



Richland County Council  
Transportation Ad Hoc Committee Meeting  
**MINUTES**  
May 24, 2022 – 4:00 PM  
Council Chambers  
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Jesica Mackey, Chair, Bill Malinowski, Paul Livingston and Overture Walker

OTHERS PRESENT: Zachary Cavanaugh, Randy Pruitt, Nathaniel Miller, Michael Maloney, Melissa Hughey, Anette Kirylo, Michelle Onley, Tamar Black, Angela Weathersby, Justin Landy, Lori Thomas, Dwight Hanna Aric Jensen, Ashiya Myers, John Thompson, Steven Gaither, Jeff McNesby, Leonardo Brown, Ali Eliadorani and Elizabeth McLean

1. **CALL TO ORDER** – Chairwoman Mackey called the meeting to order at approximately 4:00PM.
2. **APPROVAL OF MINUTES**
  - a. April 26, 2022 – Mr. O. Walker moved to approve the minutes as distributed, seconded by Mr. Malinowski.

In Favor: Malinowski, Livingston, O. Walker , and Mackey

Not Present: Pugh

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Mr. Walker moved to adopt the agenda as published, seconded by Mr. Livingston.

In Favor: Malinowski, Livingston, O. Walker , and Mackey

Not Present: Pugh

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. **Garners Ferry/Harmon Intersection Project** – Mr. Michael Maloney, Public Works Director, stated staff's recommendation was to request approval to award the Garners Ferry/Harmon Intersection Project to Cherokee, Inc. in the amount of \$1,841,866.65 with a 15% contingency of \$276,279.99 for a total amount of \$2,118,146.64.

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Mr. Malinowski noted the bid was approximately 80% over the engineer's estimate. He did not think awarding the project was proper and should be re-bid or negotiated. He stated we cannot say there is ample funding because the briefing document indicates the shortfall will be covered by the reserve funds created through the descoping plan approved by Council in 2020. He inquired if Council ever dictated how those funds would be used. If we continue this way we will run out of funds before we finish all the projects. We need a plan for how the reserve funds will be utilized.

Mr. Livingston inquired if there is an explanation for the difference between the estimate and the bid.

Mr. Maloney responded the estimate is from November and there has been a large increase in fuel prices, which transcends into construction costs. The actual engineer's cost estimate had some items that were underestimated. They would be covering a \$300,000 shortfall.

Mr. Malinowski inquired if Council has any regulations on how the reserve fund will be used.

Mr. Maloney responded he was not here when the descoping was done, but to his recollection Council did not established any guidelines.

Mr. Leonardo Brown, County Administrator, stated the original descoping did not set aside a specific theme. He noted those funds were to be utilized to address the project increases because of time and costs.

Mr. Malinowski noted the last items on the list will be shortchanged. We need to do a better job with the bid process and negotiations.

Mr. O. Walker inquired if the engineers are taking into account the shortage of contractor staffing and an abundance of work.

Mr. Maloney responded in the affirmative. Mr. Maloney stated this project was labeled as a \$1M for a number of years. In this particular case, additional attention was not brought to it. Staff has talked with the OETs about improving their estimates.

Mr. O. Walker inquired when they received the engineer's estimate.

Mr. Maloney responded in November 2021.

Mr. Livingston inquired if it was unusual to only receive 2 bids.

Mr. Maloney responded, due to the large construction projects with the interchange and interstates, there is a shortage of contractors. He indicated he does not see a decline in pricing happening anytime soon.

Ms. Mackey stated it is important to remember as we move forward with transportation project we are going to be coming with the State as they continue to spend their money and put out their projects. She inquired if we are pulling from the two reserve funds separately.

Mr. Maloney responded in the affirmative.

Mr. Livingston moved to forward to Council with a recommendation to approve the award of the Garners Ferry/Harmon Intersection Project to Cherokee, Inc. in the amount of

\$1,841,866.65 with a 15% contingency of \$276,279.99 for a total of \$2,118,146.64, seconded by Mr. O. Walker.

In Favor: Livingston, O. Walker and Mackey

Opposed: Malinowski

Not Present: Pugh

The vote was in favor.

- b. Mitigation Bank Credit Transaction - SCDOT US 76 Bridge Replacement and I-26 improvements – Mr. Maloney stated staff is requesting approval of two requests from the South Carolina Department of Transportation (SCDOT) to purchase a combined total of 41.16 excess wetland and 2,962.40 excess stream credits, at a rate of \$12,500.00 and \$125.00 per credit respectively. This mitigation credit sale will generate \$814,016.00, which will be credited to the Transportation Penny Program.

Mr. Livingston moved to forward to Council with a recommendation to approve the two requests from the South Carolina Department of Transportation (SCOT) to purchase a combined total of 41.16 excess wetland and 2,962.40 excess stream credits, at a rate of \$12,500.00 and \$125.00 per credit respectively, seconded by Mr. O. Walker.

Mr. Livingston inquired about how the price of the credits were determined.

Mr. Maloney responded it is determined by the market price.

In Favor: Malinowski, Livingston, O. Walker and Mackey

Not Present: Pugh

The vote in favor was unanimous.

- c. Penny Program Administrative Fund Deprogramming – Mr. Maloney stated staff is requesting approval to move the remaining balance of \$31,130,528.15 from the Administrative/Debt Service costs and the County transfer General Fund proceeds to the Program Reserve Fund to be used as Council approves for referendum projects.

Mr. Malinowski inquired if the administrative cost and debt service from previous years left the balance of \$14,592,273.15.

Mr. Maloney responded in the affirmative.

Mr. Malinowski inquired if this is strictly the administrative costs.

Mr. Maloney responded in the affirmative.

Mr. Malinowski inquired if these funds will be added to the deprogramming reserve fund.

Mr. Maloney responded these funds will be kept separate from those funds.

Ms. Mackey inquired if we are required to add anything else to this to get back to the original \$32M, or is this amount okay.

Mr. Maloney responded this amount is okay.

Mr. O. Walker moved to forward to Council with a recommendation to move the remaining balance of \$31,130,523.15 from the Administrative/Debt Service costs and the County transfer General Fund proceeds to the Program Reserve Fund to be used as Council approves for referendum projects, seconded by Mr. Livingston.

In Favor: Malinowski, Livingston, O. Walker and Mackey

Not Present: Pugh

The vote in favor was unanimous.

5. **ADJOURNMENT** – Mr. O. Walker moved to adjourn the meeting, seconded by Ms. Mackey.

In Favor: Malinowski, Livingston, O. Walker and Mackey

Not Present: Pugh

The vote in favor was unanimous.

The meeting adjourned at approximately 4:21 PM.