

Lakeview Commons future may fall to new council

By Jeremy Evans

The South Lake Tahoe City Council met in closed session Tuesday, a day after El Dorado County Superior Court Judge Steve Bailey ruled the city needs to start the bid process over for the Lakeview Commons project.

Nothing earth-shattering resulted from the meeting as the city is still mulling its options. One option is to appeal the judge's ruling. Another option, the more likely of the two, essentially restarts the bid process and opens it back up to all contractors.

Once the judge signs the written ruling – Monday's ruling was oral – the city would have 30 days to appeal the judge's decision. The written ruling should be received within the next week.



Lakeview
Commons is
still on hold.
Photo/Kathryn
Reed

“As far as I know, there was no decision about what the city is going to do with Lakeview Commons,” said Councilman Bill Crawford. “It was a closed session and I can’t talk openly

about what was discussed.”

If the city doesn't appeal the judge's ruling and waits the entire 30 days, it could be January before another bid is awarded. Once the 30-day appeal period has passed, it would take roughly 60 days for a new contractor to be awarded the bid – 30 days for the city to accept bids and then 30 days to review them before awarding a bid. That means the new City Council, which will be formed in November's election with three open seats available, will likely handle the future of Lakeview Commons.

“The judge ruled exactly like I had thought he would,” said Councilman Jerry Birdwell. “It wouldn't have been fair to make the city accept another bid. But the new council needs to be in charge of this as this council has had two failed attempts with this project. This council has had its chances.” (Birdwell will be leaving the council after the election.)

The city discovered last month it was operating under an invalid contract with Reeve Knight, the contractor that was awarded the bid on Aug. 3 and broke ground a day later. Clark & Sullivan, a competing firm that challenged the awarding of the \$4.5 million bid, brought the case to court after excavating had begun.

Judge Bailey issued an injunction on Aug. 30 that halted construction, and then ruled in mid-September that the contract was void and invalid. With Monday's ruling, it was assured there won't be any improvements to the El Dorado Beach area until next spring. Proper winterizing of the property will take place this month.

Bailey could have ruled the city had to award the bid to Clark & Sullivan, which believed the bid process was invalid. It was believed all along, however, that the judge would simply return the contractual mess back to the city, allowing it to start over and ensure the process be completed correctly.