

PORTER SPECIAL UTILITY DISTRICT
MINUTES OF BOARD OF DIRECTORS SPECIAL MEETING
April 22, 2024

The Board of Directors (the Board or Directors) of Porter Special Utility District (the District) met in special session at 7:00 p.m., at 22162 Water Well Road, Porter, Texas 77365, on Monday, March 25, 2024, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code.

1. Call Meeting to Order the President, after finding that the notice of the meeting was posted as required by law, called the meeting to order at 7:00 p.m. and declared it open for such business as may come before it.

a. Roll Call of the Board of Directors/Declaration of a Quorum

Doug Pillow	President
Jodi Ruonavar	Vice-President
Caroline Denham	Secretary
Danny Bridges	Treasurer
Jason Ashy	Director
Donald Bell	Director
Charlie Lyons	Director

Director Denham took the roll, all Directors were present in the District Board Room, thus constituting a quorum. Also attending for the District were: Jonathon Smith (General Manager), and Todd Wyatt (Architect) of Lancaster + Wyatt Architects, LLP.

b. Invocation

Invocation led by Director Bell.

c. Pledges of Allegiance

Pledges of Allegiance led by Director Pillow.

2. Public Comment

None.

3. New Administration Building

Mr. Wyatt was here to discuss the New Administration Building. Mr. Smith explains why we called a Special Meeting. The proposals that were received are only good for 60 days. Mr. Wyatt is the Architect. We are not expecting a decision tonight but will have to have another meeting in 2 – 3 weeks as time is running out.

Bidders:

- a) JDF Construction LLC is lower in budget and quality than the others per Mr. Wyatt. They are lower by \$119,979.25.
- b) Brayton Construction is the next highest bidder. Mr. Wyatt has worked with them many times. They added an Assumptions page. Their pricing is right in line. They have an extensive portfolio and are very qualified. They are within the dollar spectrum that looks good to Mr. Wyatt. A difference of \$95,096.00 between them and the next highest bidder.
- c) LDF Construction is the next highest bidder. Mr. Wyatt suggested LDF and Brayton and has worked with them both. He has worked longer with LDF and is comfortable with this one too. They are highly qualified and will meet their deadlines. There is only a 10-day difference in time between the two. A difference of \$118,333.75 between them and the highest bidder.
- d) KAustin and Associates is the highest bidder. They were very thorough. They asked lots of questions and are very knowledgeable. Mr. Wyatt has never worked with them. They are off the spectrum. The bid did not fall inside.

He does not discount their quality, but they are higher. They included everything in their bid. He has no doubt they can do the job, but they are substantially higher.

Mr. Wyatt recommends omitting the lowest and highest bids and recommends either of the two in the middle. He knows them both well. They want to know when they will find out our decision. He told them most likely by the end of the week. We can pick the final two and have them come in for an interview and ask questions. Personality is important. Both look forward to issues, issues do not just come up. Mr. Wyatt believes that Brayton does a little bit better job. Both are located in Conroe. Brayton is off of Spirit of Texas Way and LDF is off of Highway 105 near the Lake.

Director Denham asked why 200 days vs. 295 days? Mr. Wyatt thinks that KAustin must have seen more work inside than the other ones saw. We can ask them to justify the days when we meet them. Directors Pillow and Bridges agree to drop the top one and the bottom one and concentrate on the two middle ones. Costs will continue to get higher. Is there a performance penalty if they do not finish in their allotted number of days? They normally build in weather delays, etc. said Mr. Wyatt.

Mr. Smith can reach out to the Board and get a couple of dates and then find a date we can nail down to meet with both firms. They can meet in the evenings, said Mr. Wyatt. Mr. Smith will see if Mr. Kelly and / or Mr. Polley need to be at the meeting. We do not need to drag our feet. The bids are only good for 60 days. The bids were received on March 22, so time is of the essence.

Mr. Wyatt suggested we ask them what large lead items are and when they will start the project. Also, ask what will be done in the first 30 days. They are an open book, and they will answer any questions we may have. Mr. Wyatt has done business with LDF for probably 20 years and Brayton 8 years.

The question was asked, why bid now and not in the past? Mr. Wyatt said they were swamped, and no one wanted to take on any new projects during the

holidays. Rather than fail, they just decided not to bid. Director Pillow said concrete will be a big chunk and that steel is gold. Mr. Smith asks if the Board needs anything between now and the next Special Meeting? Director Lyons does not have a set of plans. Mr. Wyatt has one with him that he can have. Director Bell asks about what kind of frame. Mr. Wyatt said it was a steel and metal building. 6" gauge stud walls around the perimeter of the project. Director Ruonavar asks about their insurance. Mr. Wyatt said we could require them to bring it when they come. Director Bell asks if there was an IT person or is that a separate package? Locations of IT items will be in the walls only. But IT will be on us. Cabling most likely will not be included, but only a pull. Penn Corp will move all of our services, etc. Everything stays on our servers, but we have two backups on the Cloud by Penn Corp in case of failure.

There are many aspects that will be outside of the General Contractors' scope of work. For example, signage, IT, security, flags, moving the generator, etc. There will need to be coordination between them and the general contractor. We will have a groundbreaking ceremony. Mr. Wyatt will have them send documents at least a couple of weeks before the Special Meeting so we can review them before the Contractors are here. Director Bell wants to know if we need a Project Manager to help Mr. Smith out. Mr. Smith says he should be able to handle it. EFS and GenSolutions to do conduit most likely. Any questions, get them to Mr. Smith as soon as possible.

Upon motion by Director Ruonavar, seconded by Director Bridges after full discussion with all Directors present voting aye, it was decided to drop the lowest and highest bidders from the Bid Sheet and get LDF Construction and Brayton Construction to come in for the next Special Meeting to do in person interviews. Motion carried.

4. Executive Session

We went into Executive Session at 7:50 pm. Mr. Wyatt left the meeting at that time.

We came out of Executive Session at 7:52 pm.

5. Adjournment

There being no further business to come before the Board, upon motion by Director Ashy, seconded by Director Ruonavar after full discussion and all Directors present voting aye, the meeting was adjourned at 7:55 p.m.

PASSED and APPROVED this the 29th day of April, 2024.



President, Board of Directors



Secretary, Board of Directors

