



CITY OF ELY

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ELY MUNICIPAL UTILITIES BOARD SPECIAL MEETING

July 23, 2020 8:00 a.m. – Ely Volunteer Fire Hall - 499 Mill Street - Ely, Nevada.

1. OPENING ACTIVITIES:

Chairman O’Flaherty called the special meeting of the Municipal Utilities Board to order at **8:12 a.m.**, led in the Pledge of Allegiance and asked for Roll Call.

Members present:

Chairman John O’Flaherty
Member Dale Derbidge
Member Ken Ross
Member Jeremy Lilly

City Officials present:

Councilman Kurt Carson
City Clerk Jennifer Lee
City Attorney Caroline Townsend
City Treasurer Janette Trask
City Engineer B.J. Almberg
Public Works Supervisor Mike Cracraft

Also in attendance: George Chachas and RNMC Environmental Manager Frederick Partey via Zoom.

2. PUBLIC COMMENT George Chachas stated I attended the July 15, 2020 meeting of the Regional Planning Commission and they allowed an individual to divide a one-acre parcel from the original 3.8. It’s been City policy that you had to have a minimum of 2.5 acres to build unless you hooked onto City sewer and water. The RPC approved the zone change from RA-2.5 to RA-1; the applicant is going to need to drill a well for the parcel. Does the City still protest applications applied for in the City limits? The property is just below the Valley View RV park and they’re on City water. For years, locals were denied the building of anything on less than 2.5 acres. Now the carpet baggers are getting in office and establishing new rules, which should be changed by elected officials only. I want to know if the railroad foundation is being billed for sewer and water utilities and how much they’re billed for. Yesterday on July 22nd, I attended the White Pine County Commission meeting and asked, as I’m asking you now: Did you take note of some of the federal mandates for COVID grants or any other federally-assisted project? For example, the following federal articles you need to take note of: 1. Article 5, the Age Discrimination Act of 1975; 2. Article 6 the Americans with Disability Act of 1990; and 3. Article 8 the Civil Rights Act of 1964 with Title VI. At previous meetings I’ve reported RVs setting up around town; how many were billed landfill, sewer and water? I was billed by Jim Alworth, former City Treasurer, for my tenant in an RV parked alongside the property line. If you’re not billing these squatters, I want my money back and the City to stop the discrimination. I’ve had a public information request in years old regarding former Councilwoman Jolene Gardner receiving thousands of dollars from the City of Ely for the City having encroached on her property - Councilman Jim Alworth was the City Clerk at the time and Treasurer Trask may have signed the check approved by the then City Council; how much was she paid?

3. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE MUNICIPAL UTILITIES BOARD.

1. Board Members – City Engineer AlMBERG – Discussion/For Possible Action – Recommendation on Bid Award for Murry Street Sewer Main Upgrade Project Phase I & Phase II, CDBG funded project 19/PF/02 and 20/PF/08, (PWP# WP-2020-203).

City Engineer AlMBERG reviewed the Murry Street Sewer Main Upgrade Project bid tab appearing below and stated we had four contractors turn in bids for the project. The low bidder was JCR Development at \$724,040.00; it was a responsive, responsible bid and our recommendation is to award it to JCR for \$724,040.00.



CITY OF ELY
MURRY STREET SEWER MAIN UPGRADE PHASE-I & PHASE-II
CDBG FUNDED PROJECT 19/PF/02 & 20/PF/08
BID OPENING & REQUIRED DOCUMENTS CHECKLIST

July 20, 2020

BID ITEMS CHECK LIST	JCR DEVELOPMENT	O'FLAHERTY PLUMBING & HEATING	GREAT BASIN ENG. CONTRACTORS	KAP MECHANICAL
BID PROPOSAL	YES	YES	YES	YES
BID BOND, CERTIFIED/CASHIERS CHECK, CASH	YES	YES	YES	YES
EXPERIENCE OF QUALIFICATIONS	YES	YES	YES	YES
DESIGNATION OF SUBCONTRACTORS	YES	YES	YES	YES
AFFIDAVIT OF NON-COLLUSION	YES	YES	YES	YES
E.E.O. CERTIFICATION - BIDDER / CONTRACTOR	YES	YES	YES	YES
E.E.O. CERTIFICATION - SUBCONTRACTOR	YES	YES	YES	YES
LOBBYING ASSURANCE - BIDDER / CONTRACTOR	YES	YES	YES	YES
LOBBYING ASSURANCE - SUBCONTRACTOR	YES	YES	YES	YES
DEBARMENT / INELIGIBILITY - CONTRACTOR / SUBCONTRACTOR	YES	YES	YES	YES
SECTION 3 CERTIFICATION - CONTRACTOR	YES	YES	YES	YES
SECTION 3 CERTIFICATION - SUBCONTRACTOR	YES	YES	YES	YES
SECTION 3 ESTIMATED WORKFORCE BREAKDOWN	YES	YES	YES	YES
ADDENDUM - 1	YES	YES	YES	YES

BASE BID SCHEDULE	UNIT	AMOUNT	JCR DEVELOPMENT		O'FLAHERTY PLUMBING & HEATING		GREAT BASIN ENG. CONTRACTORS		KAP MECHANICAL	
			UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT
1 MOBILIZATION / DEMOBILIZATION	LS	1	\$ 5,500.00	\$ 5,500.00	\$ 3,000.00	\$ 3,000.00	\$ 70,744.05	\$ 70,744.05	\$ 110,000.00	\$ 110,000.00
2 8-INCH SEWER MAIN	LF	1,170	\$ 140.00	\$ 163,800.00	\$ 209.99	\$ 244,688.30	\$ 239.15	\$ 279,805.50	\$ 189.00	\$ 221,130.00
3 8-INCH SEWER CONNECTION	EA	1	\$ 4,000.00	\$ 4,000.00	\$ 6,824.00	\$ 6,824.00	\$ 6,000.33	\$ 6,000.33	\$ 12,000.00	\$ 12,000.00
4 4-INCH SEWER SERVICE	LF	803	\$ 120.00	\$ 96,360.00	\$ 164.00	\$ 131,692.00	\$ 170.64	\$ 137,023.92	\$ 180.00	\$ 144,540.00
5 LOCATE AND CONNECT SEWER SERVICE	EA	38	\$ 2,000.00	\$ 76,000.00	\$ 200.00	\$ 7,600.00	\$ 1,706.34	\$ 65,240.52	\$ 1,800.00	\$ 68,400.00
6 8-INCH SEWER MANHOLE	EA	4	\$ 3,000.00	\$ 12,000.00	\$ 8,800.00	\$ 35,200.00	\$ 2,400.93	\$ 9,603.72	\$ 4,800.00	\$ 19,200.00
7 CONNECT TO EXISTING MANHOLE	EA	1	\$ 3,000.00	\$ 3,000.00	\$ 6,824.00	\$ 6,824.00	\$ 6,122.37	\$ 6,122.37	\$ 12,000.00	\$ 12,000.00
8 REMOVAL AND FILLING EXISTING MANHOLE	EA	4	\$ 4,000.00	\$ 16,000.00	\$ 3,780.00	\$ 15,120.00	\$ 3,001.16	\$ 12,004.64	\$ 2,375.00	\$ 9,500.00
9 FRENCH DRAIN SYSTEM	LF	1,164	\$ 45.00	\$ 52,380.00	\$ 35.00	\$ 40,740.00	\$ 30.40	\$ 35,388.60	\$ 37.00	\$ 43,058.00
10 1/2" WATER SERVICE	LF	362	\$ 100.00	\$ 36,200.00	\$ 200.00	\$ 72,400.00	\$ 89.28	\$ 32,404.96	\$ 80.00	\$ 29,040.00
11 1/2" WATER BOX	EA	18	\$ 3,500.00	\$ 63,000.00	\$ 3,150.00	\$ 56,700.00	\$ 3,962.47	\$ 71,324.46	\$ 2,400.00	\$ 43,200.00
12 REPAIR DAMAGED UTILITY	EA	10	\$ 800.00	\$ 8,000.00	\$ 1,000.00	\$ 10,000.00	\$ 4,801.86	\$ 48,018.60	\$ 5,000.00	\$ 50,000.00
13 DRAIN ROCK FOUNDATION	LF	2,400	\$ 25.00	\$ 60,000.00	\$ 3.00	\$ 7,200.00	\$ 11.56	\$ 27,744.00	\$ 26.00	\$ 62,400.00
14 TRENCH BOTTOM STABILIZATION	LF	2,400	\$ 12.00	\$ 28,800.00	\$ 3.00	\$ 7,200.00	\$ 14.61	\$ 34,944.00	\$ 29.00	\$ 69,600.00
15 PIT RUN GRAVEL BACKFILL	LF	2,400	\$ 20.00	\$ 48,000.00	\$ 32.50	\$ 78,000.00	\$ 12.00	\$ 28,800.00	\$ 72.00	\$ 172,800.00
16 TRENCH BASE	SF	800	\$ 10.00	\$ 8,000.00	\$ 2.50	\$ 2,000.00	\$ 2.40	\$ 1,920.00	\$ 5.00	\$ 4,000.00
17 REMOVAL OF EXISTING STEEL WATER MAIN	LF	150	\$ 200.00	\$ 30,000.00	\$ 75.00	\$ 11,250.00	\$ 28.00	\$ 4,200.00	\$ 50.00	\$ 7,500.00
OVERALL PROJECT BID PRICE				\$ 724,040.00		\$ 738,768.30		\$ 866,424.35		\$ 1,084,598.00

O'FLAHERTY PLUMBING & HEATING - TOTAL BASE BID PRICE ON BID PROPOSAL INDICATED TO BE \$737,610.00. ACTUAL PER TOTAL IS \$738,768.30. A DIFFERENCE OF \$1,158.00.

Chairman O'Flaherty abstained as he was a bidder on the project.

Member Derbidge abstained, stating he is partners with JCR's owner in another business.

Member Ross moved to recommend awarding the Murry Street Sewer Main Upgrade Project bid to JCR Development. Member Lilly seconded the motion. The vote was two in favor with Chairman O'Flaherty and Member Derbidge abstaining.

2. Councilman Carson – Discussion Only – Review of Robinson Nevada Mining Company's July 15, 2020 letter regarding a meeting timeline to discuss amendments to the Water Supply Agreement.

Councilman Carson stated I put this on for your guys' review. Last meeting the City Council did approve to send a letter up to the mine, not so much reviewing their data they're collecting still, but we wanted to review our data we supplied to them, our numbers for the escrow account for the electrical cost. I guess

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they will not be attending a meeting until August 15th, so I guess we'll take it from there. I also did supply everyone with a letter from April of 2018 just to show that we have been trying to negotiate this for quite some time. On the second page it is worth noting that we did state that RW-6 will be going offline one of these days and we are concerned about supplying the City of Ely water at that point in time; we are in that position right now. All of our pumps, besides the North Street well that's not a very big producer, have been running for the past two weeks and we've only overflowed the tanks Sunday night for about two hours. We are needing a substantial amount of water right now. We are getting by, but if we had a major fire or had another major pipeline break like we did by Sportsworld, we would really be in a world of hurt.

Chairman O'Flaherty stated thank you Kurt. I concur with you. Unfortunately, it's taken longer to move forward on this particular escrow agreement and hopefully the mine, they could proceed a little faster. I'm a little disappointed in the fact that we've done our footwork and it's really up to the mine to go forward.

Councilman Carson stated the groundwater model is a huge piece of the puzzle, but it does change from year to year; we're going to have to adapt to that. Plus, it just depends on how much the mine stretches out, a drought year or whether we get a lot of moisture. We do have a good handle on the approximate years it will take for Murry Springs to come back.

Chairman O'Flaherty stated that's a big unknown, for sure.

City Clerk Lee stated Chairman O'Flaherty, Robinson Mine's Environmental Manager Partey is on Zoom.

Chairman O'Flaherty stated that's fine. Do you have any information for us, Frederick?

Robinson Nevada Mine (RNMC) Environmental Manager Frederick Partey stated no, I do not. I'm just here to listen in on the discussion. It's just "Discussion Only".

Chairman O'Flaherty stated hopefully the mine will be at the next meeting without another delay. Do you foresee any problems?

RNMC Environmental Manager Partey asked say that again, John?

Chairman O'Flaherty stated I said do you see any problems with the mine making the next meeting of the deadline?

RNMC Environmental Manager Partey asked what date is that?

Chairman O'Flaherty stated August 15th.

RNMC Environmental Manager Partey stated so the groundwater model will be ready August 15th. We need to review it and then, based on the letter that Amanda sent, we will review it. We will review all the data that the City has provided us and we will put all that together and then we all need to schedule a meeting and sit down and look at all the data that is in front of us. The date for a meeting is the date that the groundwater model will be ready and that was communicated through Amanda's letter that was submitted July 15th.

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Chairman O'Flaherty stated I agree there's some discussion items and thoughts in conjunction with that, Frederick. I think everybody's in agreement - the mine's in agreement too - that the escrow account is an extremely low amount. I would sincerely hope that the mine would think about doing a good faith effort and start putting some money towards the escrow account, so it's not a financial burden on the mine. You might want to forward that to your people.

RNMC Environmental Manager Parthey stated I will.

Chairman O'Flaherty asked do you have any comments for Frederick or questions?

City Clerk Lee stated just to clarify, the next regular Utilities Board meeting after their data is all collected would be September 10th.

Chairman O'Flaherty stated so the Utility Board won't have a chance to review any of that particular meeting then.

Councilman Carson asked can we move the Utility Board meeting date?

City Clerk Lee stated if Chairman O'Flaherty calls a special meeting at the end of August.

Chairman O'Flaherty asked so we'd have two meetings again in August?

City Clerk Lee stated yes and with our social distancing requirements, it's going to need to be a separate meeting again in the morning, like we did today.

Chairman O'Flaherty stated I certainly don't have a problem with that. I don't think the Board members have any issues.

City Clerk Lee stated okay. I'll tentatively plan on that.

Chairman O'Flaherty stated very good, Jennifer. We'll look forward to having a correspondence with you on that. Any other questions for Frederick?

RNMC Environmental Manager Parthey stated this is Frederick. So when are you planning to schedule a meeting?

City Clerk Lee stated that would be August 27th.

RNMC Environmental Manager Parthey asked August 27th?

City Clerk Lee stated yes.

RNMC Environmental Manager Parthey stated okay. That's all I wanted to know. Thank you.

City Clerk Lee stated thank you.

Chairman O'Flaherty stated thank you, Frederick.

5.PUBLIC COMMENT:

George Chachas stated ongoing concerns regarding 490' pipe from Murry Street project; reimbursement for curing sewer problem at 681 Parker; and Keith Carson completing valley gutter at Ruby and Orson.

6.ADJOURNMENT: THIS MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE MUNICIPAL UTILITY BOARD.

Chairman O'Flaherty adjourned the special meeting of the Ely Municipal Utilities Board at **8:46 a.m.**

CHAIRMAN

ATTEST