



Jd Zumwalt Jr

April 12 at 7:32 PM

Response to the Board of Education Message

Well – Since the Pilot has chosen to print the Statement of the Moore County Board of Education – And have chosen to ignore what I have said – I will respond to it on Facebook. I don't have the Pilot to carry my message.

I will however be responding on the radio; in addition I urge you to pay attention to The Sandhills Sentinel for further updates on this issue. They continue to dig – And I encourage you to follow them. This is far from over.

Please keep in mind that the Board Chair, Helena Wallin-Miller called these charges unsubstantiated. Well, I'm sorry you missed it in your thorough investigation – But I am about to substantiate them now - again.

And by the way, I called this one completely. If you look back at my Facebook posts you will see that I predicted this response accurately. I said – Before the School Board Statement came out that they would say that the information they gave the Board of Commissioners that day was obtained in a phone call. I was exactly right. You can't disprove a phone conversation.

Let's dissect this thing. Helena Wallin-Miller states that the low bidder withdrew the bid because they had discovered a math error. She believes this – According to her statement – Because John Birath had been told so over the phone. (As I predicted he would say).

I wonder how they explain away the e-mail sent from Rod Malone, an attorney with Tharrington Smith, LLP. Mr. Malone states the following on MARCH 8 (Keep in mind this was several days AFTER John Birath and Bob Grimesey notified the commissioners there had been a math error.):

The attorney said, "...the school system does not believe the submitted information comes anywhere close to meeting the statutory standard."

He further states, "The school system does not believe that the two screenshots from an Excel Spreadsheet are 'objective evidence drawn from inspection of the original work papers, documents or materials used in the preparation of the bid sought to be withdrawn. The school system needs clear and convincing documentation from Clancy & Theys that meets the statutory requirement if we are going to find an amicable resolution of this matter."

He goes on to request a meeting. He further says, "This meeting is not intended to be the hearing contemplated by the statute because the school system does not believe the bid can be withdrawn."

So let me ask you a question. Why would Birath and Grimesey – On March 5th - Tell the Commissioners a math error had occurred when on March 8th the schools attorney states that "The school system does not believe the submitted information comes anywhere close to meeting the statutory standard"?

Further – The low bidder told us in a letter their reason for withdrawing. They stated the reason very clearly – In an e-mail that John Birath acknowledged receiving on March 5th. They low bidder, (Clancy and Theys) wrote they were withdrawing their bid because:

"we received an email and letter from Thomas W. Hughes, AIA with sfl+a Architects stating that our bid was in excess of the funds available for the project, and, as such, the school board would be unable to award the contract to Clancy & Theys at the bid price."

They further stated, "Unfortunately, Clancey & Theys is not going to be able to perform the work at the reduced price. Accordingly, pursuant to N.C.C.S. 143-129 (b), (i) Clancy & Theys' bid is deemed null and void, and is hereby, withdrawn, and (ii) the school board is authorized to readvertise for bids after it makes such changes in plans and specifications as may be necessary to bring the cost of the project within the funds available therefor."

Read it again. Where do you see anything about an error in arithmetic? So why would Birath and Grimesey tell the commissioners such a thing? Well – Remember the phone calls I predicted? The school board bought it. I don't. What do you go with ladies and gentlemen? A phone call no one heard – Or documented evidence of what happened?

The statement of the School Board goes on to address the question I raised about the loss of the bid bond. Helen Wallin-Miller wrote, “the forfeiture of the bond of this nature is not an easy, automatic process. Given the dollar amount, it is highly unlikely that the bond would be paid without protracted and expensive litigation.”

So THAT is your answer? They may not want to pay and we may have to sue? Well then – Sue them. Will the law suit cost more than the million and a half they might owe?

Why even require a bid bond?

How do you tell a company that their bid was outside the budget you have – And then take the NEXT highest bidder?

There is still the matter of Grimesey asking for 2.8 million dollars. That was NOT the difference between the two bids. But – What the heck – Just ask for more. Why not – You just about always get it.

I have been vocal in criticizing the Board of Education for not supervising Grimesey. I remain even more convinced.

Remember – During this ENTIRE process – The first the school board knew about Grimesey's plan was when Grimesey called the chair person while he was ON THE WAY TO BRIEF THE COMMISSIONERS. Are we to believe, that even though Grimesey and Birath state that they had the information the day before – They did not have time to notify their bosses?

Did they go home the night before? Did they eat? Did they sleep? They got up the next day and went to work. They have a staff. How hard would it have been to get them on the phone and notify them? I don't believe it is entirely his fault because I believe he is used to running the show and being rubber stamped after the fact.

Helena Wallin-Miller made it a point to let us know how many times the superintendent was complimented by Board members. What? I maintain he should be fired.

Helena Wallin-Miller, you stated want to put the “rumors and innuendo to rest.” That sounds magnanimous. That is so sweet of you; except I don't see any rumors. I have reported facts. Facts matter. And respectfully – I am not exactly a guy who makes innuendos. I am pretty straight forward. I predicted your response with 100% accuracy. I was a little relieved when I read it.

Folks, this is a done deal as far as the board of education is concerned. I imagine the county commissioners will soon issue a statement saying they have great trust in the school board and would like to congratulate them on conducting such a speedy investigation. They will state that they stand by them and continue to have faith in the superintendent. Let's see if I'm right.

I normally do not believe in announcing future actions. I'm going to make an exception in this case. It is not over. If you – The School Board – Will not accept responsibility for what has happened, YOU MUST BE REPLACED.

There is NO excuse for this. It is blatant and your response was weak.

How can we continue like this? We need a responsible body that knows how to manage. I like all but one of the school board members and take no joy in this.

The Board will no doubt blow me off as just some guy on the radio. I understand.

Right is right. When in the heck did we lose that concept?

I would love nothing more than for you to illustrate from this point forward that you get the message – And that you will not continue to blindly follow Birath and Grimesey the way you did when you accepted his phone call – And you continue to believe that was OK.

Finally – All documents I referred to will be posted on the WEEB web site no later than Monday evening so you can read them for yourselves. There are about 140 or so pages and the folks who run the web page are off for the weekend – But they'll be there for you to check my facts.

I have no idea how you can listen to the phone calls.

