

CORPORATION PROCEEDINGS

Special Board Meeting

Board of Trustees
Village of Kenmore

Municipal Building
August 10, 2022

PRESENT:	Hon. Patrick Mang	Mayor
	Hon. Paul Catalano	Trustee
	Hon. Joseph DeCecco	Trustee
	Hon. Andrea Czopp	Trustee

ABSENT:	Hon. Katherine Bestine	Trustee
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Mayor Mang opened the meeting at 8:35 AM and asked the Clerk to take Roll Call. The Mayor waived other formalities.

BOARD APPROVED AND AWARDED A BID FOR THE SOMERTON WATER MAIN REPLACEMENT PROJECT

Trustee Catalano moved to award the bid for the Somerton Water Main Replacement Project to Milherst Construction, for a bid price of \$1,325,425.

Before a vote was taken, the Mayor asked if there were any questions from the Board or those in attendance.

No one responded or requested to be heard.

Clerk/Treasurer Kathleen Johnson read the resolution in its entirety. This resolution is attached to these Minutes for record purposes. The Resolution outlined that the low bidder, DJM Contracting, was disqualified on the basis of non-responsibility and non-compliance with the bid specifications and irregularities in its bid.

Seconded by Trustee Czopp and approved by all members in attendance.

The Mayor again asked if anyone wished to be heard before the meeting was adjourned.

Dan Munich, owner of DJM Contracting, stated that the Wardman Road problems were not his fault. He stated that the problems were due to design error and an on-site inspector who was difficult to work with. Mr. Munich stated that the job site was kept clean and that he reviewed notes and minutes, which did not indicate any issue with onsite cleanliness.

He noted that just 2 days into the job, he was being blamed by the neighbors because National Fuel left equipment on site from a project it had recently completed. There was also another delay that was outside DJM's control. Grass problems, he said, were due to the hot, dry weather. Mr. Munich said that they did all work according to the plans and specifications.

Mr. Munich stated that he hopes the village reached out to the three (3) references he had provided, because they will attest to DJM's good job performance. He said that DJM is conscientious.

He then stated that DJM made mistakes on Wardman, but that all mistakes were corrected. He said that DJM tried its best, but that one (1) resident was particularly difficult to deal with. He further noted that the lien placed by Anastasi was due to DJM refusing to pay a bill that was too high. He stated that DJM "won that case".

The Mayor then recognized David Root, Superintendent of Public Works, who said that Wardman was a “rough project” with many issues throughout. Mr. Root stated that the DPW has since discovered that the inverts were not up to par and they are already falling apart. Bricks were used as support, which leaves room for infiltration. Concrete and stone were found in lines, which should not be present, especially after just a few years.

Bruce Shearer, Nussbaumer Clark, Engineers, stated that there were problems with Wardman, but that he is just as concerned with the structural issues of the bid itself, which are, in his opinion, significant. He stated that DJM didn’t sign the bid and used the incorrect bid form. Two items were completely omitted which could impact the overall costs. While numbers and quantities can be wrong, they can be recalculated from the information provided. Here, however, DJM completely omitted this information. He notes that the Wardman water line seems to have been done correctly, but his primary concern is DJM’s noncompliance with the bid form.

As there were no further questions or comments, and the resolution and bid award had already been approved, the meeting was adjourned.

The next meeting of the Village Board will take place on August 16, 2022.

Kathleen P. Johnson
Clerk/Treasurer