

CALL TO ORDER

At 5:00 PM, President Bailey called the August 14, 2020 Special Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The record shows that President Bailey and General Manager, Chris Overland was present. Vice President Teals, Director Dexter, Director Selmann, Director Foster, and Legal Counsel Brian Iller attended via-telephone. The record indicates that this meeting was recorded. The Pledge of Allegiance was then recited.

DISCUSSION OF AGENDA ITEM(S)

President Bailey called on the board members and the audience for discussion on any agenda items, and nothing was brought forward.

ACTION ITEMS

President Bailey announced the Special Meeting was called for the consideration and possible award of the Dredge Spoils Relocation. The low bidder Voshall Trucking, LLC, did not meet the insurance requirements. The board members discussed at the Regular Board meeting on August 11, 2020, that if there were any issues with Voshall Trucking, LLC's bid not meeting the requirements, the Board would have a special meeting to decide what to do. Legal Counsel Brian Iller stated without waiving attorney-client privilege, the apparent low bidder, Voshall Trucking, LLC's bid that was opened on August 11, 2020, did not satisfy the requirement of a minimum of \$3,000,000 General Liability insurance coverage. Therefore they did not meet a minimum requirement for the bid. The Board should, therefore, declare Voshall Trucking, LLC's bid unqualified, and consider which of the other two bids opened on August 11, 2020 to accept, if any. The Board does have the option under the Request for Bids to reject all bids. Director Foster asked where the Request for Bids was advertised. General Manager Chris Overland stated it was advertised three times in the Columbia Basin Herald. Director Foster asked if there had been any conversation with the property owners as to the urgency of getting the spoils relocated. General Manager Chris Overland answered no. Director Selmann asked if the Board could let Voshall Trucking, LLC know what it is they are missing from their bid, and if they want MLIRD to accept the bid, they must rectify it. Legal Counsel Brian Iller stated that it would be an unfair advantage to the bidder that submitted the unqualified bid. Director Foster asked if the Board could reject all bids, and Legal Counsel Brian Iller stated that the Board could do that. Director Selmann stated if MLIRD rejects all bids, the other bidders will now know what the other bids came in at and will give them a chance to sharpen their pencils. This will also give the bidder that did not have qualifying insurance a chance to rectify that. Director Selmann does not see a downside to asking them to resubmit bids because the winning bid was disqualified for insurance reasons. Vice President Teals believes all bids should be rejected and go back to square one. He does not see the need to rush the process and also thinks MLIRD should talk to Pamp Maiers and see if the entire pile could be spread out evenly on the ground at the current location. Director Foster stated he does not believe the spoils are desirable topsoil, and in his opinion, would not work spreading it out. Director Foster asked if any of Pamp Maiers employees inquired a bid packet, and General Manager Chris Overland stated none that he was aware of.

Director Foster made a motion to reject all bids and start the process over. Vice President Teals seconded the motion. Director Foster asked who chose the location for the dirt. President Bailey stated the Board did by

default. There were two choices the Board knew about, Connelly Park and the Port of Moses Lake. President Bailey stated the Port of Moses Lake expressed interest in the dirt after the last time MLIRD went out for bid approximately a year and a half ago. Legal Counsel Brian Iller asked if no one has talked to the Port of Moses Lake in a year and a half, does the Port still even want the dirt. General Manager Chris Overland stated that he spoke with them recently, and the Port of Moses Lake does still want the dirt. Vice President Teals asked if the Port of Moses Lake would be willing to help with the payment of moving the dirt to their property.

President Bailey stated he would like to see the motion amended to simply reject all bids and re-think the process. Both Director Foster and Vice President Teals agreed with the amendment. Director Foster would like to know if MLIRD is going to set a deadline or give the contractor the option to take the dirt wherever they want. He stated MLIRD doesn't care where the dirt goes just as long as it's moved. If MLIRD does not state where the spoils have to go, maybe the location won't be ten miles one way. Legal Counsel Brian Iller stated the first thing the Board should do is withdraw the prior motion and make a new motion to reject all bids as the bids were not in the best interest of the District and to further investigate options for disposal of the dirt. Director Foster made a motion to withdraw the prior motion and made a new motion to reject all bids as the bids were not in the best interest of the District and to further investigate options for disposal of the dirt. Vice President Teals seconded the motion. Director Foster would like terms set as to how long the contractor has, and if the Board cares where the dirt is hauled to. President Bailey stated he does not think the terms need to be discussed at this meeting; the Board simply needs to reject all bids. Director Foster stated he only brings it up so that the Board does not have to wait until next month's meeting to further investigate. President Bailey stated he is not sure that falls under the intent of the agenda. He added that he wants General Manager Chris Overland to send a copy of the original bid advertisement to all board members to look over, review, and send any suggestions omitting or adding to the advertisement too General Manager Chris Overland or President Bailey to formulate a plan for what will happen next time. The motion carried unanimously.

ADJOURNMENT

The meeting was adjourned at 5:21 PM.

Bill Bailey, President

Richard Teals, Vice President

Kris Dexter, Director

Kaj Selmann, Director

Jeff Foster, Director

By: _____
Secretary to the Board of Directors