

January 24, 2001

Pomeroy's Responses to Additional False Statements made by Irene White

Irene White's False Statement:

"I was not against the alley behind Valleyview Drive being maintained. This is what the mayor had ask council to OK. They did. Fine. Alternates are to be done if there is enough money in the scope of the project for that specific contract, not to go back and fix mistakes from previous projects. Then I got a copy of the bids for Resurfacing. The best and longer lasting job for our streets was Alternate C. The best job was NEVER put into the bid. Alternate A was the Alley. The mayor intended to use the \$15,000+ contingency for OUR STREETS to reconstruct the alley behind his house. So Ohio Public Works took the money away from the Village because Russolillo lied in the application. The alley was supposed to be maintained not reconstructed. He told council that since Shelly had already contracted to do the work we could get sued. So council took it out of your money. Why does he lie on applications? Then we get money taken away."

The Truth:

This statement concerns the street and alley resurfacing project that was completed this summer. It is a shame that someone is trying to distort the facts about this successful project. This project involved the resurfacing of about 9,900' of streets and most of the alleys. Our inspector received numerous positive comments from residents about this badly needed project.

Irene White's comments seem to revolve around the contract "Alternate A" which involved resurfacing the alley between Elliot and Valleyview Drive and between Hague and Harris Avenue from Elliot to Dibblee Avenue. The length of this alley is about 2,100' and provides access for about 50 residents including the Mayor. It seems ridiculous that this part of the project was constructed solely for the Mayors benefit as she claims.

Some facts about this project are:

This summer the Ohio Public Works Commission approved a loan for up to \$173,363 for resurfacing the Villages streets and alleys. The loan was justified in a funding application submitted by the Village in 1999 as follows:

Construction work	\$143,631
Engineering and Inspection	\$ 15,732
Contingency	\$ 14,000
Total	<u>\$173,363</u>

Conceivably \$157,631 (\$143,631 + \$14,000) could be used for construction work.

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When the project plans and specifications were prepared for bidding, there was uncertainty concerning the price of asphalt do to recent increases in oil prices and how much work could be accomplished with the fixed funding amount. It was decided to prepare a set of bid documents that contained a base bid for work that could reasonably be expected to be accomplished for under \$157,631. In addition, three alternates were provided to try and take advantage of any favorable bid prices. The alternates would only be performed if funding was available and the bids were low enough.

The alternates consisted of:

Alternate A: Resurface the alley between Elliot and Valleyview Drive and between Hague and Harris Avenue from Elliot to Dibblee Avenue.

Alternate B: Adjust the catch basin to grade at the intersection of Warren and Dibblee Avenue.

Alternate C: Provide an alternate to crack sealing and tack coating the existing streets by providing an asphalt membrane. This alternate would only be performed if it was cheaper than crack sealing and tack coating. As it turned out the contractor bid \$37,198 for this alternate and \$12,837 for crack sealing and tack coating so alternate C was rejected as being too expensive. In our opinion, the benefit of having the membrane was not worth the additional cost.

The project was advertised and bid in July and the Village received bids from four contractors (see enclosed tabulation of the bids). The lowest bid was submitted by the Shelly Company as follows:

Base construction work	\$144,992.80
Alternate A	\$ 14,514.80
Alternate B	\$ 1,270.00
Alternate C \$ 37,198.00	(Not Performed)
Total	<u>\$160,776.60</u>

After the bids were received, the Mayor submitted The Shelly Company bid to OPWC for approval and requested that Alternates A and B be included for funding (even though they were not included in the original funding application) to take advantage of the favorable bid prices. OPWC declined to include the alternates however, in August, the Village Council determined that it would be wise to take advantage of the contractor's unit prices based on this large project and voted to authorize Village funding for Alternates A and B.

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Contrary to Irene White's false statement, public records indicate that no one ever lied on an OPWC funding application and the OPWC has never taken money away from the Village.

Irene White's False Statement:

"There are other things on the resurfacing contract that are to correct problems from other jobs that were disallowed by OPWC. Do you know that we paid \$10,000 for those little white no parking signs that blew in your yards? \$90 a piece for the 8 stop lines painted at the stop signs at Valleyview Dr. and at Hague Ave."

The Truth:

The Shelly Company bid includes a bid item number 614 "maintaining traffic" for \$10,000 (see the bid tabulations). According to the project specifications, this item includes all work necessary to maintain vehicle and pedestrian traffic including signage, directing traffic, paying for the services of a police officer, etc. The Village awarded this contracted based on the lowest total bid and is not at liberty to create a composite bid made up by picking the lowest unit price from each contractor. **Either Irene White is ignorant of this process or is purposefully distorting the facts.**

Irene White's False Statement:

"They have had Brad Smith, owner of Pomeroy Engineering, and Solicitor Ed Kirk ridicule and portray me as someone who is unstable and a trouble maker."

The Truth:

Though the claims Irene White makes are completely unfounded and have no basis in fact, I do not know Irene White well enough to comment on her mental stability.

(JOB 1330)

DATE: 3 AUGUST 2000

OPWC PROJECT NO. CC12D

STREET RESURFACING PROJECT

Bidder:

Decker Construction Company
3040 McKinley Avenue
Columbus, Ohio 43204

Bidder:

McDaniel's Construction Corp., Inc.
1069 Woodland Avenue
Columbus, Ohio 43219

Bidder:

The Shelly Co.
80 Park Dr.
Thermite, Ohio 43078

Bidder:

Strawser Paving Co., Inc.
1595 Frank Rd.
Columbus, Ohio 43223-3737

ALTERNATE A: RESURFACE ASPHALT ALLEYS, AS PER PLAN

254	PAVEMENT PLANING, BITUMINOUS	SY	2478	\$ 3.50	\$ 8,673.00	\$ 3.00	\$ 7,434.00	\$ 2.00	\$ 4,956.00	\$ 0.80	\$ 1,982.40
404	ASPHALT CONCRETE, AC-20	TONS	206	\$ 44.00	\$ 9,064.00	\$ 40.00	\$ 8,240.00	\$ 38.00	\$ 7,828.00	\$ 34.00	\$ 7,004.00
407	TACK COAT	GAL	248	\$ 3.25	\$ 806.00	\$ 1.50	\$ 372.00	\$ 0.50	\$ 124.00	\$ 1.50	\$ 372.00
604	CATCH BASIN ADJUSTED TO GRADE	EACH	1	\$ 250.00	\$ 250.00	\$ 80.00	\$ 80.00	\$ 120.00	\$ 120.00	\$ 100.00	\$ 100.00
825	CRACKSEAL, TYPE III	SY	2478	\$ 0.70	\$ 1,734.60	\$ 0.75	\$ 1,858.50	\$ 0.60	\$ 1,486.80	\$ 0.61	\$ 1,511.58
TOTAL ALTERNATE A BID				\$20,527.60		\$17,964.50		\$14,514.60		\$10,969.98	

ALTERNATE B: ADJUST CATCH BASIN AT INTERSECTION OF WARREN AND CIBBLEE

253	PAVEMENT REPAIR, AS PER PLAN	SY	15	\$ 35.00	\$ 525.00	\$ 150.00	\$ 2,250.00	\$ 50.00	\$ 800.00	\$ 50.00	\$ 750.00
604	CATCH BASIN ADJUSTED TO GRADE	EACH	1	\$ 500.00	\$ 500.00	\$ 80.00	\$ 80.00	\$ 120.00	\$ 120.00	\$ 100.00	\$ 100.00
659	SEEDING AND MULCHING, AS PER PLAN	SY	25	\$ 3.00	\$ 75.00	\$ 10.00	\$ 250.00	\$ 10.00	\$ 250.00	\$ 7.00	\$ 175.00
TOTAL ALTERNATE B BID				\$1,100.00		\$2,580.00		\$1,270.00		\$1,025.00	

ALTERNATE C: STRESS ABSORBING MEMBRANE INTERLAYER IN LIEU OF TACK COAT AND CRACKSEAL

SPECIAL	STRESS ABSORBING MEMBRANE INTERLAYER	SY	23249	\$ 1.80	\$ 41,848.20	\$ 2.50	\$ 58,122.50	\$ 1.60	\$ 37,198.40	\$ 1.61	\$ 37,430.89
TOTAL ALTERNATE C BID				\$41,848.20		\$58,122.50		\$37,198.40		\$37,430.89	

* REFERS TO CITY OF COLUMBUS CONSTRUCTION AND MATERIAL SPECIFICATIONS

BID TABULATION
VILLAGE OF VALLEYVIEW
STREET RESURFACING PROJECT

(JOB 1330)

JOB 1330)														
DATE: 3 AUGUST 2000 OPWC PROJECT NO. CC12D STREET RESURFACING PROJECT			Bidder: Decker Construction Company 3040 McKinley Avenue Columbus, Ohio 43204			Bidder: McDaniel's Construction Corp., Inc. 1089 Woodland Avenue Columbus, Ohio 43219			Bidder: The Shelly Co. 80 Park Dr. Thomsville, Ohio 43076			Bidder: Strawser Paving Co., Inc. 1555 Frank Rd. Columbus, Ohio 43223-3737		
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	
203	EXCAVATION	CY	100	\$ 25.00	\$ 2,500.00	\$ 40.00	\$ 4,000.00	\$ 27.00	\$ 2,700.00	\$ 21.00	\$ 2,100.00		\$ 2,100.00	
203	LINEAR GRADING, AS PER PLAN	LF	4684	\$ 1.60	\$ 7,494.40	\$ 1.50	\$ 7,026.00	\$ 0.75	\$ 3,513.00	\$ 3.00	\$ 14,052.00		\$ 14,052.00	
253	PAVEMENT REPAIR, AS PER PLAN	SY	30	\$ 35.00	\$ 1,050.00	\$ 130.00	\$ 3,900.00	\$ 50.00	\$ 1,500.00	\$ 50.00	\$ 1,500.00		\$ 1,500.00	
254	PAVEMENT PLANING, BITUMINOUS	SY	12568	\$ 1.20	\$ 15,105.60	\$ 2.00	\$ 25,176.00	\$ 0.85	\$ 10,699.80	\$ 0.80	\$ 10,070.40		\$ 10,070.40	
304	AGGREGATE BASE	CY	60	\$ 20.00	\$ 1,200.00	\$ 43.00	\$ 2,580.00	\$ 33.00	\$ 1,980.00	\$ 50.00	\$ 3,000.00		\$ 3,000.00	
404	ASPHALT CONCRETE, AC-20	TONS	2194	\$ 34.50	\$ 75,693.00	\$ 38.00	\$ 83,372.00	\$ 32.00	\$ 70,208.00	\$ 34.00	\$ 74,596.00		\$ 74,596.00	
407	TACK COAT	GAL	2425	\$ 1.70	\$ 4,122.50	\$ 1.50	\$ 3,637.50	\$ 0.50	\$ 1,212.50	\$ 1.50	\$ 3,637.50		\$ 3,637.50	
408	PRIME COAT, AS PER PLAN	GAL	2156	\$ 1.80	\$ 3,880.80	\$ 2.25	\$ 4,851.00	\$ 1.25	\$ 2,695.00	\$ 2.00	\$ 4,312.00		\$ 4,312.00	
409	SEAL COAT, RS-2, AS PER PLAN	GAL	5930	\$ 2.20	\$ 13,046.00	\$ 1.10	\$ 6,523.00	\$ 2.00	\$ 11,860.00	\$ 2.00	\$ 11,860.00		\$ 11,860.00	
409	SEAL COAT COVER AGGREGATE #57	CY	90	\$ 38.00	\$ 3,420.00	\$ 120.00	\$ 10,800.00	\$ 70.00	\$ 6,300.00	\$ 75.00	\$ 6,750.00		\$ 6,750.00	
409	SEAL COAT COVER AGGREGATE #8	CY	56	\$ 38.00	\$ 2,128.00	\$ 120.00	\$ 6,720.00	\$ 50.00	\$ 4,480.00	\$ 75.00	\$ 4,200.00		\$ 4,200.00	
604	MANHOLE ADJUSTED TO GRADE	EACH	20	\$ 90.00	\$ 1,800.00	\$ 80.00	\$ 1,600.00	\$ 75.00	\$ 1,500.00	\$ 100.00	\$ 2,000.00		\$ 2,000.00	
604	CATCH BASIN ADJUSTED TO GRADE	EACH	7	\$ 250.00	\$ 1,750.00	\$ 80.00	\$ 560.00	\$ 120.00	\$ 840.00	\$ 100.00	\$ 700.00		\$ 700.00	
604	CATCH BASIN RECONSTRUCTED TO GRADE	EACH	2	\$ 650.00	\$ 1,300.00	\$ 800.00	\$ 1,600.00	\$ 400.00	\$ 800.00	\$ 550.00	\$ 1,100.00		\$ 1,100.00	
614	MAINTAINING TRAFFIC	LUMP		\$ 2,700.00	\$ 2,700.00	\$ 11,000.00	\$ 11,000.00	\$ 10,000.00	\$ 10,000.00	\$ 3,000.00	\$ 3,000.00		\$ 3,000.00	
621	STOP LINES	LF	90	\$ 6.00	\$ 540.00	\$ 10.00	\$ 900.00	\$ 8.00	\$ 720.00	\$ 7.00	\$ 630.00		\$ 630.00	
* 807	VALVE BOX ADJUSTED TO GRADE, AS PER PLAN	EACH	8	\$ 800.00	\$ 6,400.00	\$ 100.00	\$ 800.00	\$ 120.00	\$ 960.00	\$ 100.00	\$ 800.00		\$ 800.00	
SPECIAL	CRACK SEALING, TYPE III, AS PER PLAN	SY	23249	\$ 0.60	\$ 13,949.40	\$ 0.60	\$ 13,949.40	\$ 0.50	\$ 11,624.50	\$ 0.54	\$ 12,554.46		\$ 12,554.46	
SPECIAL	PROJECT SIGN # BY 8', AS PER PLAN	EACH	1	\$ 400.00	\$ 400.00	\$ 4,000.10	\$ 4,000.10	\$ 500.00	\$ 500.00	\$ 600.00	\$ 600.00		\$ 600.00	
SPECIAL	AGGREGATE, #2 STONE	CY	5	\$ 40.00	\$ 200.00	\$ 28.00	\$ 140.00	\$ 120.00	\$ 600.00	\$ 90.00	\$ 450.00		\$ 450.00	
TOTAL BASE BID					\$ 159,679.70		\$ 193,140.00		\$ 144,992.80		\$ 157,912.36		\$ 157,912.36	