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**Meeting Name:** Town Council Meeting  
**Meeting Date:** December 17, 2024  
**Prepared By:** Steven J. Hallock, Director of Public Works  
**Item Title:** Agreement with J.W. Cheatham LLC to Construct the Atlantic Boulevard Roadway Improvements project

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#### **DISCUSSION:**

At its May 8, 2024 meeting, the Town Council unanimously approved Alternate #2 for the Atlantic Boulevard Roadway Improvements project. As a result, the Town Engineer, Simmons & White, was directed to finalize the construction documents. Once finalized, Town Staff used these construction documents to advertise and publicize the project with a due date for submittals being November 4, 2024. No quotes were received.

Town staff then directly reached out to ten (10) different construction contractors in an attempt and obtain quotes. Only two (2) quotes were received: one from J.W. Cheatum LLC at a cost of \$56,217.20, and one from Saffold Paving at a cost of \$67,760.00. The other contractors replied that the job is too small, or they were unable to fit it into their schedule.

The Town Council approved a budget of \$90,000 for this project for the current fiscal year. The approved engineering services are \$25,000 per the Town's agreement with Simmons & White. This means there is \$65,000 available for the actual construction. The lowest qualified quote came from J.W. Cheatum LLC at a cost of \$56,217.20, well within the budget.

While the Town's Purchasing Policy generally requires three written quotes for projects for purchases of \$35,000 to less than \$75,000, Section XII, "Exceptions," allows the Town Council to waive the purchasing policies and procedures when in the best interests of the Town:

F. Best Interest Acquisitions. The Town may acquire or contract for non-real property, goods, or services without utilizing a sealed competitive method or the other purchasing methods prescribed herein where the Town Council determines by a majority affirmative vote that the sealed competitive method or the other procurement methods (i.e., obtaining written quotations) are not in the best interest of the Town, and that such acquisition without utilizing a sealed competitive method or the written quotations method will not result in the financial disadvantage of the Town. Such contracts shall be placed on the regular Town Council agenda.

Because Staff was unable to procure three written quotes, Staff is requesting Town Council approval of a Contract with J.W. Cheatham LLC for the Atlantic Boulevard Roadway Improvements project as a “best interest acquisition.”

Also at the May 8, 2024 meeting: *“Council gave unanimous consensus to have staff reach out to the County inquiring about adding a crosswalk at the intersection of Atlantic Boulevard and Ocean Drive in conjunction with this project.”* Staff contacted the County; however, the County is not in favor of installing a crosswalk at this time at the County’s expense. However, the Town can decide to fund the crosswalk itself with County permission or revisit the issue at a later date.

**RECOMMENDATION:**

Town Staff requests Town Council consideration and approval of a Contract with J.W. Cheatum LLC in the amount of \$56,217.20 for the construction of the Atlantic Boulevard Roadway Improvements project and a determination that the obtaining written quotations is not the best interest of the Town.