



Richland County Council

ADMINISTRATION AND FINANCE COMMITTEE

May 22, 2018 – 6:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Paul Livingston, Chair; Bill Malinowski, Dalhi Myers, Yvonne McBride, and Norman Jackson

OTHERS PRESENT: Brandon Madden, Michelle Onley, Ismail Ozbek, Jennifer Wladischkin, Trenia Bowers, Tim Nielsen, Sandra Yudice, Kimberly Williams-Roberts, Chris Eversmann, Art Braswell, Allison Steele, Larry Smith, and Shahid Khan

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **APPROVAL OF MINUTES**
 - a. April 24, 2018 – Mr. McBride moved, seconded by Ms. Myers, to approve the minutes as distributed.

In Favor: Malinowski, Myers, N. Jackson, Livingston, and McBride

The vote in favor was unanimous.
3. **ADOPTION OF AGENDA** – Mr. Malinowski moved, seconded by Ms. Myers, to adopt the agenda as published.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.
4. **ITEMS FOR ACTION**
 - a. Council Motion: In 2007, Richland County Council approved Ordinance # 029-07HR, filed with the Clerk of Court on April 12, 2007, Book 010, Page 386. This motion is to direct the Finance Department to provide an accounting for these funds since July 1, 2007 as described so user know how the system currently stands financially [MALINOWSKI] – Mr. Malinowski stated he needed to do a little more analysis on the figures provided to him on p. 18; therefore, he would like to defer this item until the meeting in June.

Mr. Malinowski moved, seconded by Ms. Myers, to defer this to the June committee meeting.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- b. Council Motion: The Administrator and staff must follow HR policy in nondiscriminatory practices with employees, customers, contractors, businesses and citizens. NOTE: Firing an employee because they do not fit is unacceptable. Employees must be allowed an opportunity to improve or correct themselves through warning, reprimand, necessary training and other means, not to be fired or forced to resign. Contracts shall have similar languages in order not to show preference or discrimination. Administration and senior staff knowingly allow these practices should be dealt with according to HR policies without exception. Richland County practices a nondiscriminatory policy [N. JACKSON] – Mr. N. Jackson stated he brought this motion about because of several complaints of employees who were fired on the spot, and they were complaining they did not have an opportunity. Council was not aware of any grievance procedure. He stated he had people calling him crying that he did not know because of the way they were treated. He wanted to bring this forward so Council could look into it and ensure we have a set of policies, and the policies are followed. If 71 people were fired, and we did not have one grievance case, he has concerns. He stated he checked with HR and they have him the numbers. For a number that high he has to address it.

Ms. Myers stated she thinks she made a suggestion when this first came up that Council be included in this, and not just Administration.

Mr. Livingston stated what is before us is for information, unless someone has a motion.

Mr. Malinowski moved, seconded by Mr. N. Jackson, to accept as information.

In Favor: Malinowski, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- c. Council Motion: Move to explore options with a Richland County landlord ordinance to assist with issues between communities and landlords [ROSE and MYERS] – Ms. Myers stated this was a motion to be harmonious with the Code Rewrite. With all of the issues that have been coming forward with delinquent landlords, who are not maintaining their property, as well as, landlords who have tenants who are disruptive to the surrounding communities. Essentially, we were trying to be in harmony with what other communities had done to get rid of deadbeat landlords, and to make it easier for the County to provide a form of a citation that would allow us to disallow the landlord from renting the property to tenants and creating a nuisance property. This may be, at this point, just for information as we work on the Code Rewrite. Ordinarily, it would be included in the analysis that comes up later with the Code Rewrite.

Ms. Hegler stated they have instructed the consultants to look into this language, and specifically directed them toward the City of Columbia's, which was adopted in 2016. It may also alter our building codes, and other chapters, but we can bring that forward when we have the final language. The good news is the City has been using theirs for about 2 years, and we are getting some good feedback on the pros and cons.

This item was received as information.

- d. Solid Waste Curbside Collection Services Contract Extension, Service Area 2 – Mr. Braswell stated this is a request to amend the existing contract for Area 2 Waste Industries currently has. Waste Industries has done a commendable job in the area over the last 5 years. The idea was to continue to use them. This past year, Council approved putting in the route management system for all of our haulers, and we have installed the software and equipment in the Waste Industries' trucks. We would like to continue to use them through 2022 to manage our waste in Area 2. The contract, itself, will actually save money, based on previous contracts. We are changing the CPI increase each year. It

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used to be an automatic 3.5%. Now it will be actual CPI, which should save the County a good bit of money over 5 year period. We also have penalties in there to address missed pickups. We are addressing the fuel surcharge, so it will not increase when it gets to a certain amount.

Ms. Myers moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve the proposed contract amendment.

Mr. Malinowski stated Mr. Braswell indicated in his briefing document the contract expired March 31, 2018.

Mr. Braswell stated that is correct.

Mr. Malinowski inquired if there was a reason why we are just acting on it now, if the contract expired in March.

Mr. Braswell stated they have been negotiating with Waste Industries over the route management system. We have had some conference calls with Fleet Mind, our route management system company, trying to address some issues Waste Industries brought up. We have resolved all those now, and are ready to move forward.

Mr. Malinowski stated Mr. Braswell also indicated the CPI adjustment changes from 3.5% to the actual CPI. He would like to see some examples of what that will be using the current CPI versus what it was at 3.5%. Also, Mr. Braswell indicates our alternatives are to approve the contract amendment or do not approve the proposed contract amendment. He does not see any actual contract amendment in front of us. He would like to see that also before it gets to Council.

In Favor: Myers, N. Jackson, Livingston, and McBride

Opposed: Malinowski

The vote was in favor.

- e. Airport Planning and Engineering Consultant Selection – Mr. Eversmann stated the airport employs a consulting firm to performing planning and engineering, primarily for the Airport Improvement Program, which are our annual FAA grants for design, planning, and construction. We have just gone through the competitive procurement process, and had a good response with 7 firms showing interest. We conducted oral interviews for the top 3 that were rated, and present those top 3 recommendations to you. We recommend we award a contract to the top rated firm.

Mr. Malinowski moved, seconded by Ms. Myers, to forward to Council with a recommendation to approve the top-rated firm of WK Dickson for a three-to-five year master agreement for airport planning and engineering services.

Ms. Myers inquired if this followed our standard procurement process.

Ms. Wladischkin responded in the affirmative.

Ms. Myers requested Ms. Wladischkin to briefly describe what that included.

Ms. Wladischkin stated they issued a RFQ for the Airport Planning and Engineering Consultant. It was open for a minimum of 30 days. We received 7 responses. An independent evaluation team, comprised of 4 people. The team evaluated all 7 responses.

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Ms. Myers requested the composition of the team.

Ms. Wladischkin stated Mr. Eversmann, Patrick Bresnahan, Synithia Williams, and Joel McCreary.

Ms. Myers inquired if it was a blind evaluation, as is standard, or not.

Ms. Wladischkin stated it was not.

Ms. Myers inquired as to why not.

Ms. Wladischkin stated we have not done blind evaluations in the past.

Ms. Myers stated so when you did the evaluation and came up with the rankings. After you came up with the rankings, you made your recommendation, as you normally do.

Ms. Wladischkin stated, after we initially did the rankings, we asked for oral presentations from the top 3.

Ms. Myers stated the top 3 made the presentations, and then you selected the top vote getter, essentially, using their oral presentation and their votes from the evaluation, which is sort of standard for all of our RFQs and RFPs.

Ms. Wladischkin responded in the affirmative.

Ms. Myers inquired during this period, how long was the "blackout" period, where you should not be communicating with bidders, and they should not be communicating with you.

Ms. Wladischkin stated approximately 45 days, which started from the date of the issuance of the solicitation and ends at award.

Ms. Myers inquired during the "blackout" period who has conversations with the bidders.

Ms. Wladischkin stated the Procurement Office would be the only people that should be having correspondence with the bidders.

Ms. Myers inquired, and bidders that have correspondence with people outside of the Procurement Department, what is the rule regarding that.

Ms. Wladischkin stated they can be deemed non-responsive.

Mr. Eversmann stated, as a point of clarification, one of the respondents is currently our consultant. Currently under contract and doing work for us.

Ms. Myers stated she just wanted the policy put on the record, for the purpose of making it clear to everybody who is here, what the procurement process is. Who should be involved in it. When the "blackout" period begins. And, obviously, who is not involved in it. And, how contracts get awarded in Richland County.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- f. Recommended award of electronic waste (e-waste) recycling contract – Mr. Braswell stated this is a request to approve a contract for our e-waste management. The last few years we have not had a contract because of some turmoil in the industry. He has been resolved and settled. Last year, we went out to bid out the contract. The company, Powerhouse, came in 2nd overall, but they were transportation costs were significantly lower than what the leading company was. The proposed transportation costs would save the County \$50,000 a year. Therefore, we recommended going with Powerhouse.

Ms. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to award the Electronic Waste and Transportation and Recycling Services to Powerhouse Recycling, Inc.

Mr. Malinowski inquired as to when the current contract expires.

Mr. Braswell stated there was not a current contract. This one will go into effect whenever Council approves it. The contract will be good for 4 years, with rollover each year. We are currently operating under an agreement.

Mr. Malinowski stated on p. 47 of the agenda, there is a letter dated November 1, 2017, with figures. Are those figures still good?

Mr. Braswell stated they are correct.

Ms. McBride inquired if the transportation costs are the going rate.

Mr. Braswell stated the company we chose, by far, has the lowest transportation costs. The company we had been using in the past was about \$350 a haul. The current company we have is \$250 a haul. The ones we were negotiating with that came in first were \$1,800 a haul. We are saving a significant amount of money by going with Powerhouse.

Ms. Myers inquired if this procurement process follow the normal, standard process of putting out a bid, selecting a team, going through the process, and then presenting to us a suggested winning bidder.

Ms. Wladischkin responded in the affirmative.

Ms. Myers inquired if there were any irregularities in the process.

Ms. Wladischkin stated the only irregularity is the fact that we are recommending the 2nd ranked offer.

Ms. Myers inquired as to why.

Ms. Wladischkin stated it is due to the hauling fees.

Ms. Myers inquired about the communications with bidders, potential bidders, etc. during the bid process, or “blackout” period. Where do questions get directed?

Ms. Wladischkin stated questions are directed to the Procurement Office.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

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- g. Meridian Dr/Miramar Dr Sidewalk – Ms. Wladischkin stated this is a project for Meridian/Miramar Drive Sidewalk Project. This was a bid. We issued the bid, and had 2 responses. Both companies are qualified, responsive and responsible. We are recommending award to the low bidder, AOS Specialty Contractors with a bid amount of \$228,040, and would like to include a 15% contingency.

Ms. McBride moved, seconded by Mr. N. Jackson, to forward to Council with a recommendation to award the contract for the Meridian Dr./Miramar Dr. Sidewalk Project to AOS Specialty Contractors, Inc. in the amount of \$262,246.00.

Mr. Malinowski inquired if there is still some type of negotiation possible once they are awarded this contract. As he looked at the itemized portion provided, there seems to be a huge difference in the traffic control amount between the 2 responses.

Ms. Wladischkin stated we should not negotiate, but she can ask for clarification on their price.

Ms. Myers stated, with regard to process and procurement again, following on from what Mr. Malinowski suggested, if there were to be negotiations, with regard to any modifications of this contract, who would be in charge of them.

Ms. Wladischkin stated the Procurement Department.

Ms. Myers inquired as to who would make the decision as to when such, or if such, a negotiation was necessary.

Ms. Wladischkin stated the Procurement Department.

In Favor: Malinowski, Myers, N. Jackson, Livingston, and McBride

The vote in favor was unanimous.

- h. Homes of Hope Affordable Housing Development – Mr. Malinowski moved, seconded by Ms. Myers, to forward to Council with a recommendation to approve the request for this joint venture with the City of Columbia and approve CDBG and/or HOME funding in the amount not to exceed \$350,000 to Homes of Hope.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

ITEMS PENDING ANALYSIS: NO ACTION REQUIRED

- a. Council Motion: Funding the Senior programs should be distributed equally and fairly. It is not right for one organization to be receiving hundreds of thousands of dollars annually while other areas receive none. All areas pay taxes and all seniors should get the same and equal opportunity in receiving funding. I move that funding for seniors (Senior Activities) be distributed equally in all eleven districts [N. JACKSON] – No action was taken.
- b. Richland County Utility Systems – Sewer Rates [FOR INFORMATION] – No action was taken.

5. **ADJOURNMENT** – The meeting adjourned at approximately 6:28 PM.

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