

TUSCALOOSA COUNTY COMMISSION
MEETING
NOVEMBER 4, 2015

TUSCALOOSA COUNTY §
STATE OF ALABAMA §

This being the date and hour to which the Tuscaloosa County Commission adjourned, the County Commission met pursuant to such adjournment with Probate Judge W. Hardy McCollum presiding as Chairman. The following members were present:

Stan Acker
Jerry Tingle
Bobby Miller
Reginald Murray

Commissioner Jerry Tingle moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to reappoint Robert Kirksey to the Coaling Water Authority, Inc. board. The term will expire March 1, 2021.

Exhibit 11-1, Page

Commissioner Bobby Miller moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to adopt a resolution accepting the streets and drainage structures located in dedicated street rights-of-way in Laurel Wood Phase 7 for maintenance by the County's Engineering Department.

Exhibit 11-2, Page

Commissioner Jerry Tingle moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to approve a request for a 12 month development extension on Kings Ridge Phase II, pending the bond has been reposted.

Commissioner Jerry Tingle moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to adopt the Policy for Standards of Conduct and the Policy for Methods of Procurement applying only to grants as requested by ADECA.

Exhibit 11-3, Pages

Commissioner Jerry Tingle moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to approve the following District 2 Discretionary fund requests and reimbursements:

PARA in the amount of \$12,500.00 to meet 25% of its request for increased funding

Exhibit 11-4, Page

PARA Miners Park playground equipment reimbursement in the amount of \$9,095.42

PARA District 2 property appraisal in the amount of \$2,300.00

Town of Coaling sewer study, 1/3 of cost, in the amount of \$15,000.00

Exhibit 11-5, Pages

Commissioner Bobby Miller moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously for approval of the Engineering Department to install a new pipe on Arborway Circle to improve drainage and help prevent roadway flooding.

Commissioner Bobby Miller moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to depart from the order of business set forth in the official agenda to make a motion to designate funding to PARA.

Commissioner Bobby Miller moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to approve a funding request from the District 1 and District 3 discretionary funds to PARA in the amount of \$12,500.00 each to meet 25% of its request for increased funding.

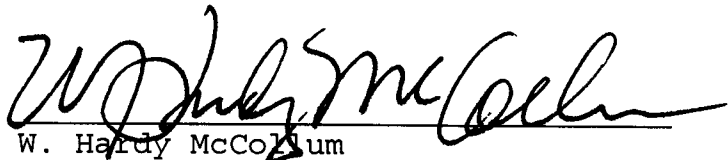
Exhibit 11-4, Page

Commissioner Reginald Murray moved, seconded by Commissioner Jerry Tingle, the County Commission voted unanimously to approve the Engineering Department to contact ALDOT to request a traffic light study in Fosters at the intersection of Highway 11S and Holley Springs Lane and Gainesville Road.

Commissioner Reginald Murray moved, seconded by Commissioner Jerry Tingle, the County Commission voted unanimously to approve a funding request from the District 4 discretionary fund to PARA in the amount of \$12,500.00 to meet 25% of its request for increased funding.

Exhibit 11-4, Page

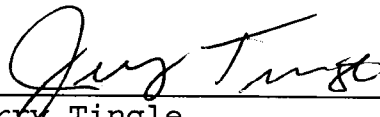
There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, November 18, 2015.



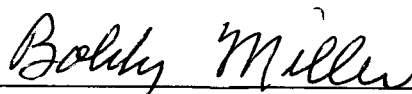
W. Hardy McCollum
Judge of Probate and Chairman
Tuscaloosa County Commission



Stan Acker
Commissioner - District I



Jerry Tingle
Commissioner - District II



Bobby Miller
Commissioner - District III



Reginald Murray
Commissioner - District IV

Coaling Water Authority, Inc.
PO Box 146
Coaling, AL 35449
PH: 205-553-5361
FAX: 205-553-5370

Coaling Water Authority, Inc.


October 6, 2015

TO: Tuscaloosa County Commission
PO Box 20113
Tuscaloosa, AL 35402

RE: Re-appoint Board Member

The present Board of Coaling Water Authority, Inc. ask that the Tuscaloosa County Commission continue the appointment of Mr. Robert Kirksey as a Board member for Coaling Water Authority, Inc.

Thank you,


Dawn Mitchell, Office Manager

:dm

John W. Foster, Jr. Chairman
W. George LeGrone, Vice Chairman
Coaling Water Authority, Inc.

cwa@coalingwater.com

Ex 11-1

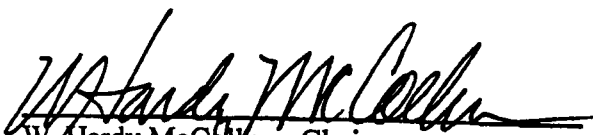
**RESOLUTION ACCEPTING STREETS IN
LAURELWOOD PHASE SEVEN
SUBDIVISION**

WHEREAS, the County Engineer has reported to the Tuscaloosa County Commission that the County Engineering Department has inspected and found that the streets, together with the drainage structures in the streets in Laurelwood Phase Seven are completed in accordance with the Subdivision Regulations of the Tuscaloosa County Commission, and that all of said construction has been done in accordance with the County specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION:

1. That the County accepts the streets, together with the drainage structures in, and which are a part of, said streets which are located in dedicated street rights-of-way, for maintenance by the Tuscaloosa County Commission. The drainage structures described herein are those structures which are part of or are located in the streets (curb and gutter, catch basins, flumes and pipes) and do not include any natural waterway which drains surface water in the area.
2. This resolution shall be effective on the date of the adoption thereof.

Adopted this the 4th day of November, 2015, by the TUSCALOOSA COUNTY COMMISSION.


W. Hardy McCullum, Chairman


Melvin Vines, County Administrator

Seal —

Ex 11-2

**Policy for Standards of Conduct
Tuscaloosa County**

No employee, officer, or agent of Tuscaloosa County shall participate in selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved (such a conflict would arise when: the employee, officer, or agent; or any member of his immediate family, his partner, or an organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

The officers, employees, or agents of Tuscaloosa County will neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. Tuscaloosa County may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.)

To the extent permitted by state (Title 36, Chapter 25, Alabama Code) or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the officers or employees of Tuscaloosa County or agents, or by contractors or their agents.

Adopted this the 4th day of November, 2015
by the Tuscaloosa County Commission.



W. Hardy McCollum, Chairman
Tuscaloosa County Commission

ATTEST: 

Melvin L. Vines, County Administrator
Tuscaloosa County Commission

Policy for Methods of Procurement Tuscaloosa County

Tuscaloosa County will follow the procurement methods described below and will ensure that all contracts will be in writing, include the appropriate state, federal, and local clauses, and that all contracts will be authorized by Tuscaloosa County Commission. Tuscaloosa County has identified W. Hardy McCollum as the person with the authority to initiate purchase requests and enter into contracts. Further, Tuscaloosa County will ensure that the procurement of labor, services, or materials will be conducted in accordance with these local written procedures that conform to 24 CFR 85.36 (Common Rule), Title 41, Code of Alabama (Bid Law), and Title 39, Code of Alabama (Public Works Law). All procurement follows one of the following methods:

1. Small Purchase

a. See State Bid Law (Title 41, Code of Alabama) Common Rule (24CFR85.36),

1. Price or rate quotations for purchases or contracts with an aggregate cost \$15,000 or less must be obtained from at least three (3) qualified sources. (No purchase or contract involving an amount in excess of \$15,000 shall be divided into parts involving amounts \$15,000 or less for the purpose of avoiding the requirements of the Bid Law.) File documentation is required.

b. See Public Works Law (Title 39, Code of Alabama) and Common Rule (24CFR85.36),

1. Price or rate quotations for professional services with an aggregate cost of \$100,000 or less must be obtained from at least three (3) qualified sources. File documentation and contract for professional services are required.
2. Contracts for public works involving \$50,000 or less may be let without advertising or sealed bids. Price or rate quotations must be obtained from at least three (3) sources. (No public work involving a sum in excess of \$50,000 shall be split into parts involving sums of \$50,000 or less for the purposes of evading the Public Works Law.) File documentation is required.

2. Sealed Bids

a. See State Bid Law (Title 41, Code of Alabama),

- 1. All purchases in excess of \$15,000 shall be advertised by posting notice thereof on a bulletin board maintained outside the purchasing office and in any other manner and for any length of time as may be determined. Sealed bids shall also be solicited by sending notice by mail or other electronic means to all persons, firms, or corporations who have filed a request in writing that they be listed for solicitation on bids for the particular items that are set forth in the request. All bids shall be sealed when received and shall be opened in public at the hour stated in the notice.**
- 2. All original bids together with all documents pertaining to the award of the contract shall be retained in accordance with a retention period of at least seven years established by the Local Government Records Commission and shall be open to public inspection.**

b. See Public Works Law (Title 39, Code of Alabama),

- 1. Definition of Public Works: The construction, repair, renovation, or maintenance of public buildings, structures, sewers, waterworks, roads, bridges, docks, underpasses, and viaducts as well as any other improvement to be constructed, repaired, renovated, or maintained on public property and to be paid, in whole or in part, with public funds or with financing to be retired with public funds in the form of lease payments or otherwise.**
- 2. Before entering into any contract for a public works involving an amount in excess of \$50,000, the awarding authority shall advertise for sealed bids. If the awarding authority is the state or a county, or an instrumentality thereof, it shall advertise for sealed bids at least once each week for three consecutive weeks in a newspaper of general circulation in the county or counties in which the improvement or some part thereof, is to be made. If the awarding authority is a municipality, or an instrumentality thereof, it shall**

advertise for sealed bids at least once in a newspaper of general circulation published in the municipality where the awarding authority is located. If no newspaper is published in the municipality, the awarding authority shall advertise by posting notice thereof on a bulletin board maintained outside the purchasing office and in any other manner and for the length of time as may be determined. In addition to bulletin board notice, sealed bids shall also be solicited by sending notice by mail to all persons who have filed a request in writing with the official designated by the awarding authority that they be listed for solicitation on bids for the public works contracts indicated in the request. For all public works contracts involving an estimated amount in excess of \$500,000, awarding authorities shall also advertise for sealed bids at least once in three newspapers of general circulation throughout the state.

3. The advertisements shall briefly describe the improvement, state that plans and specifications for the improvement are on file for examination in a designated office of the awarding authority, state the procedure for obtaining plans and specifications, state the time and place in which bids shall be received and opened, and identify whether prequalification is required and where all written prequalification information is available for review. All bids shall be opened publicly at the advertised time and place.

3. Competitive Negotiations

The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- a. See Common Rule (24CFR85.36)
- b. Requests for proposals will be publicized and identify all evaluation factors and their relative importance.

- c. Proposals will be solicited from an adequate number of qualified sources.
- d. Grantees will have a method for conducting technical evaluations of the proposals received and for selecting awardees.
- e. Awards will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.
- f. Grantees may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

4. Noncompetitive Negotiations

Procurement by noncompetitive proposals or "sole source" is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate.

Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids or competitive proposals and one of the following circumstances applies: the item is available only from a single source; the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; the awarding agency authorizes noncompetitive proposals; and after solicitation of a number of sources, competition is determined inadequate.

- a. Proper documentation that one or more of the above circumstances existed.
- b. There is no conflict of interest by the parties involved.
- c. Cost analysis, i.e., verifying the proposed cost data, the projections of the data, and the evaluation of the specific elements of costs and profits, is required.

5. Price/Cost Analysis

Grantees must perform a cost or price analysis in connection with every procurement action including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, grantees must make independent estimates before receiving bids or proposals.

- a. A cost analysis must be performed when the offeror is required to submit the elements of his estimated cost, e.g., under professional, consulting, and architectural engineering services contracts.
- b. A cost analysis will be necessary when adequate price competition is lacking, and for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or based on prices set by law or regulation.
- c. A price analysis will be used in all other instances to determine the reasonableness of the proposed contract price.
- d. Grantees will negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed.
- e. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.
- f. Costs or prices based on estimated costs for contracts under grants will be allowable only to the extent that costs incurred or cost estimates included in negotiated prices are consistent with Federal cost principles (see Sec. 85.22). Grantees may reference their own cost principles that comply with the applicable Federal cost principles.
- g. The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

Adopted this the 4th day of November, 2015 by the
Tuscaloosa County Commission.



W. Hardy McCollum, Chairman
Tuscaloosa County Commission

ATTEST: 

Melvin L. Vines, County Administrator
Tuscaloosa County Commission

11/08

7
Ex 11-3

PROPOSAL FOR REVIEW, APPROVAL AND FUNDING OF
PUBLIC USE PROJECTS BY DISTRICT

Commission District: 1, 2, 3 & 4

Proposed Project Description: PARA - SUPPLEMENTLY
FUNDING FOR OPERATIONS
\$12,500 EACH

<u>Jim M. Tinge</u>	<u>11-4-15</u>
<u>R. M. [unclear]</u>	<u>11/4/15</u>
<u>St. Aker</u>	<u>11-4-15</u>

Funding Amount Required: \$50,000

Commissioner Approval: _____ Date: _____

Legal Counsel Review: _____ Date: _____

Finance Director Review & Disbursement: W.M. [unclear] Date: 11-4-15

EX11-4

PROPOSAL FOR REVIEW, APPROVAL AND FUNDING OF
PUBLIC USE PROJECTS BY DISTRICT

Commission District: 2

Proposed Project Description: PARA
MINER'S PARK
EQUIPMENT

Funding Amount Required: \$9,095.42

Commissioner Approval: [Signature] Date: 11-2-15

Legal Counsel Review: [Signature] Date: 11/18/15

Finance Director Review & Disbursement: [Signature] Date: 11-2-15

PROPOSAL FOR REVIEW, APPROVAL AND FUNDING OF
PUBLIC USE PROJECTS BY DISTRICT

Commission District: 2

Proposed Project Description: PARA
PROPERTY APPRAISAL
DIST 2

Funding Amount Required: \$2,300

Commissioner Approval: Jayon. Tunge Date: 10/21/15

Legal Counsel Review: Robert Jones Date: 11/10/15

Finance Director Review & Disbursement: AM Lamb Date: 10-9-15

EX 15

PROPOSAL FOR REVIEW, APPROVAL AND FUNDING OF
PUBLIC USE PROJECTS BY DISTRICT

Commission District: 2

Proposed Project Description: MC GHEERT ENGINEERING
TOWN OF COALING SEWER STUDY
1/3 OF COST FOR A TOTAL
OF \$15,000

Funding Amount Required: \$15,000

Commissioner Approval: Jay M. Trigg Date: 11-4-15

Legal Counsel Review: Robert Spence Date: 11/18/15

Finance Director Review & Disbursement: DM Conley Date: 11-4-15

EX-11-5