

Skate park offer accepted over city attorney's concerns

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The Chelan City Council chose a skate park manufacturer last week, but not by the method recommended by the city attorney.

At the council's June 23 meeting, attorney Allan Galbraith questioned whether the city could legally accept a skate park layout proposed by American Ramp Company over one by Vert Manufacturing, which council was poised to accept until the American Ramp proposal came in the day of the meeting.

The two concepts for the city's concrete slab in Don Morse Park were practically identical in design, construction and engineering, except for three additional pieces offered by American Ramp. Only \$1 separated the two price tags.

Members of the skate park committee, consisting of city staff, council members and users of the skate park, liked the layout of an all-steel park put forward by American Ramp that would have cost \$80,000, but they preferred Vert's lower-cost wood construction.

Councilman and skate park committee member Steve Olsen said the committee showed American Ramp's layout to Vert and asked that manufacturer if it could build the same park out

of wood and within the city's budget.

Vert removed three pieces from the layout to come in just under \$64,000.

Then, according to Olsen, American Ramp offered all the pieces with wood construction for virtually the same price as Vert.

Galbraith said the the two companies should be allowed to bid on the same layout with wood construction. The city would only be able to limit the bidding process to those two companies, he said, if it were certain that no other companies could provide a comparable product.

The city had received 11 responses from skate ramp manufacturers after issuing a request for proposals earlier this year. Of those, the city liked seven well enough to ask those manufacturers to present skate park proposals based on a \$64,000 budget.

Bid laws require that everybody competing for the city's business be on a "level playing field," on which everyone has a chance to bid on the same package. Otherwise, any contract entered into as a result of the bid process would be illegal, Galbraith said.

Wanting to move forward with the new park, Councilman Dave Weldy rejected the attorney's suggestion.

"I feel that American wins it," Weldy said. "I think we already got the information here. I want the kids to have the skate park in the second week of August."

While Vert had promised delivery by the second or third week of August, Missouri-based American Ramp thought it could meet that date but could not guarantee it.

"Vert can object to it," Weldy went on to say, "but they'd have to contest it."

Galbraith said his concern was with the state auditor.

"Will the auditor issue a finding that you didn't follow the bid laws?" Galbraith asked at the council meeting. If the council were to accept an offer today, he added, "there will be some problems with it."

Weldy's motion to purchase skate park equipment from American Ramp passed unanimously.

Earlier, Olsen made a motion to give both companies a chance to bid on American's design. He rescinded his motion to make way for Weldy's.

Olsen said he was initially concerned about the bid laws but is comfortable with the city's process.

"I feel in reality they both had an equal playing field, and I didn't want to postpone construction for the kids," Olsen said.