

STATE OF TEXAS

COUNTIES OF POTTER

AND RANDALL

CITY OF AMARILLO

On the 18th of November 2022 The Colonies Public Improvement District (PID) Advisory Board met at 10:00 AM in room 203, second floor of the Jim Simms Bldg., 808 S. Buchanan St., Amarillo, Texas, with the following people present:

VOTING MEMBERS	MEMBERS PRESENT	TOTAL NO. MEETINGS HELD SINCE APPOINTMENT	TOTAL NO. MEETINGS ATTENDED SINCE APPOINTMENT
Clark Damon	Yes	8	8
Luke Austin	Yes	1	1
Allyson Flaming	No	8	2
Jason Burr	Yes	14	14
Josh J Langham	Yes	8	8

CITY OF AMARILLO STAFF:

Devin Jones, Development Services
Leslie Schmidt, Legal
Trae Kepley, Purchasing
Lupe Quinonez, Purchasing
Blair Snow-McCurdy, Finance
Matt Poston, Finance

OTHERS IN ATTENDANCE:

Andrea Vance, FIMC
Bill Chudej, FIMC

ITEM 1: Approval of Minutes from the August 29, 2022 Meeting

Jason Burr called the meeting to order and asked the board to look over the minutes. Jason asked if the changes had been made already that were sent out. Devin stated that yes, the changes had been made prior to the meeting. Clark Damon motioned to approve the minutes as written, Luke Austin Seconded. The motion passed unanimously.

ITEM 2: Discuss ongoing PID improvement maintenance items.

Jason stated that they would talk about Items 2 and 3 together.

ITEM 3: Discuss and Consider approval of Landscape Maintenance Specifications for Bid #7319

Jason stated that Custom Gardens was the winner of the scoring process, however their bid came in at double what their budget was. Jason went on to explain that their typical budget for turf maintenance was around \$180,000, and Custom Gardens bid came in around \$360,000. He then stated that he didn't feel that it would be responsible to award the bid for that much money. Jason explained that they had been communicating back and forth with purchasing on what they were able to do in this situation. He stated that he believed that the Custom Gardens bid was submitted with an incorrect calculation. Jason asked if anyone from the city had spoken to Custom Gardens. Trae stated that all they can do is send out a notice of selected respondent letters, and then e-mail them once they receive input from the board.

Jason stated that from his understanding they were not allowed to deny Custom Gardens due to the budget, and take the second or third bidder, or to give them the opportunity to correct the bid, and that their only option was to accept or reject the bid

as it stood now. He stated that his opinion is to reject the bid, and that he wanted to know the process on how to reject this bid, and the process moving forward. Trae stated that they would send out a cancellation letter, once they received an e-mail and it would be a 90–120-day process for the formal bid.

Josh asked if Custom Gardens was the only bid that came in. Jason explained that no, they had Ramirez Lawn, Green Plains, Custom Gardens and Reeder Landscape. He gave the general amounts that each contractor bid. Jason asked if the score sheets would be public knowledge. Trae stated that if they cancelled the bid, no they would not be. It was verified that it would not be able to be shared even with the board. Luke asked if generally they could discuss issues with the board from the scoring. Leslie stated that with the information act, it was that they just couldn't release the documents.

Luke stated that the biggest issue was that Green Plains didn't give examples of properties that they currently care for. Jason stated that they gave references of people they have worked for before, but they did not give a current property they were working for. Luke stated that Custom Gardens did not bid it appropriately. Jason went on to explain that Custom Gardens had bid something at \$80,000 per tree. There was some discussion that they felt it wasn't read correctly, since they were simply asking the cost for cutting down a tree if necessary. Jason stated that he thought they could all do the job, but he felt Ramirez might not have the sprinkler knowledge as much as Custom Gardens and Green Plains.

Luke asked what thoughts were on making a mandatory pre-bid meeting to make sure all expectations are made clear. There was some discussion that the two contractors that were at the pre bid meeting were the ones who gave incorrect bids. Clark also mentioned that it was stated in a previous meeting that if someone was even one minute late to the meeting they could not be considered for the bid. Trae confirmed this. Jason asked if they were able to put in a 'not to exceed' amount in the bid. Trae stated that they could and ask for line-item costs. Jason stated that he felt like that was more complicated, he was thinking something along the lines of 'not to exceed over more than 10%.' Trae stated that he could not put that in the bid request.

Luke mentioned that Custom Gardens included a performance bond. The others turned in a Bid bond, they didn't ask for a bid bond, they asked for a performance bond. There was some further discussion on each bid and what was in it that others did not have, and the overall costs of each. There was also some discussion on moving money around in the budget, and if they would be able to do so without a budget amendment. Blair stated that if it was just moved between lines, and their bottom line didn't change, they wouldn't have to change the budget through an amendment. Josh mentioned awarding the bid to Green Plains. Luke explained that they couldn't since according to the scores Custom Gardens was the winner. Jason went on further to explain that all they could do was accept Custom Gardens' bid as is, or deny it and send it out for bid, again.

Jason asked if anybody could have a conversation with the bidders, not just the evaluation committee or the PID Board but, anyone. Trae stated that once they were out of the bid process, it didn't matter if anyone spoke to the bidders. Jason verified that once the bid was cancelled, he could contact the bidders and explain to them what happened, and why the bid was not awarded. Leslie stated that yes, he could once the process was no longer in progress.

Jason verified that everyone was on the same page that they needed to cancel the bid and send it out again. Josh made a motion to cancel the bid and resubmit for a new bid. Luke seconded. The motion passed unanimously.

Jason asked about the timeline for when they could send this out for bid again. Trae stated that they would need an e-mail to document that they were cancelling the bid and why, that way they would have the explanation if they were ever asked questions about it. From there, Trae explained that they would cancel the bid within a week, then their policy was to give it two weeks before they sent out for a rebid. Luke asked if we could shoot to release the bid on the 12th. Or the 19th. After some discussion, it was found that if they did not get it in on the 12th, it would cost them 6 weeks of time due to the holiday posting schedule with the newspaper. They decided that they would not be having a Prebid meeting to keep from holding up the timeline.

ITEM 4: Discuss future agenda items

Luke brought up a list of things to put on a future agenda. He wanted the FIMC Management contract on the agenda for discussion. Luke stated that the board needed a timeline on issuing bonds to pay back Rockrose. It was also requested for Cleve to give a status update on the Tree Bid and the Flower Beds Bids.

ITEM 5: Adjourn meeting

There being no further business, the meeting was adjourned.