



Town of Southern Shores

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Emergency Meeting

October 9, 2009

4:45 p.m.-Pitts Center

Present: Council Members McDonald, Hess and Pfizenmayer. Mayor Smith and Council Member Stroud were absent.

Also present: Charlie Read, town manager; Ben Gallop, town attorney; Tom Bennett, canal dredging project manager; Andy Deel, Quible Engineering; and Carrie Gordin, town clerk.

Mayor pro tem McDonald opened the Emergency Meeting at 4:45 p.m. He started the purpose of the meeting is to discuss the bidding procedure for the Town's Canal Maintenance Dredging Project. A bid opening was held on October 8, 2009 with two bids received: (1) Metropolitan Environmental Services, Inc. in the amount of \$3,200,000.00 and (2) Sampson Contracting in the amount of \$2,867,000.00.

Mayor pro tem McDonald moved to go into closed session pursuant to NCGS 143. 318.11. (a) (3) to consult with an attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. Council Member Hess seconded. The motion passed with Council Members McDonald, Hess, and Pfizenmayer voting aye; no council member voting no and Mayor Smith and Council Member Stroud absent.

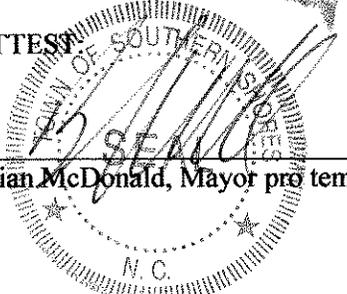
Upon returning to open session the Town Council decided to reject any and all bids relating to the Town's Canal Maintenance Dredging Project which were received and opened on October 8, 2009 and authorized the Town Manager to reinitiate the formal bidding process to let a contract for the Town's Canal Maintenance Dredging Project.

Council Member Hess moved to approve Resolution 2009-10-11 as presented. Council Member Pfizenmayer seconded. The motion passed with and Council Members McDonald, Hess, and Pfizenmayer voting aye; no council member voting no and Mayor Smith and Council Member Stroud absent.

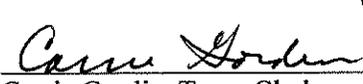
[Clerk's Note: Resolution 2009-10-11 is hereby attached as Exhibit A].

Hearing no other business Council Member Pfizenmayer moved to adjourn at 4:55 p.m. Council Member Hess seconded. The motion passed with Council Members McDonald, Hess, and Pfizenmayer voting aye; no council member voting no and Mayor Smith and Council Member Stroud absent.

ATTEST


Brian McDonald, Mayor pro tem

Respectfully submitted:


Carrie Gordin, Town Clerk

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHERN SHORES,
NORTH CAROLINA REJECTING BIDS RECEIVED FOR THE TOWN'S CANAL
MAINTENANCE DREDGING PROJECT AND AUTHORIZING REINITIATION OF THE
BIDDING PROCESS FOR THE CANAL MAINTENANCE DREDGING PROJECT**

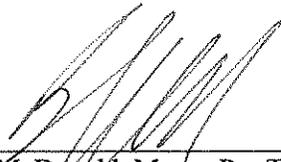
WHEREAS, the Town Council of the Town of Southern Shores has executed the formal bidding procedures of Chapter 143 of the North Carolina General Statutes for letting a public construction or repair contract regarding the dredging of Town owned canals (the "Canal Maintenance Dredging Project"); and

WHEREAS, the Town Council received and opened bid packages for the Canal Dredging Project from two bidders on October 8, 2009; and

WHEREAS, the Town Council finds that it is in the best interest of the Town that the bids received on October 8, 2009 for the Canal Maintenance Dredging Project be rejected without a determination that either bid was responsive or responsible and that the Town reinitiate the formal bidding procedure for the Canal Maintenance Dredging Project; and

NOW, THEREFORE BE IT RESOLVED, the Town Council hereby rejects any and all bids relating to the Town's Canal Maintenance Dredging Project which were received and opened on October 8, 2009 and authorizes the Town Manager to reinitiate the formal bidding process to let a contract for the Town's Canal Maintenance Dredging Project.

Adopted this 9th day of October, 2009.



Brian McDonald, Mayor Pro Tem

Attest:

Carrie Gordin, Town Clerk