



TOWN OF CHAPEL HILL

February 18, 2004

Mr. Walter E. Ricks, III  
Attorney at Law  
Post Office Box 486  
Durham, North Carolina 27702

**Re: Airport Gardens Rehabilitation Bid Award**

Dear Mr. Ricks:

Thank you for your letter of February 6, 2004, raising concerns regarding the Town Council's awarding of a construction bid for rehabilitation work at our Airport Gardens Public Housing Neighborhood.

I have considered the issues raised by your letter, reviewed the action taken by the Council on January 28, 2004, and consulted with the Town Attorney. The Attorney and I are recommending to the Town Council that, on February 23, 2004, they modify their resolution of January 28, 2004, to delete that portion of their decision which could be construed as allowing future bid awards for other phases without going through the bidding process. As explained in our memorandum to the Town Council, a copy of which is attached, we believe, with that modification and clarification, the Council's action to award a bid to Carl Garris & Son, Inc., for the base bid and alternative 2 was proper. If in the future other phases of this rehabilitation work are let for bid, the appropriate steps under North Carolina law will be reinstated.

The Council is scheduled to consider this at its February 23, 2004, meeting, beginning at 7 p.m., at the Chapel Hill Town Hall, 306 N. Columbia St., Chapel Hill.

Thank you for bringing these concerns to my attention.

Sincerely,

W. Calvin Horton  
Town Manager

WCH/tcp  
Enclosure

cc: Mayor and Town Council