2 – All backfill from 1187 site via bridge, compressed contract time (no C&D co-disposal within the MSW landfill required).

Option #3 – Utilize Highway 90 Landfill soils, compressed contract time (no C&D co-disposal within the MSW landfill required). Mr. Moore explained that Option #3 allows borrow operations within up to 29-acres of Tract D on the Highway 90 property. He indicated of the 29-acres made available to bidders, approximately 2-acres are already in use for borrow operations by the SWA, and approximately 8-acres are approved for borrow in construction of the ongoing Project #1, which was awarded in October 2020.

Mr. Moore discussed the bid tabulation and summarized the low bidder for the base bid for each option, as follows:

Option	Low Bidder	Total Bid Amount
Option #1	L. Dean Weaver	\$ 11,910,508.00
Option #2	L. Dean Weaver	\$ 12,305,920.00
Option #3	King Construction	\$ 11,535,526.80

Mr. Moore reiterated that interviews were held with the three (3) key contractors that were identified in regards to their bids - King Construction, L. Dean Weaver and RE Goodson. With regard to Option #1, Mr. Moore commented L. Dean Weaver and RE Goodson proposed Option #1 but did not propose or discuss any value engineering alternatives for Option #1. King Construction did not submit a bid on Option #1. Regarding Option #2, Mr. Moore stated L. Dean Weaver did not discuss or propose any value engineering alternatives for Option #2. He commented that RE Goodson proposed that a savings could be realized by allowing limestone (instead of granite, as specified) riprap and reducing the amount of riprap on the project. Mr. Moore said the potential savings was not qualified by RE Goodson. He indicated that King Construction did not submit a bid on Option #2. Mr. Moore then discussed Option #3 and said the bid for Option #3 submitted by King Construction included value engineering proposal to modify backfill specifications supported by a third-party geotechnical engineer. Mr. Moore stated if the value engineering proposal is accepted, the bid for Option #3 submitted by King Construction could be reduced by \$412,950.00, the substantial completion date could be reduced by two months and the soil borrow area within Tract D on the Highway 90 property is reduced to a maximum of 20-acres. Mr. Moore indicated that neither L. Dean Weaver nor RE Goodson proposed any value engineering alternatives for Option #3.

Mr. Moore reminded the Board that the analysis criteria for the project award states: “If the contract is to be awarded it will be awarded to the lowest responsible, responsive Bidder whose evaluation by Owner indicates to Owner that the award will be in the best interests of the Project. However, the Owner may award the bid in accordance with any and all procedures allowed by law, including but not limited to the South Carolina Code of Law.”

Mr. Moore indicated that the evaluation of bids indicated that L. Dean Weaver submitted the lowest responsive, responsible bid for both Option #1 (\$11,910,508.00) and for Option #2 (\$12,305,920.00). He stated if you compare the Option #1 bid to the Option #2 bid, there is a cost increase of \$395,412.00 for a shorter construction schedule to potentially avoid C&D co-disposal within the MSW landfill. Mr. Moore

stressed that the Option #2 schedule allows no contingency for construction schedule slippage, meaning there is no additional float time in the schedule in the event of unforeseen circumstances.

Mr. Moore then reviewed the lowest responsive, responsible bid submitted for Option #3 by King Construction in the amount of \$11,535,526.80. He stated Option #3 is projected to avoid the co-disposal of C&D in the MSW landfill and also has no contingency for any kind of construction schedule slippage. He said the difference when comparing Option #2 to Option #3 (which both have the same schedule) was the location of where the soils would come from. Mr. Moore reminded the group that with Option #2 all soil material would be obtained from the 1187 property and said Option #3 allows soil material from Tract D to be used. He said this would allow the ability to begin the backfill operations immediately while the bridge is being constructed. In addition, the use of up to 19-acres of Tract D on the Highway 90 property results in a cost savings of \$770,393.20. However, Mr. Moore commented, King Construction also submitted a value engineering proposal to alter the backfill procedures that would be certified by a third party geotechnical engineer to meet the compaction specifications.

Mr. Moore stated the work plan has been reviewed and no exception has been taken with regard to the proposed work plan and believed it would absolutely achieve the goals of the project for placing the backfill material. In addition, he stated, the alternative would reduce the 29-acres available to 20-acres thereby limiting the amount of area to be impacted by the operations. Mr. Moore said the schedule would also be compressed by 60-days which would give the SWA a contingency for any unforeseen construction schedule slippage.

Mr. Moore advised that discussion of the entire process, including all pros and cons had been held with staff. He then inquired if the Board had any questions or comments. Chairman Ives commented that he participated in the interview process and stated he was impressed with the confidence all three contractors had in their bids. He stated the bidders were all aware of the time constraints of the project and aware of the site conditions. Mr. Ives also commented that King Construction was confident in their proposal to reduce the number of acres of Tract D to be disturbed. Mr. Ives thanked Mr. Moore for his presentation and the opportunity to participate in the process. Mr. Moore commented that he believed the SWA received excellent bid results and stressed how pleased he was with the results.

Ms. Creech inquired as to whether Option #3 would keep traffic off of Highway 90. Mr. Moore replied that it would and clarified that Option #3 had an alternative bid item that in the event there were not adequate soils on Tract D, the alternate bid would include pricing to haul material via Highway 90. Mr. Moore commented that the purpose of this alternative was to give the SWA a bid price in place in the event that occurred. He stated staff is absolutely planning on this not occurring and would be disappointed if it did happen.

Mrs. Bitting then offered an overview of the project budget. Mrs. Bitting reminded the Board that the Fiscal Year 2021 Budget presented to the Board last spring included \$21,000,000 in funding for this project. She stated the bids have all come in significantly lower than the projected budget. Mrs. Bitting stated that there is currently just over \$9.6 Million in the designated account for landfill construction, which does not include the current ongoing project. She commented that the amount of money initially anticipated to be transferred from Post-Closure is significantly lower. Mrs. Bitting stated staff is looking at the need to transfer approximately \$4 Million, if that. She also clarified that this does not include any transfers that may occur during the course of the current fiscal year. Mrs. Bitting stated she felt the SWA was in a much better position based on the competitive bids received.

Mr. Knight indicated one of the reasons he wanted Chairman Ives to participate in the interview process was for him to have a full understanding of the entire evaluation process. He stated staff was looking forward to getting the project underway in accordance with SWA purchasing procedures. Mr. Knight indicated the project should be awarded by January 6, 2021, as outlined in the timeline. He said staff would keep the Board posted on how things proceed and stated there may not even be a need to borrow from

another fund. He thanked staff, Mr. Moore and Mr. Fortner for their work in getting the project to this point.

Chairman Ives commented that he believed it was important to reiterate that neither Garrett and Moore nor staff found any need to disqualify any of the bidders. He stated it is important to note that such talented people wanted to perform the work. Ms. Creech commented that she was pleased to see the number of people who submitted bids and believed it was beneficial to the SWA. In closing Chairman Ives thanked the Board for their attendance and thanked staff and the engineers for their work. He also thanked Mr. Sam Johnson for submitting good questions regarding the contract.

MOTION TO ADJOURN

There being no further business to come before the Board, Mr. Schwartzkopf moved, seconded by Mr. Jones to adjourn the meeting. The Motion was carried and the Special Meeting was adjourned at 1:35P.M.

Minutes approved on January 26, 2021.

HORRY COUNTY SOLID WASTE AUTHORITY, INC.

BY: _____ (L. S.)
Bo Ives, Chairman

ATTEST:

_____(L. S.)
Samuel T. Johnson, Jr., Secretary

_____(L. S.)
Amos C. Berry

_____(L. S.)
Pam J. Creech

_____(L. S.)
Michael H. Hughes

_____(L. S.)
W. Norfleet Jones

_____(L. S.)
Carl H. Schwartzkopf