

**MINUTES  
CITY OF FALLON  
55 West Williams Avenue  
Fallon, Nevada  
July 6, 2020**

The Honorable City Council met in a regularly scheduled Council meeting on the above date in the Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

**Present:**

Mayor Ken Tedford  
City Councilman, James D. Richardson  
City Councilwoman, Kelly Frost  
City Councilwoman, Karla Kent  
Police Chief, Kevin Gehman  
Deputy City Attorney, Leonard E. Mackedon  
Legal & Administrative Director, Robert Erquiaga  
Public Works Director, Brian A. Byrd  
City Clerk-Treasurer, Sean C. Richardson

The meeting was called to order by Mayor Tedford at 9:00 a.m.

Mayor Tedford led the Pledge of Allegiance.

Mayor Tedford inquired if the agenda had been posted in compliance with NRS requirements.

Legal and Administrative Director Erquiaga advised that the agenda was posted in compliance with Governor Sisolak's Declaration of Emergency Directive 006, and as extended by Directives 016, 018, and 021, the agenda and the supporting materials were posted on the City's website and the State of Nevada's public notice website on or before 9:00 a.m. on June 30, 2020.

**Public Comments**

Mayor Tedford inquired if there were any public comments. He noted that comments are to be general in nature, not relative to any agenda items. No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken.

No public comments were noted.

**Approval of Council meeting minutes for June 15, 2020**

Mayor Tedford inquired if there were any additions or corrections to the minutes for June 15, 2020.

No additions or corrections were noted.

Councilwoman Frost motioned to approve the Council meeting minutes for June 15, 2020 as submitted, seconded by Councilman Richardson and approved with a 3-0 vote by the Council.

### **Approval of Warrants**

- A) Accounts Payable
- B) Payroll
- C) Customer Deposit

Mayor Tedford inquired if there were any comments regarding the accounts payable, payroll and customer deposit warrants.

No comments were noted.

Councilwoman Kent motioned to approve the accounts payable, payroll and customer deposit warrants and authorize the Mayor to sign the same; seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

### **Consideration and possible action to approve a construction contract with A&K Earthmovers of Fallon, Nevada, in order to complete the Downtown Streetscape Improvements Phase IV project, PWP-CH-2020-085, for their Base Bid and Bid Option No. 1 in the total amount of One Million Six Hundred Forty-Nine Thousand Eight Hundred Seventy-Four Dollars and Sixty-Seven Cents (\$1,649,874.67)**

Public Works Director Byrd explained that the City of Fallon received a Notice to Proceed from the Nevada Department of Transportation to advertise, award and administer a contract to construct the final phase of the Maine Street enhancements in June of 2018. Since its issuance, the City has worked diligently to complete the design, advertise, and bid the project in accordance with Nevada Revised Statutes as well as the Code of Federal Regulations. As advertised, the project consists of a full reconstruction of Maine Street from Front Street to Tolas Place. The project generally includes: Demolition and removal of the existing roadway, landscaping, paving, sanitary sewer, storm drains, and waterlines. Construction elements of the project include: The installation of curb, gutter, sidewalk, paving, sanitary sewer, street lighting, storm drain manholes, on-street parking, and landscaping improvements. This project was released for public bid on April 29, 2020 and was advertised in the Lahontan Valley News in accordance with NRS 338.1385. A pre-bid meeting was held on May 12, 2020. Three bids were received and opened on May 20, 2020.

Mayor Tedford inquired if the Council had any comments or questions.

Councilwoman Frost referred to the bid documents and noted that SNC came in lower for the Base Bid plus Option 1 in comparison to A&K Earthmovers. She asked him to explain the bidding process and award.

Public Works Director Byrd explained that awarding a project with bid alternates can sometimes be problematic, but working with Lumos & Associates, they determined that the best method was to determine a low bid based off the Base Bid plus all of the alternates. This method can be cleaner because it eliminates any potential for the awarding body to make a determination on the contractor. Everybody knows going into the game that the rules are: Low bid would be determined by Base Bid and all alternates. But, it could lead to our situation, where based off the

combination of all alternates, that the awarding body must choose – where we do not have the ability to award to the lowest bidder of the selected alternates – so it could be a scenario where the lowest bidder would be Base Bid plus 1 and 3 would be different than the Base Bid plus all the alternates.

Mayor Tedford clarified that Public Works Director Byrd must have meant Base Bid plus 1 and 2.

Public Works Director Byrd replied that any combination would determine it, as it never changes the low bidder.

Councilwoman Kent asked Public Works Director Byrd to detail the grant funding for this project versus what amount would come from enterprise funds.

Public Works Director Byrd advised that the City was awarded approximately \$900,000 in 2017 which included design. Since that time, the Nevada Department of Transportation (NDOT) found approximately \$500,000 in additional grant funding. We have yet to receive the official award letter for the additional funding, but based off projects that were not able to commence and be completed in 2020, they were able to find additional dollars to help fund this project. With that total, we are about \$400,000-\$450,000 short of funding the project in full. We are receiving about \$1.2 million in federal grant dollars with NDOT as the pass-through.

Mayor Tedford inquired if there were any public comments or questions.

No comments were noted.

Councilwoman Frost asked Legal and Administrative Director Erquiaga and Deputy City Attorney Leonard Mackedon if the bid documents had been reviewed and were in line.

Deputy City Attorney Leonard Mackedon advised that the documents were acceptable.

Councilwoman Kent motioned to approve a construction contract with A&K Earthmovers of Fallon, Nevada, in order to complete the Downtown Streetscape Improvements Phase IV project, PWP-CH-2020-085, for their Base Bid and Bid Option No. 1 in the total amount of One Million Six Hundred Forty-Nine Thousand Eight Hundred Seventy-Four Dollars and Sixty-Seven Cents (\$1,649,874.67); seconded by Councilman Richardson and approved with a 3-0 vote by the Council.

Mayor Tedford stated that the motion would not allow Bid Option 2. He asked if staff was aware of that.

Legal and Administrative Director Erquiaga confirmed that the motion approved the contract for the Base Bid and Option 1.

### **Public Comments**

Mayor Tedford inquired if there were any public comments.

No public comments were noted.

### **Council and Staff Reports**

Mayor Tedford inquired if there were any Council or staff reports.


Mayor Tedford thanked the Public Works Department and the Police Department for their efforts to support the July 4<sup>th</sup> parade last Saturday. He believed the community enjoyed the parade – it was a very patriotic day.

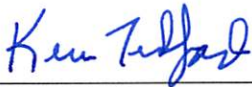
**Executive Session**

Mayor Tedford tabled the executive session, as it was not needed at this time.

**Adjournment**

There being no further business to come before the Council, Mayor Tedford adjourned the meeting at 9:14 a.m.

Attest:   
Sean C. Richardson, City Clerk-Treasurer

  
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Mayor Ken Tedford