

From: [Keith Satisky](#)
To: [Rod Malone](#); [Jennifer Godwin](#); [Trish Crabtree](#); [Neal Ramee](#)
Subject: FW: Southern Pines Elementary
Date: Thursday, April 18, 2019 10:03:48 AM

Rod,

I am forwarding you an email from Robert Hall with Clancy & Theys Construction Co. (C&T) showing screen shots of phone calls to C&T from the project architect (Tom Hughes) on February 27, 2019 and March 4, 2019.

To recap, C&T's bid was submitted on Tuesday, February 26, 2019. The next day, February 27, 2019, C&T received two phone calls (one at 9:19 a.m. and one at 9:47 a.m.) and a letter from the project architect regarding the \$1.9M construction budget overage and his request that C&T begin value engineering immediately so they could go back to the school board the following week. C&T then scrambled the rest of that week to try to come up with ideas for reducing the project cost. On that Friday morning (March 1, 2019), C&T participated in a scheduled conference call with John Birath and the project architect to discuss areas where C&T would seek value engineering alternatives. C&T then continued working on value engineering over the weekend.

The following Monday morning (March 4, 2019) was when Ben Pruitt with C&T began creating a separate spreadsheet to use for cost comparison and noticed for the first time the deeply regrettable but unintentional math error on C&T's bid spreadsheet. Robert Hall with C&T then called the project architect within an hour or so after the discovery of the error, but he was not able to reach him and had to leave a voicemail. The project architect then returned C&T's call at 12:25 p.m., at which time C&T informed the project architect of the math error. The project architect said he needed to get John Birath with Moore County in the loop. The project architect called C&T again at 1:25 p.m. to say he had been trying to catch John Birath and will keep trying, as he was supposed to be meeting with the board within the next hour. The project architect then called C&T again at 1:40 p.m. with John Birath on the line, at which time C&T told both the architect and Mr. Birath that it would have to pull its bid because of the significant math error. The next morning, C&T followed up with its written bid withdrawal letter.

Thus, as you can see, C&T took action to inform the project architect and John Birath of the math error almost immediately after its discovery.

Let me know if you need more information or want to further discuss.

Keith A. Satisky, Esq.

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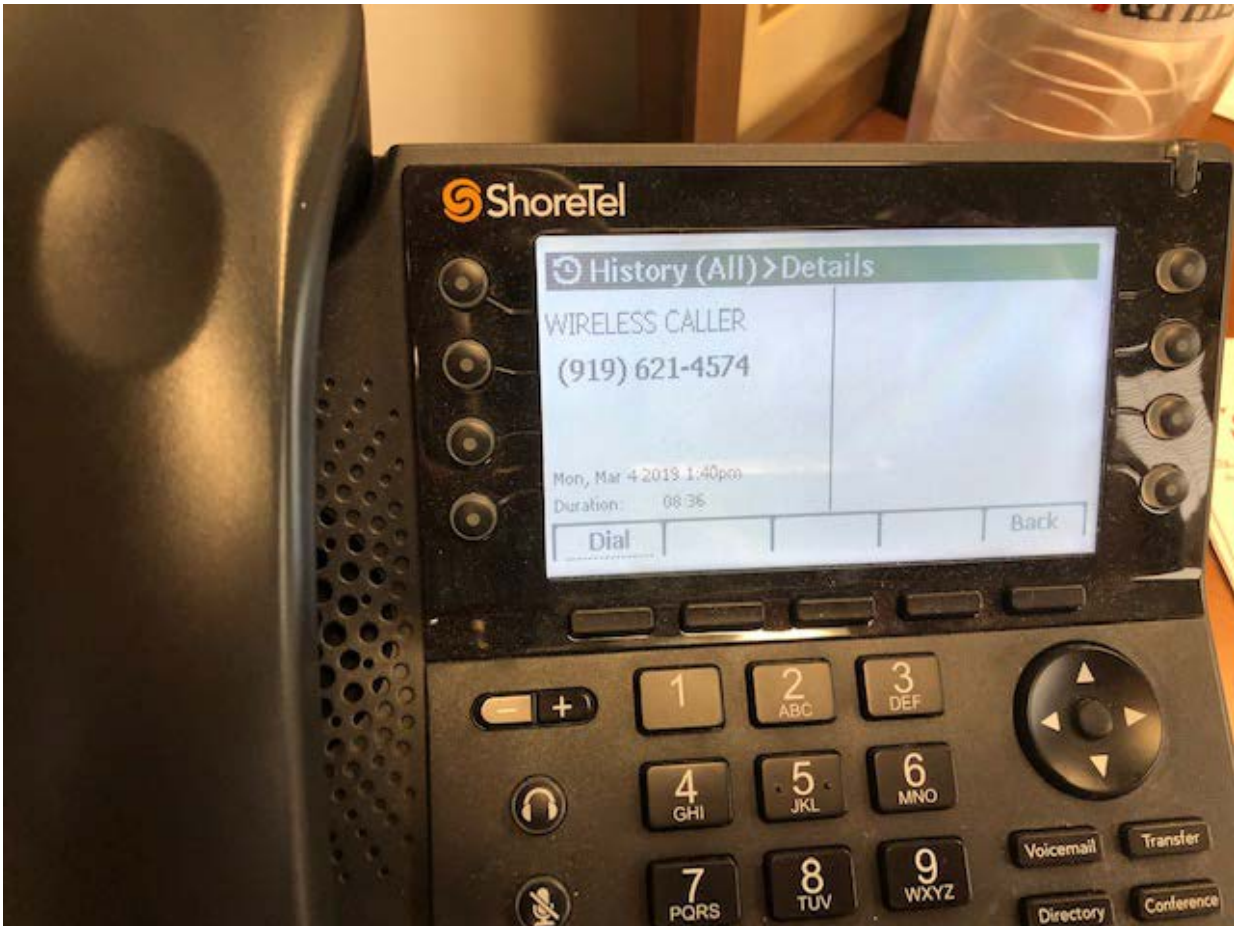
From: Robert Hall <roberthall@clancytheys.com>
Sent: Wednesday, April 17, 2019 5:44 PM
To: Keith Satsky <ksatsky@satskysilverstein.com>
Subject: Southern Pines Elementary

Keith,

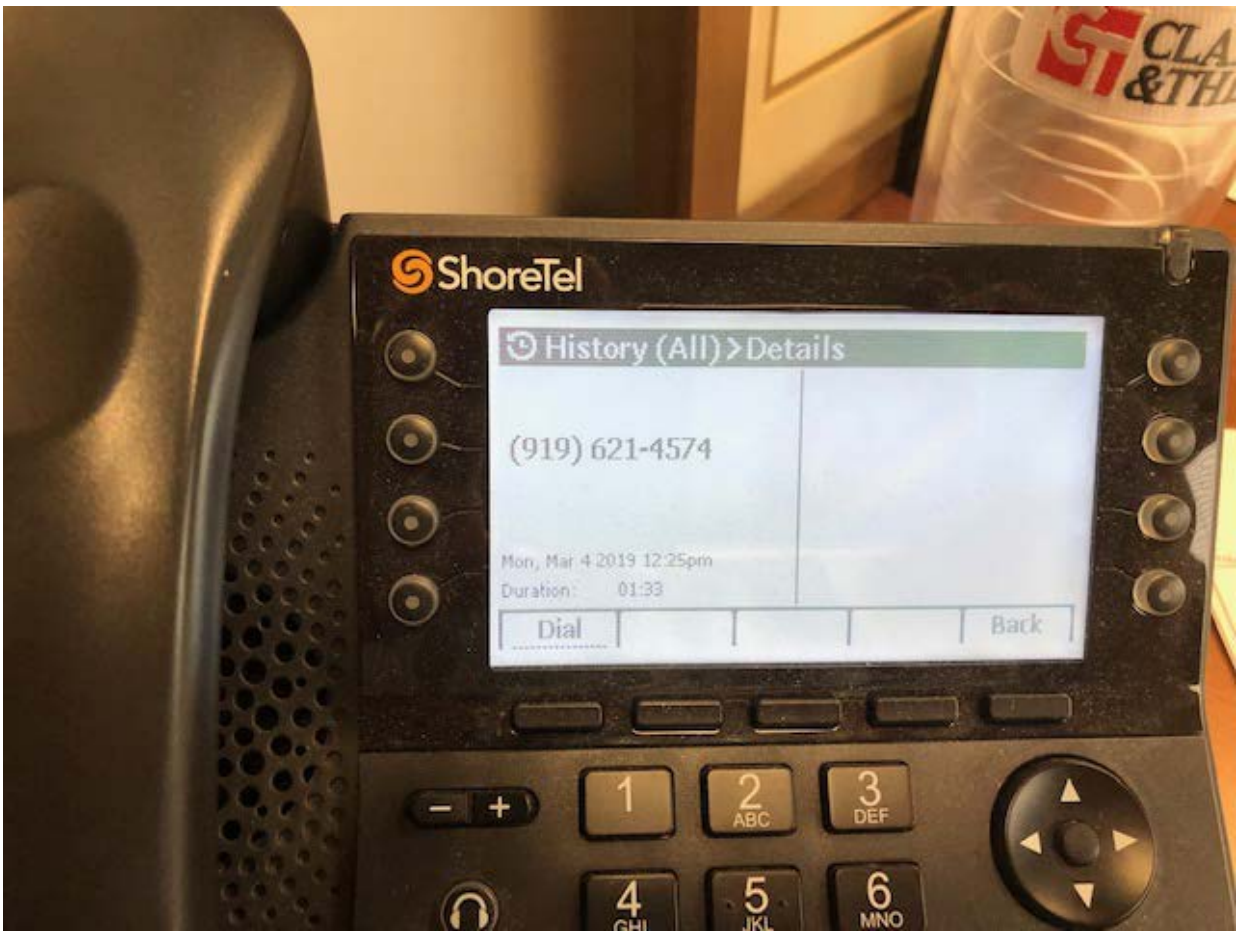
Here are shots of phone history from morning of 2-27 from Tom Hughes and then on 3-4 when we called and notified him of the error.

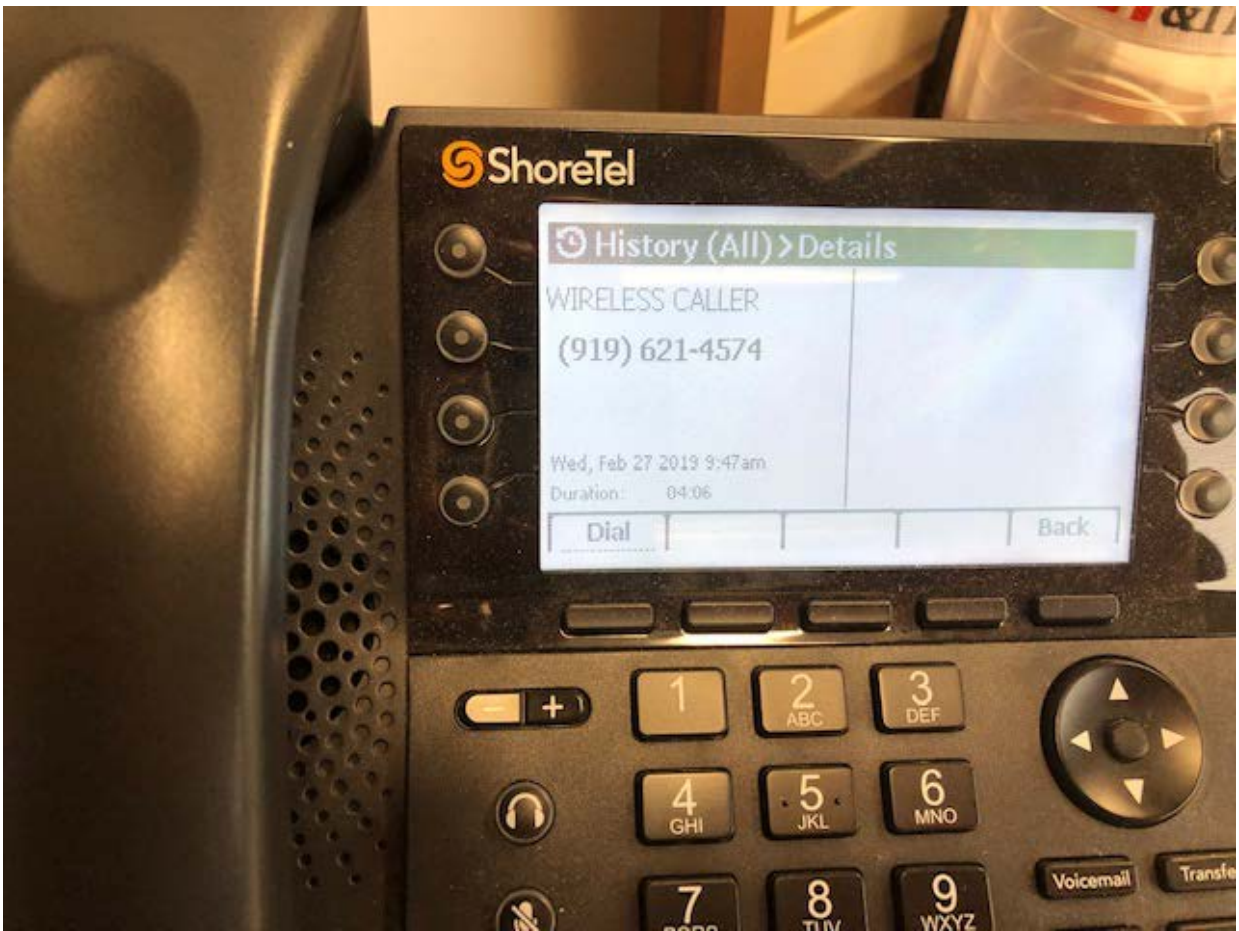
Call me with questions.

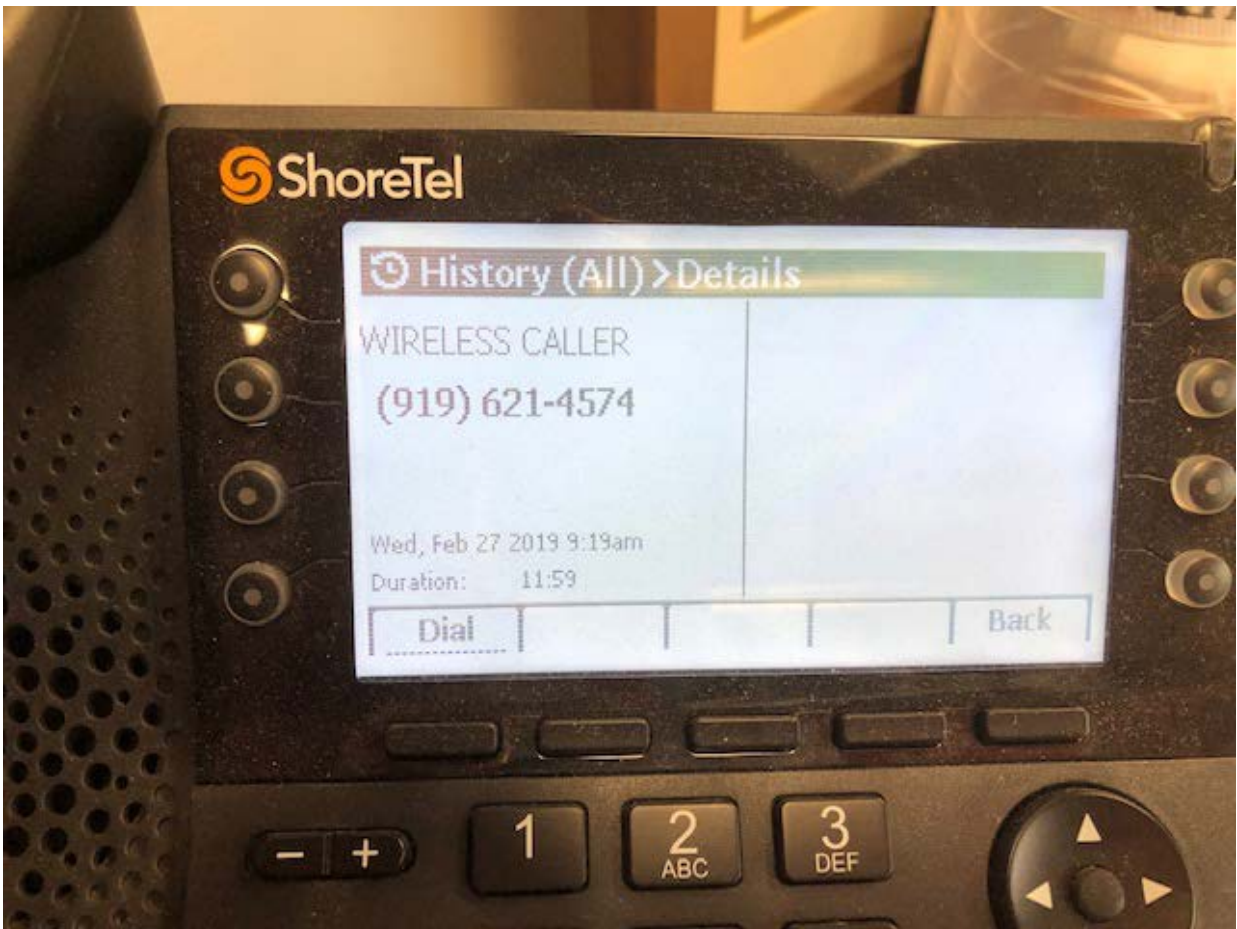
Thanks











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