

NORTH AUGUSTA

SOUTH CAROLINA'S RIVERFRONT

FOIA 2023-34

Date: March 28, 2023

TO: Fred Ilardi

Copy to:
Kelly Zier - City Attorney
James Clifford - City Administrator

RE: FREEDOM OF INFORMATION REQUEST

PLEASE BE ADVISED that the City of North Augusta has received your Freedom of Information Act (FOIA) request the 27th day of March 2023. Such request has been forwarded to the appropriate department for response. In addition, a copy of said request has been forwarded to the office of the City Attorney for his review.

The City Attorney will make a determination as to whether the request is a proper request under the FOIA act. The appropriate department will advise as to what materials, documents, etc. may be available. That department will also provide information indicating the approximate time involved related to the retrieval of the documentation, and also the amount of material that would need to be copied in order to comply with the request. At such time as a response is received from the City Attorney and the appropriate department, we will then notify you of the response of the City to your FOIA request. In the event that the request is deemed appropriate and permissible under the FOIA act, we will advise you of same and also provide an estimate of the costs that would be related to responding to said request. In the event that it is determined that the FOIA request is not proper and not permitted by the act, you'll also be advised of that decision.

A response to your request will be made within the time limits as established by section 20-4-30(c) of the FOIA act. Specifically, this requires that said response be provided within 10 business days for any record requested that is less than 24 months old. A request for a record that is more than 24 months old, is to be responded to within 20 business days from the date of the receipt of your request. The City would not normally require the full period in order to respond, but reserves its right under the act to do so.

The response as required by the Act as referred to in the above paragraph is NOT the delivery of the documents. It is a response advising the person making the FOIA request of the City's determination as to the public availability, of the requested public records. The ACT further provides that if the request is granted, the document must be furnished or made available for inspection or copying no later than thirty (30) calendar days from the date on which the final determination as to the availability of the documents is made, unless the record are more than twenty-four (24) months old, in which case the Public Body is to provide such records no late than thirty-five (35) calendar days from the date on which the final determination was provided. In the event that a deposit for the costs of providing the documentation is required, the providing of the

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documents would be based upon the date on which the deposit is received. In such case, the time remains thirty (30) or thirty-five (35) calendar days based upon the age of the documents requested.

In the event that the response to your request is positive and the costs associated with retrieving and providing the data is minimal, in most cases, the City would forward the documentation to you with a statement for the costs. An example of charges would be 15¢ per page for black and white copies, 20¢ per page for color copies. The City does not charge for search and retrieval for fifteen minutes or less. For any time required to research and retrieve the requested information more than 15 minutes, the City charges, a minimum of \$8.00 per 30 minutes. Pursuant to the act, the charge for searching, retrieving, and redacting records is not to exceed the hourly wage of the lowest paid employee on the public body staff, who has the skill and training to fulfill the request. Therefore, the charge could be in excess of the \$8.00 per 30 minutes, if a regular clerical person is unable to perform the services. The specific FOIA Fee schedule, as adopted by the City is available for review online. In the event that the costs are considered to be of more than a nominal amount, the City would reserve the right to require a deposit of 25% of anticipated costs to be made before assembling, copying and delivering the materials. This would also provide to you the opportunity to determine if you desired to proceed with the request in light of the costs.

NOTICE: SOUTH CAROLINA LAW PROVIDES THAT “IT IS A CRIME TO KNOWINGLY OBTAIN OR USE PERSONAL INFORMATION FROM A PUBLIC BODY FOR COMMERCIAL SOLICITATION.” Section 30-2-50

Jamie Paul

Jamie Paul, City Clerk, CMC

City of North Augusta, South Carolina

From:
To: [Paul, Jamie](#)
Subject: FOIA Request-Clarification of RFQ for Public Service Complex
Date: Sunday, March 26, 2023 2:06:31 PM

Dear Ms. Paul:

Under the South Carolina Freedom of Information Act (FOIA), 30-4-10, I am requesting to have sent to me the following information:

For a detailed explanation for this request ,please see the following:

On Tuesday March 21,2023 as part of an answer to FOIA Request (2023-10 , Ms. Paul, City Clerk of North Augusta, SC , sent me an official North Augusta document , labeled:

Request for Qualificaions (RFQ) for Construction Manager at Risk (CM@R) Services

For

City of North Augusta New Public Safety Headquarters Project

Issued Augusta
17, 2022

The contact person: Mr. Curtis Williamson, Johnson,Laschober & Associates, P.C. (JLA)

On page 4 of the document it states:

“Qualifications Statements will be evaluated by the Selection Committee based on the firms’ ability to meet the

requirements of this RFQ. The primary evaluation criteria and point system include:

1. Experience providing preconstruction, construction management or negotiated GC services for similar public safety or similar type of complex projects; - Maximum value of 15 points.

2. Overall Approach to the Project; - Maximum value of 10 points.

3. Ability to meet the established schedule and specific approach to minimize schedule impacts (such as pandemic related issues), proposed timeframe, software for developing and monitoring schedule, regular review mtgs to monitor and update schedule; - Maximum value of 15 points.

4. Qualifications, abilities, experience of key individuals proposed for the Project, this team would also need to attend the interview; - Maximum value of 15 points.

5. Client references on similar project for proposed team members; and - Maximum value of 15 points.”

6. Team of proposed subcontractors and vendors, experience level, company location, length of time of relationships, projects worked on before with these team members. Specifically sitework, steel, masonry, roofing, M/E/P and others. - Maximum value of 15 points.

7. CM@R Fee % and Fixed General Conditions – Please submit your firm’s CM@R Fee % to be charged on this work and also provide total cost of Fixed General Conditions for the number of months of the project and scope this would cover. Minimum expected personnel are Full Time Superintendent, minimum 50% Field Engineer, and minimum 50% Project Manager. - Maximum value of 15 points.

It appears to me that Johnson, Laschober & Associates and specifically Mr. Curtis Williamson of JLA , as consultants to North Augusta were responsible to lead the members of the Selection Committee as he was chosen to be the contact person. I would assume that the City of North Augusta can identify the members of that committee .

As announced, the contract that was awarded to Hood Construction was worth about \$25 million.

My requests under this FOIA Request are as follows:

1. Please provide me a list of the committee members and their qualifications?

2. Please provide me with a list of City of North Augusta employees who were on that committee ?

3. Please provide me with the grading points achieved under the 7 categories listed in the JLA RFQ (and provided as reference in this FOIA Request) by all firms submitting bids and the total points achieved by each bidder.

4. It has been announced that Hood Construction was awarded the contract to build the North Augusta Public Service Complex. Please supply me a signed copy of that contract , a contract that was reported to be about \$25 million .

If this requested information is not available for any reason, please let me know as soon as possible.

I would like the requested information sent to me in electronic form.

Thank you in advance for your help in
completing my request.

Sincerely,

Fred Ilardi

North Augusta ,SC 29841