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Pinnacle's restroom work gets new start

by [Jordan Gass-Pooré](#) | June 18, 2015 at 3:17 a.m.

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Roofers with CWR Contractors work on a restroom facility at Pinnacle Mountain State Park on Wednesday. Construction had been halted for months because of issues with a previous contractor. - Photo by Melissa Gerrits

A North Little Rock construction company started work Wednesday on new restrooms at Pinnacle Mountain State Park that have been plagued by problems and contract woes for more than a year.

CWR Construction has 90 days to repair damage caused by former subcontractors and complete the project that another contractor was supposed to finish last July.

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Since work began in March 2014, seven portable toilets were set up to serve the park's more than half-a-million yearly visitors.

North Little Rock-based TEAM General Contracting and its owner Jeremy Thompson collected \$417,427.80 of the original \$520,000 bid to build the new restrooms, according to information provided by State Parks Director Greg Butts.

TEAM General Contracting's contract was terminated Jan. 12 after Butts said it became obvious that no company employees had been working at the site for some time.

Thompson couldn't be reached for comment, after multiple calls and emails to his work contacts and a visit to his home and to the TEAM General Contracting office, which had a for-sale sign in front. The company's storefront was put on the market for \$280,000 a few months ago, said Scott Cook, a real estate agent.

Both Butts and Greg Crow, the Arkansas Contractors Licensing Board administrator, said their organizations also have not been able to reach Thompson recently.

Philadelphia Indemnity Insurance chose CWR Construction to replace TEAM General Contracting on the restroom project.

Crow said the insurance company entered into an indemnity agreement with TEAM General Contracting and issued a number of surety bonds for its construction projects around the state. Because the contractor's bonds defaulted, it was up to the insurance company to choose a replacement.

The insurance company won more than \$1.6 million in a default judgment March 10 against TEAM General Contracting in federal court in Little Rock.

Bill Procopio, Philadelphia Indemnity Insurance's communications manager, declined to comment on the matter.

The state has paid the contract's remaining \$107,879.50 balance to Philadelphia Indemnity Insurance to cover the costs of the project, which will replace the mid-1970s sewage system, double the restroom stalls and add two storage units and a vending machine.

Butts said the previous restrooms were demolished because they didn't meet state and federal codes.

Randy Roberson, state parks planning and development manager, said if the restroom costs exceed this amount, then the department will be in the red.

The work already done will require some repairs, Roberson said. The previous subcontractor "did a horrible job" on the metal roof. Some small concrete blocks and the septic tank's manhole access also need to be replaced.

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Since construction began, the state has paid more than \$9,000 to rent portable toilets, Butts said. The seven blue and pink toilets have been at the park since March 2014, when TEAM General Contracting began work, he said.

Visitors to Pinnacle Mountain, the third most visited out of the 52 state parks, have complained about the number and condition of the portable toilets, Butts said.

He said 46 out of the 52 parks have restrooms. The camping parks have bathhouses that include showers, toilets and sinks. The six nonstaffed historic monument state parks don't have restrooms or portable toilets, with the exception of the Louisiana Purchase Historic State Park, which has a portable toilet, Butts said.

Some of the funding for the Pinnacle Mountain restrooms comes from part of the Arkansas one-eighth percent conservation sales tax. The state's Department of Parks and Tourism receives 45 percent of funding from the tax.

Butts said TEAM General Contracting received the contract because it was the lowest bidder. He said the Arkansas Building Authority, which handles bids for state projects, typically goes with the "lowest qualified bid."

CWR Construction's bid to Philadelphia Indemnity Insurance was \$336,677 to correct defective work and complete the restrooms, Roberson said.

Requirements to bid on a state project include having a license and bid, payment and performance bonds.

TEAM General Contracting received its license June 12, 2009. The Arkansas Contractors Licensing Board revoked its license Oct. 24, 2014, after a number of complaints.

The state licensing board received two minor complaints from project owners on Oct. 1, 2013, and Jan. 2, 2014, against TEAM General Contracting for delays. Crow said there were no complaints from general contractors.

The company received a "slap on the wrist" after a March 14, 2014, appearance before the seven member, governor-appointed board for using unlicensed contractors, Crow said.

Then, 11 complaints were filed against the company between late August and September 2014, most from subcontractors and suppliers who didn't receive payment for work completed on a school safe room in Dierks, Crow said. That project cost more than \$292,000.

"I assume that's probably paid out," Crow said of the Dierks project.

Two lawsuits filed in 2014 also exacerbated the contractor's problems.

C&F Steel Erectors filed suit on Sept. 19, in Pulaski County Circuit Court for \$20,419 worth of unpaid labor on the Pinnacle Mountain restrooms.

Lacey Kee Badders, the plaintiff's attorney, said Philadelphia Indemnity Insurance paid C&F Steel Erectors.

Michele and Wayne Hardy have a Pulaski County District Court lawsuit that began Dec. 23 against Thompson for \$22,096.53, plus interest. The couple had hired TEAM General Contracting on Aug. 6 to build their home, according to court documents.

The couple attempted to break the contract when they found out about the number of complaints filed with the licensing board, the report said.

Crow said TEAM General Contracting could apply to renew its license at any time.

"Almost always when a business fails it's because of the business side of things, not construction knowledge," Crow said.

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