

ADAIR COUNTY COMMISSION MINUTES
TUESDAY OCTOBER 4, 2022
2ND DAY OCTOBER REGULAR

The Adair County Commission convened at 8:30 a.m. on October 04, 2022, at their temporary office located in the records storage building at the Adair County Road and Bridge complex. All Commissioners were present.

At 10:15 am, the Commission met with members of the Adair County Library Board to discuss an open position to the Library Board. Present at the meeting were Adair County Library Board members Angie Thornhill, Chris Korte, and Laurie Griego. Also present were Adair County residents Meg Edwards and Chade Shorten.

Commissioner King advised that the Commission had received several emails about the Commission not being transparent about the appointment to the Adair County Library Board. He explained that in the past, the Library Director or the Library Board President had contacted the Commission of an opening and had not until recently done this. Therefore, the Commission had not acted on an appointment.

The Library Board in the past has chosen a candidate and then had submitted it to the Commission to appoint that person. Commissioner King asked the Board how they had chosen their appointment to the Board. They advised there was no policy for the appointment. One of the Board members stated they had been selected by the Library Director. The members of the Board were asked if they thought that might be a conflict since they are responsible for hiring the Library Director. They all agreed that it would be a conflict.

The Commission then presented the board and citizens with a sample policy that might help in the appointment of a vacant position on the Board:

POLICY FOR APPOINTMENTS TO NONE ELECTED BOARDS

Under Missouri Revised Statutes it is the responsibility of the Adair County Commission to make appointments to certain boards of other organizations that are not elected. The following is a policy of how this will be done.

Six weeks prior to the end of the appointment's term, the Board of that organization will contact the Adair County Commission to let them know what date the term ends, and how many board members need to be appointed.

The Board of the organization will then advertise the appointment for three weeks. The Board shall post the vacancy where the most citizens can see the vacancy, which includes the organization's website, Facebook page and other social media outlets and any other place they deem sufficient. The Board shall also notify the local news media outlets.

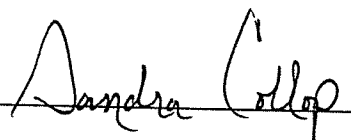
The Board will then meet with the Adair County Commission and discuss the applicants. The Commission will then choose the appointment.

Failure to follow these steps could result in a prolonged absence in filling a board seat.


CONFLICT OF INTEREST: Any employee of the organization that the board of the organization is responsible for hiring, firing, or disciplined, shall not be involved in the selection of any Board Member.

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County Clerk



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All present, read the policy and agreed that this would be a good policy with the addition of an interview with the applicants. Although everyone agreed that if they wanted someone appointed soon, interviews probably will not happen.

The group then turned to the appointment. The Commission had sent the applicants to the members of the Library Board for their review prior to the meeting. Each board member was asked to give two names that they thought would be good for the board. They gave the names of Lisa Buck, Kelsey Aurand De Razo, Stephanie Deren, and Scott Piland.

Two of the board members believed that Lisa Buck would be best because she already had been on the Board and the Board needed her to finish with the next tax levy that was being put on the ballot. There were concerns expressed about Mr. Piland not living in Adair County for very long. There were concerns expressed about Ms. Daren running for City Council. There were concerns that people applying did not have a library card. There was a concern that there were too many individuals on the Board that were in the education field. Their main concern was that the library be welcoming for ALL people. And that they needed to be diverse and represent all citizens of the County.

The Commission advised that they wanted to hear from Sheila Truitt, the only Board member present before making their decision.

At 1:00 pm, the Commission opened bids for fabrication and supply of steel bridge materials for Wilmathsville School Road Bridge. The Commission only received one bid. The bid was from Oden Enterprises, Inc. that was received at the Adair County Clerk's office on 09-29-22. The bid was for the amount of \$62,646.94. Commissioner Shahan moved to approve the only bid. Commissioner Thompson seconded the motion. All Commissioners voted in favor.

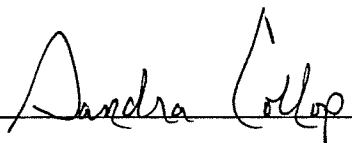
The Adair County Commission adjourned at 4:00 pm on October 04, 2022.

Unscheduled public walk-ins and other non-agenda items for October 04, 2022

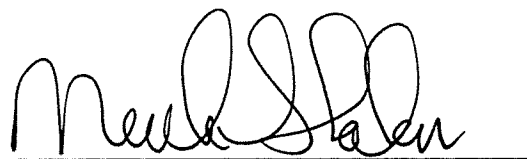
None

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ATTEST:



County Clerk

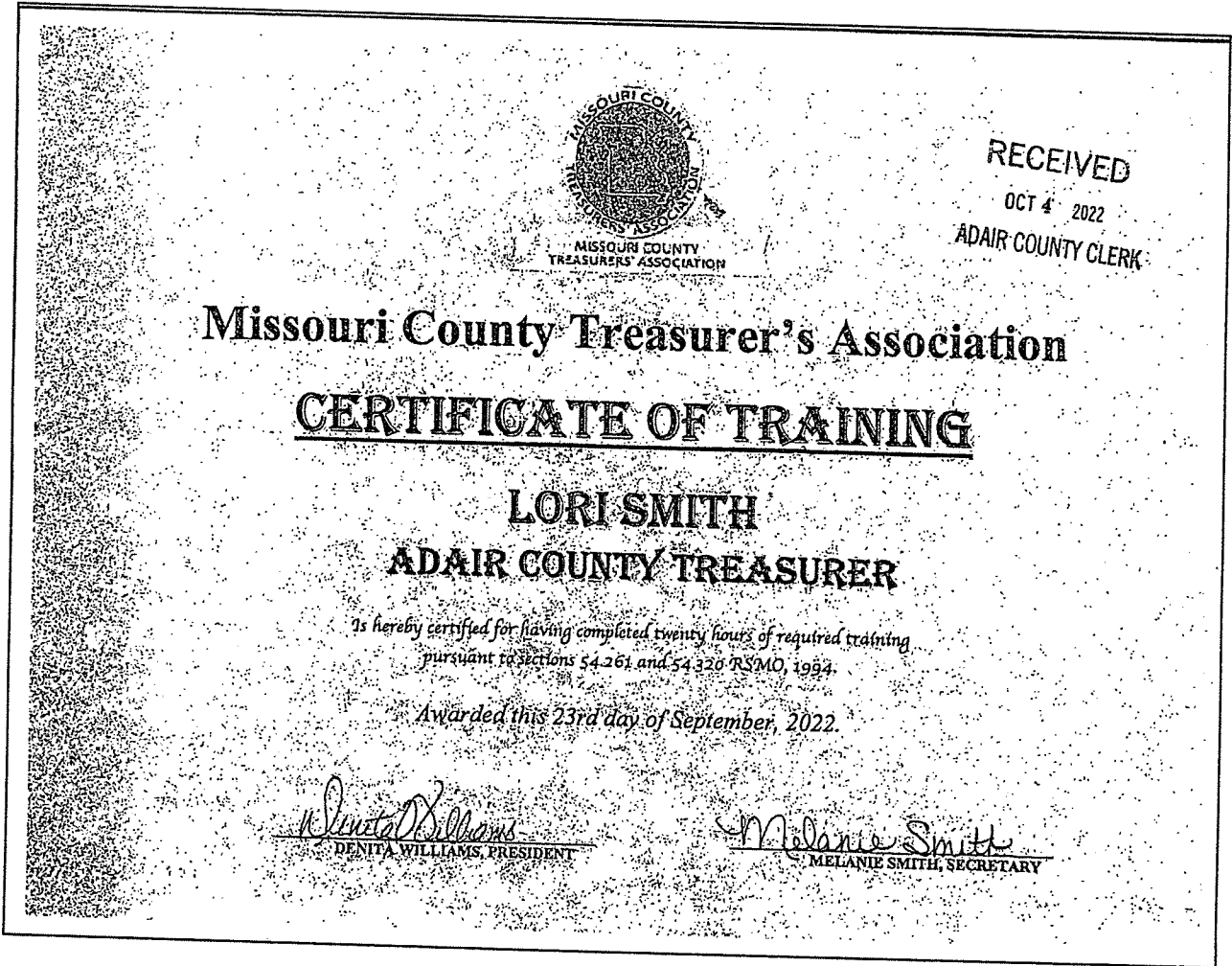


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IN REF. ORDER NO 4 Certificate of Training for Adair County Treasurer, Lori Smith



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ATTEST:

Dandra Collop
County Clerk

Mark Shahan
Presiding Commissioner, Mark Shahan

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IN REF. ORDER NO 5 Bid for fabrication and supply of steel bridge materials for Wilmathsville School Road Bridge

RECEIVED

OCT 4 2022

ADAIR COUNTY CLERK

ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:
Adair County Commission, 106 W. Washington, Kirksville, MO 63501

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER'S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

| <u>Addendum No.</u> | <u>Addendum, Date</u> |
|---------------------|-----------------------|
| N/A | N/A |
| | |
| | |
| | |

B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.

E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of

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ATTEST: *Dandra Collop*
County Clerk

 Mark Shahan
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such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.

- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 – BIDDER'S CERTIFICATION

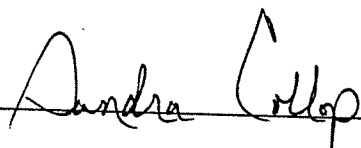
4.01 Bidder certifies that:


- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
 - 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

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ARTICLE 5 -- BASIS OF BID

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

The scope of work includes;

- Transportation of 4-W27x94 steel beams from the Adair County Highway Department yard near Kirksville, Missouri to your fabrication shop.
- Furnish, fabricate, install on the W27x94;
 - o Web stiffener plates and diaphragm connector plates
 - o Shear studs
 - o Decking support angles
- Furnish and fabricate bent plate or equivalent channel diaphragms.
- Furnish and deliver galvanized bolts, washers, and nuts for structural steel assembly.
- Furnish and deliver neoprene bearing pads.
- Furnish and deliver 1.5" tall, 18 gauge, B style corrugated metal decking. The metal decking shall be cut into smaller lengths to set between the bridge girders on the angles welded to the sides of the girders.
- Transport and deliver all structural steel girders and diaphragms to a galvanizer plant and have the material galvanized.
- Transport and deliver all structural steel girders, diaphragms, decking, galvanized bolts, and neoprene bearing pads to the Adair County bridge site no later than December 15, 2022.

The component sizes, location, and installation requirements are shown on the attached plans prepared by Howe Company, LLC for the bridge (No. 07100151) project.

Adair County has staff and equipment to lift and set the W27x94 on a semi-trailer. The fabricator is responsible for securing and transporting the load.

Final delivery to be coordinated with the bridge contractor to be determined in the near future by a competitive bid process.

The cost of this work is being paid for using American Rescue Plan Act funds and the fabricator shall comply with all applicable federal and state requirements.

LUMP SUM BID FOR THE SCOPE OF WORK ABOVE: \$ 62,646.94

Bid Submitted By: Stuart Oden

Representing: Oden Enterprises, Inc.

Address: PO Box 26

Address: Wahoo, NE 68066

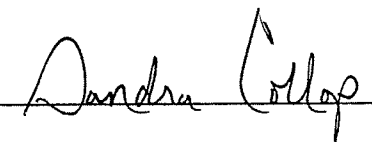
Phone Number: 800-950-6336

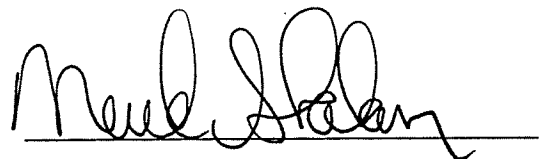
Email: stu_eoden@yahoo.com

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ARTICLE 6 – TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.01 The following documents are submitted with and made a condition of this Bid:
 - A. List of Proposed Subcontractors;
 - B. List of Proposed Suppliers;
 - C. List of Project References;
 - D. Evidence of authority to do business in the state of the Project; or a written covenant to obtain such license within the time for acceptance of Bids;
 - E. Required Bidder Qualification Statement with supporting data;

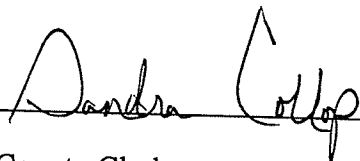
ARTICLE 8 – DEFINED TERMS


- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

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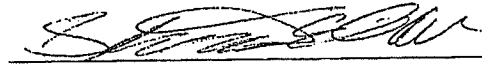
ARTICLE 9 – BID SUBMITTAL

BIDDER: *[Indicate correct name of bidding entity]*

Oden Enterprises, Inc.

By:

[Signature]



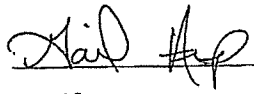
[Printed name]

Stuart Oden

(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

[Signature]



[Printed name]

Gail Arp

Title:

Administrative Assistant

Submittal Date:

0-26-2022

Address for giving notices:

PO Box 26

Wahoo, NE 68066

Telephone Number:

800-950-6336

Fax Number:

402-443-5289

Contact Name and e-mail address:

Stuart Oden

stu_eoden@yahoo.com

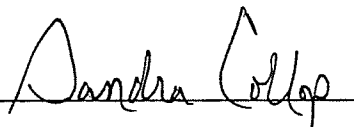
Bidder's License No.:

(where applicable)

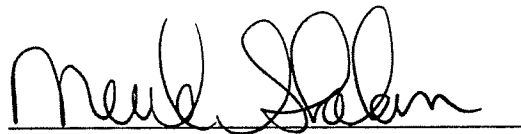
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Above minutes as presented to the County Clerk:

ATTEST:



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