

PHUUD Questions for Committee

1. Does the City have a conflict of interest policy regarding the City Engineer and the Outside Engineering Firm retained to perform design services?
2. Does the City have a policy regarding the use of General Fund monies for undergrounding districts which applies after formation?
 - a. How does the City define "direct" and "indirect" costs?
 - b. Did the City pay direct or indirect costs associated with the Piedmont Hills district and not charge them to the district?
3. What were the specific roles and responsibilities of City staff?
 - a. City Clerk
 - b. Public Works
 - c. City Engineer
 - i. Does a document summarize?
 - ii. Did the roles and responsibilities change over time?
 - iii. Did the Council inquire about such roles and responsibilities?
 - iv. Who verified and audited the PHUUD overruns? When was it done?
4. What were the factors used to determine the contingency for the project?
5. What was the process used to determine what should be included in the documents?
6. Who decided to put zero for the quantity of rock?
7. Who reviewed and approved the bid documents?
8. What was the evaluation process for reviewing the bids?
9. Did anyone raise the issue that the hard rock bids were significantly unbalanced?
10. Was the City Engineer or any other department asked to review the bid results?
11. Was there a policy or practice for the City engineer or other staff member to notify the Council of potential bid irregularities?

12. Will the Council consider adopting a policy that would require informing residents, at the time they signed a petition expressing preliminary interest in forming a district, what percentage of favorable votes the Council would require in order to proceed with the district?
13. What is the anticipated Subcommittee timetable?
14. How many meetings are expected and when does the Subcommittee expect to provide the Council with a work product?

[Subtotal = 22 questions from LWVP]

15. If the bidders followed the State approved bidding format, is it true that the Valley Utility bid, although lowest in base bid, was not the overall best value or most advantageous?
16. Did the Administrator, City Attorney and PHUUD steering committee violate the State Public bidding laws by using an unknown firm with an irregular low bid coupled with unbalanced unit numbers?

[Accusation by Neil Teixeira = two questions]

17. Why was the Valley bid chosen when it appears to be irregular, particularly in the Line38 rock clause?
18. Was the PHUUD Steering Committee aware of substantial bedrock in their district?
19. Was the Valley bid an unbalanced bid?
20. Why was geotechnical work not required by staff, once substantial bedrock was found in the first week of construction (Rosenberg 12/7/09)
21. Why wasn't Tennyson Electric brought in to replace Valley early on, or another contractor, such as Ranger Pipeline who has extensive experience digging in blue granite?
22. Why wasn't a competitive price in line with the other bids negotiated with Valley Utility, once substantial bedrock was found. (City has stated they had a 10-day notice to terminate the contract).
23. Why was the 30% project contingency in the Jan. 10, 2007 Harris Engineer Preliminary Draft report reduced to 14.25%?

24. Why didn't the city staff inform Council members immediately in July?

[Subtotal of 8 questions from Rick Schiller]

TOTAL = 32 Questions raised.