

**Minutes of Meeting**  
**Solid Waste**  
**March 26, 2019**  
**10:00 a.m.**

The Kootenai County Board of Commissioners: Chairman Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks met to discuss the following agenda item. Also present were Solid Waste (SW) Director Cathy Mayer, SW Operations Manager John Phillips, Civil Deputy Prosecuting Attorney Jamila Holmes and Deputy Clerk Tina Ginorio. Also present was Shane Peterson, representing Kenworth Sales Company.

- A. **Call to Order:** Chairman Chris Fillios called the meeting to order at 10:04 a.m.
- B. **Changes to the Agenda (Action):** There were no changes to the agenda.
- C. **Business:**

**Review Objections to bid - #2019-04, Recycle Truck (Action)**

**Per Idaho Code §67-2806(j), the Board shall address the contentions raised, review its decision to award, and determine whether it wishes to affirm the award, modify the award, or choose to re-bid.**

Civil Deputy Prosecuting Attorney Jamila Holmes reminded the Commissioners that a request for bids for the SW Recycle Truck had been issued in January 2019. She noted that two bids were received, evaluated by the Solid Waste staff, a recommendation made to the Board and the bid awarded to Peterbilt. Shane Peterson, representing Kenworth Sales Company contested the awarding of the bid and submitted additional information to support his objection.

Solid Waste (SW) Director Cathy Mayer stated that the bids had been received and evaluated line item by line item to determine which responsive bid was lowest in cost. She said that there were some minor issues found in the Peterbilt bid, but they were not considered important enough to disqualify the bid. Ms. Mayer said that the Kenworth bid contained a major issue that was sufficient to remove them from consideration.

SW Operations Manager John Phillips explained that the Kenworth bid specifically stated that the use of LE Oil (Lubricating Engineers Oil) in the truck would be cause for voiding the warranty. Mr. Phillips said the rest of their fleet of vehicles use LE Oil; employees are trained to check the engine oil regularly and refill it at need. He stated that the chance of an employee accidentally using LE Oil in the new recycle truck and voiding the warranty was too great for SW to purchase the vehicle from Kenworth. Mr. Phillips noted there was no such restriction included by Peterbilt.

Ms. Holmes stated that the restriction against using LE Oil was the reason the Kenworth bid was deemed nonresponsive.

Commissioner Leslie Duncan moved that the Board affirm the award of Bid 2019-04 based on the major deviation from specs regarding the use of Lubrication Engineers products, which would cause the truck warranty to be voided in the case of Kenworth but not in the case of Peterbilt. Commissioner Bill Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

**D. Public Comment (Discussion):** This section is reserved for citizens wishing to address the Board regarding a County-related issue. Idaho Law prohibits Board action on items brought under this section except in an emergency circumstance. Comments related to future public hearings should be held for that public hearing. There was no public comment.

**E. Adjournment (Action):** Chairman Fillios adjourned the meeting at 10:21 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: \_\_\_\_\_  
Tina Ginorio, Deputy Clerk

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