

# The Virgin Islands Consortium

## Court Rules To Keep deChabert Demolition Bid Winner

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The demolition of the dilapidated Ralph deChabert Housing Community on St. Croix will move forward with the winning bidder despite recent court action taken by a losing bidder to stop the demolition.

V.I. Superior Court Judge Douglas Brady made the ruling last Friday.

During a V.I. Housing Authority (VIHA) board meeting on Wednesday, board attorney Adriane J. Dudley said that Marco St. Croix had challenged the contract \$4.6 million award given to RG Engineering. About two weeks ago, Marco St. Croix filed a request for preliminary injunctive relief and a stay that sought to prevent RG Engineering from moving forward with the work.

In his ruling, Brady said he had "systematically disposed of" each argument raised by Marco St. Croix. Furthermore, Dudley said the judge ruled that while VIHA was a local entity, it does not fall under the supervision of the U.S. Small Business Administration, which, she said, would have made it difficult to award bids in the future, had Brady's decision been in favor of Marco St. Croix.

"Emergency funding that was approved for the project, had it not been spent by the deadline imposed, could have been lost, and the court found that it was an emergency, finding that granting the injunction would cause irreparable damage to the Housing Authority," the attorney explained.

The VIHA board approved the site for demolition almost two years ago, in June 2013. Last June, V.I. Housing Authority Executive Director Robert Graham said funding for the project had been awarded by the U.S. Department of Housing and Urban Development. HUD's funding was to be obligated within a year and fully spent within two years, something Graham said the authority would not have trouble in fulfilling.

A resolution for architectural and engineering services that would help prepare the site for demolition was approved by the board in December, with the contract for the demolition being awarded to RG Engineering.

Housing officials say they received seven bids for the project, ranging from \$4.4 million to close to \$8 million. The work will include the demolition of 45 residential units, one community building, a water tower and all other structures on the site.

The authority was awarded a \$4.2 million in federal emergency capital grant funds for the demolition, and will secure the remaining \$366,255 from a fiscal year 2014 capital fund grant award. Demolition was chosen over rebuilding the housing community, which has been vacant for close to 12 years, because it would have cost the authority more than \$64 million to build the development back up to meet federal standards, housing officials say.

Buildings on the site have continued to deteriorate over the years, with increasing instances of illegal dumping, drug- and gang-related activity, and children using the land as a playground, Graham said.

Now that the project will move forward with RG Engineering, a schedule to begin the work is expected to be presented to the contractor by the board's next meeting in February, pending the approval of major Coastal Zone Management and storm water prevention plan permits, Graham added.

