

Minutes of the regular meeting of the City Council held August 15, 1990 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	C. Harold Shafter, ReNee Coon, Bob Gramoll, Barbara Holt, and Leslie Foy
	City Manager:	Tom Hardy
	City Attorney:	Layne B. Forbes
	Dep. Recorder:	Kim Coleman
	Rec. Secretary:	Nancy T. Lawrence

Official Notice of this meeting had been given by posting a written notice of same and an Agenda at the City Hall and providing copies to the following newspapers of general circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune.

Mayor Linnell called the meeting to order, following which Mr. Hardy led the pledge of allegiance to the flag. The invocation was given by Mayor Linnell.

Minutes of the regular meeting of the City Council held August 8, 1990 were presented and unanimously approved as written on a motion made by Councilman Shafter and seconded by Councilwoman Coon.

EXPENDITURE AND EXPENSE REPORT

There were no expenditures presented for approval.

CONSIDER BID AWARD-PINE VIEW HYDROELECTRIC PROJECT

Mr. Hardy stated that one of the contractors involved with this topic was in attendance and he requested a 5-minute recess to meet with said contractor and the City Attorney. The meeting recessed at 7:05 p.m. and reconvened at 7:10 p.m.

Mr. Hardy explained to the Council that bids were opened yesterday (August 14th) for the civil work at the Pine View hydroelectric project. There was a potential irregularity in the method of bidding by the apparent low bidder and this was brought to attention by other bidders. The bids were presented to the Power Commission last evening and their recommendation was to have Mr. Forbes and Mr. Russell Mahan provide legal research on the situation. The recommendation from the attorneys is that the most safe course in this matter would be to re-bid the project and not be vulnerable to potential litigation from the two parties that were close in bidding.

However, one of the contractors (in attendance this evening) has suggested that they would be willing to stipulate beforehand to release the City and not file litigation (subject to the other contractor making the same commitment) , if the City Council were willing to make a decision on the bid following presentations by the two contractors involved. Mr. Hardy noted that time is of the essence on this project so that the concrete can be poured prior to cold weather setting in.

The Council considered the solution as suggested, and after discussion, the following plan was set forth: the City Council members would be provided copies of the pertinent bid documents for their review and this matter would be tabled until Friday, with the time of the meeting set at 7:00 a.m. or 7:00 p.m., based on the recommendation of the City Attorney. (It is anticipated that the matter will be resolved by the Council (1) requesting that the project be re-bid; or (2) awarding the bid to one of the two low bidders). Councilman Shafter also requested that the Power Commission members be apprised of the situation as a courtesy to them.

Councilman Shafter made a motion that the matter be tabled this evening and that a special meeting be held Friday to resolve the issue. Councilman Gramoll seconded the motion which carried unanimously.

The meeting adjourned to the business of the Redevelopment Agency at 7:20 p.m. on a motion made by Councilwoman Holt and seconded by Councilman Foy. Voting was unanimous.