

City to settle suit with company

By **Sylvia Cooper** | Staff Writer
Wednesday, October 17, 2007

Augusta commissioners voted to settle a reverse discrimination lawsuit with Thompson Building Wrecking Co. and three other local contractors Tuesday for \$174,000.

Commissioners Jerry Brigham, Jimmy Smith, Joe Bowles, Don Grantham, Andy Cheek and Mayor Pro Tem Betty Beard voted for the settlement; Commissioners J.R. Hatney, Bernard Harper and Calvin Holland voted against it; and Commissioner Marion Williams was out of the room.

Mr. Hatney objected to the settlement.

"Why are we giving this guy any money?" he asked.

Hiram Thompson sued the city last year when city officials used the company's technical violation of the bidding process to reject one of his bids. He later expanded his complaint to include the city's minority business program, which U.S. District Judge B. Avant Edenfield shut down by issuing an order preventing the city from using race as a preference factor in awarding bids and contracts.

Thompson Building was eliminated from the competition to tear down an old candy factory on Telfair Street to make way for a new public library, although its bid was \$260,000 less than the bid that was awarded to a minority-owned company, J&B Construction of Atlanta.

Mr. Thompson's amended complaint alleged that nonminority contractors have been discriminated against because the city's procurement policies put them at a competitive disadvantage.

Mr. Thompson alleged that the city enacted an unconstitutional Disadvantaged Business Enterprise Program ordinance. The lawsuit further contended that the city has awarded contracts to non-Augusta businesses over city-owned companies. It alleged that more than half the companies on the city's Disadvantaged Business Enterprise list are not Augusta businesses.

The settlement includes attorney's fees for Mr. Thompson's lawyer, Robert Mullins.

From the Wednesday, October 17, 2007 edition of the Augusta Chronicle