

A memo may still be helpful, as it sounds like the Treasurer will have to grant a waiver of competitive bidding. Typically, he requests a copy of the appraisal, contract, and a cover memo from the city with a brief synopsis of the deal & associated approval being requested.

Hope this helps!

From: Vandegrift, Drew (TREASURY)
Sent: Friday, May 02, 2014 2:08 PM
To: Workman, Wayne (TREASURY); Byrne, Randall (Treasury)
Cc: Koryzno, Edward (Treasury); Dempkowski, Angela (Treasury); Gelisse, Ashley (TREASURY)
Subject: RE: City of Flint / Genesee County Drain Commissioner Transmission Main Agreement

I approached Ashley about the sufficiency of the F&O language. She took the matter to Fred, who determined that the mention in the Plan was enough. Ashley's and my correspondence is reproduced below for ease of review.

-DDV

Drew

I agree with everything you've outlined below. You're correct that if there was no competitive bidding process the Treasurer's approval would still be needed. I'm curious as to why it wasn't bid out somehow though ... maybe just too few buyers.

Anyhow, Fred and I spoke about this today and he agrees that the mention in the F&O plan, such as it is, is sufficient. After some discussion, we'd recommend a two-pronged approach going forward:

- Amend the PA 436 guidance document (the one I sent to you yesterday) to clarify that OFR expects to be kept up to date on projects mentioned in the F&O plan as they develop. This can be done via memo, meeting, or in the weekly calls that OFR has with the EMs. Absent such updates, OFR may still require separate approval under PA 436.
- If an EM is not willing to share information, or if they aren't as politically savvy as one may hope (to be clear, I don't think this is a problem with the current EMs, just thinking worst-case scenario), OFR may additionally require that the F&O plan be updated on a more regular basis to ensure that the necessary details are included therein.

I hope this is helpful. Thanks.

Ashley

From: Workman, Wayne (TREASURY)
Sent: Friday, May 02, 2014 2:02 PM
To: Byrne, Randall (Treasury)
Cc: Koryzno, Edward (Treasury); Dempkowski, Angela (Treasury); Vandegrift, Drew (TREASURY); Gelisse, Ashley (TREASURY)
Subject: Re: City of Flint / Genesee County Drain Commissioner Transmission Main Agreement

We should prepare a memo outlining what took place with mention of the appraisal. Given the vague reference to the sale in the F and O Plan, Should this be approved by the Governor?

Sent from my iPad

On May 2, 2014, at 1:30 PM, "Byrne, Randall (Treasury)" <ByrneR1@michigan.gov> wrote:

Wayne and Ed:

This is a copy of the proposed sale agreement for the Flint Waterline. The attorney, Mr. Chubb is proceeding to send this to the City Council for approval. Please let me know if you have any questions.

Thanks,
Randy,

From: Anthony Chubb [mailto:achubb@cityofflint.com]

Sent: Friday, May 02, 2014 1:24 PM

To: Byrne, Randall (Treasury)

Cc: Kevin K. Kilby

Subject: City of Flint / Genesee County Drain Commissioner Transmission Main Agreement

Mr. Byrne,

It was good to speak with you today. Per your request, attached please find the proposed sale agreement. Should you have any questions or concerns, please do not hesitate to contact Kevin or me about it.

--

Anthony Chubb
Deputy City Attorney
City of Flint
1101 S. Saginaw Street, 3rd Floor
Flint, MI 48502

(810) 237-2078

<Water Main Sale Agreement Submitted to Treasury May 2 2014.doc>