Taxpayers, city have received $1.3 million in services, supplies from pool contractor

By EARL WATT • Daily Leader

While the City of Liberal has filed a lawsuit against Waterpark Experts for failing to fulfill its obligations in completing the pool, the local taxpayers have yet to lose any money on the project according to Liberal City Manager Mark Hall.

The Southwest Times, an Alabama-owned three-days-per-week periodical printed in Liberal, reported that the “taxpayers were out $1.3 million.”

“Contrary to what has been asserted in the Southwest Times, the taxpayers are not out $1.3 million,” Hall said in a release.

The complete cost of the waterpark project was $2.26 million. When WPE breached its obligation, the City of Liberal filed suit to recoup the entire amount of the project even though about half of the work had been completed. Payments totalling $1.3 million were made to WPE only after certain portions of the job were completed, according to Hall. When the project failed to progress, payments were not made.

The city took the responsibility to finish the project on time and on budget when WPE breached its contractual duties.

The city did not make public the immediate filing of the case because WPE had yet to be served.

“The city, acting upon the advice of counsel, did not publicly comment that litigation had been filed because the City did not want to provide advance notice to WPE until service had been

made in Texas," Hall said.

The Times could not contact Hall because he was working in Topeka on behalf of the city, and city attorney Shirla McQueen was also out of town for family medical reasons.

Despite having no contact with the city manager, the Times released its story, inaccurately conveying that taxpayers in the community had taken a $1.3 million hit, according to Hall. He confirmed that the city had paid $1.3 million to WPE, and it had received services worth

$1.3 million.

The city has taken possession of the add-on items including slides, water sprayers, boats and more which were paid for by the city to WPE.

The waterpark is scheduled to be opened in May, and as long as no severe weather hinders the schedule, the project is expected to be ready on time.

EDITOR'S NOTE — The Daily Leader accurately reported the city's case filing in the Thursday, Dec. 18, edition. To receive accurate information on city, county, school district and other area happenings, watch future daily editions of the Daily Leader. The owners of the Times may be reached in Gadsden, Ala., at (256) 543-3417.