

**BOARD OF SUPERVISORS
SCHUYLKILL TOWNSHIP
75 WALNUT STREET
MARY-D, PA 17952**

The special meeting of the Supervisors of Schuylkill Township was held on Wednesday, November 23rd, 2016 at 9 a.m. in the Municipal Building. Those present included Charles Hosler, Charles Fayash and Frank Fabrizio. The Pledge of the Allegiance was recited.

Public comment on agenda items only –
No public comment.

Open and discuss sealed bids for construction of new salt shed-

Fayash stated that there are 4 bids that have been received. The first one is from Heim Construction Company with a base bid of \$59,995.00. The second one is from AgPoint Construction Service with a base bid of \$53,384.00. The third one is from Zawada Enterprises with a base bid of \$47,856.00. Also that last one is from Dutchman Contracting, LLC with a base bid of \$64,795.00. Fayash stated that the lowest bid that was received was from Zawada Enterprises for the amount of \$47,856.00.

A gentlemen questioned if the lowest bidder was the person who brought their bid in late. The secretary stated that she was 10 minutes late. Fayash stated that they also had called the prior day and stated that no one was at the office to drop off the bid. The gentlemen stated he had driven 2 hours and was here on time to drop his bid off. The gentlemen stated that the requirement for the bid was that they needed to be in by 8 a.m. and the woman was late dropping off her bid. The gentlemen questioned if the Solicitor is here to question on the situation. Hosler stated he is not here. The gentlemen also stated that he was at the office on Friday and no one was there and he came back today to drop his off. The Secretary stated that the hours were listed in the advertisement.

Discussion was made amongst the Board regarding all qualified bidders and their specifications that will be provided. Hosler questioned that if they award the bid to Zawada, if the concrete is going to have the additive in it for the salt. Fayash stated that regardless the award has to go to the lowest bidder. Fayash made a motion to approve the bid from Zawada Enterprises for \$47,856.00 coming in at the lowest bid. The gentlemen stated that the Board is not going to investigate if it is legal that a bid was received late. Fayash questioned the Secretary if this awarded bid was the one who was late. The Secretary stated yes she was 10 minutes late. Fabrizio stated to contact the Solicitor for verification regarding this.

Fayash spoke with the township Solicitor, Joe Baranko, on speaker phone and explained that there was a bid that was dropped off today at 8:12a.m. and they were here yesterday and no one was at the building to accept the bid. Joe had stated it depends on what was stated in the advertisement to be the drop dead time for the bids to be accepted. Fayash stated the advertisement stated 8a.m. but the Secretary took the bid. Solicitor Baranko stated he would accept the bid and feels that it is not a fatal error. Solicitor Baranko also questioned how many bids were received. Fayash stated 4 were received. Fayash also questioned if it is correct that the Board accepts the lowest bid. Solicitor Baranko stated yes that the lowest responsible bidder must be accepted.

Fayash made a motion to award Zawada Enterprises, LLC at the bid amount of \$47,856.00 to construct the new salt shed. 2nd Fabrizio. All approved.

Fayash made a motion to adjourn the meeting. 2nd Fabrizio.

Adjourned
Attest: Natasha Tyson