

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – July 18, 2015

Selectmen Steven Osienski, James Cleary and Jeffrey Rose were present as well as Administrator Denise French. The meeting was called to order at 8:00 a.m.

The Selectmen met to consider the Town's three options, as provided by NHDOT in their July 17<sup>th</sup> email, relative to receiving only one bid for TEP2 (second phase of the downtown Transportation Enhancement Project). The sole bid of \$597,880 far exceeds Federal Highway approved construction funds of \$456,889.85.

Option 1 speaks of project cancellation which would create the need for the Town to reimburse Federal Highway funds received of \$42,127.95 while also being fully responsible for an additional \$127,798.27 of engineering invoices.

Option 2 speaks of accepting the \$597,880.00 bid since NHDOT representative Tom Jameson confirmed that there are available TE funds to cover 80% of the \$140,990.15 overage thus creating a need for 20% additional Town funding of \$28,198.03.

Option 3 speaks of rebidding the project in the fall. The disadvantage for this scenario is the danger that there is no guarantee that the rebid will be less than designated construction funds of \$456,889.95. Since the TE program is closing out there will be no additional TE funds available in the fall; any successful bid which exceeds \$456,889.85 will be 100% paid by the Town plus any potential change orders.

The Selectmen expressed frustration that the Town is being forced into spending additional funds since there was no competitive bid and Federal Highway disallows any negotiating communications with the bidder.

Motion was made, seconded and unanimously voted to move forward with Option 2 which carries an additional Town financial burden of \$28,198.03 plus 100% costs of any change orders that will not be reimbursable due to termination of the TE program.

The meeting adjourned at 8:18 a.m.

Respectfully submitted by:

Denise French  
Administrator