

APRIL 13, 2017
SPECIAL MEETING
9:00 A.M.

Mayor Shane Evans called the special meeting to order.

Dick Bradshaw and Sam Deiwert were present for the meeting.

Mayor Evans stated the purpose of the special meeting is to resolve the dispute as to the awarding of the East Main Street rehabilitation contract which the Board awarded to Milestone Construction on April 3, 2017 at the Mayor's recommendation. The Mayor recommended a motion be made rescinding the awarding of the contract to Milestone and awarding the project to Rieth-Riley based on the recommendation of the City Attorney. Dick Bradshaw stated he had 36 years' experience in the bidding process through his business and did not find it a good idea to threaten to sue. There was no way this would help with establishing good relations later on. It was his understanding we were not satisfied with work on the Interurban and because of this we would need to hire an inspector for this project, leading to more expenses for the city to bear. Sam Deiwert asked who the representation for Rieth-Riley was at our meeting and why our attorney was not here.

The West Lafayette Area Manager and Counsel for Rieth-Riley attended the meeting as well as Counsel from Barnes & Thornburg. The general counsel for Rieth-Riley presented a letter he sent to Mayor Evans and said the letter does not threaten to sue and only discussed the duties and rights of the City of Delphi.

Sam Deiwert stated in the past it was not always the lowest bid and questioned if we could take intangibles into consideration. Mayor Evans stated only if we declare them not responsible. Sam Deiwert expressed his desire to table this issue until a second opinion could be obtained. Mayor Evans noted this project will be partially funded through the Community Crossings Grant and the risk of losing that grant if the project is not started this summer should be taken into consideration.

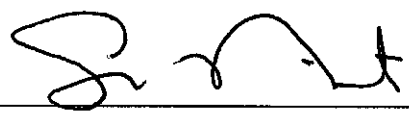
Dick Bradshaw made the motion to rescind the awarding of the contract to Milestone and award the contract to Rieth-Riley. Second by Mayor Evans. Dick Bradshaw then questioned if the lawsuit was not going to happen. The response was it was not on the table at this time. Dick Bradshaw and Mayor Evans voted aye, with one nay from Sam Deiwert.

Rieth-Riley stated they are ready to move forward and let the past be. Good work will be provided by Rieth-Riley and everyone will be satisfied.

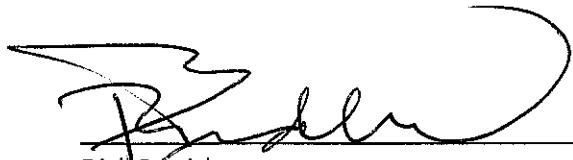
Dick Bradshaw made the motion to adjourn. Second by Sam Deiwert. Motion carried. (3-0)

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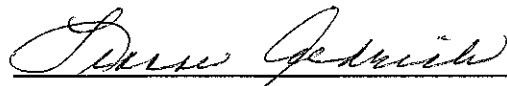
Mayor Shane Evans



Sam Deiwert



Dick Bradshaw



Attest, Leanne Aldrich