The City of Mount Holly City Council
will hold a Special Meeting on
Friday, April 17, 2020 at 9:00 a.m.
The meeting will be held in the
Council Chambers
400 East Central Avenue
Mount Holly, NC 28120

Due to COVID-19 restrictions on public gatherings, the City strongly encourages people to watch this meeting on the live stream:
https://boxcast.tv/view/city-council-special-meeting-3-30-20-748874

1. Call to Order
2. Invocation
3. Set the Agenda
4. **Consent Agenda**
   - Approval of a Bond Reduction for River Park Phase 5
   - Recognize grant revenue received from the State of North Carolina, Department of Public Safety on behalf of the Governor's Crime Commission for the purchase of Surface Pro's
   - Approval of a Budget amendment for the WWTP digestive valve
   - Approval of part-time position for Utility Meter Reader within the Enterprise Fund
5. Closed Session Pursuant to N.C.G.S 143-318.11 (a)(3 and 5)
6. Public Hearing for the Small Business Emergency Loan Program — *Marie Anders*
7. Consideration and Approval of the Low Bid for the Old Hickory Grove Road Waterline Project, Budget Amendment and Capital Project Ordinance — *Jonathan Wilson*
8. Consideration and Approval of the Low Bid for the Tuckaseege Park Storage Building Project — *Jonathan Wilson*
9. Consideration and Approval of the Low Bid for the River Park Patching Project — *Jonathan Wilson*
10. Consideration and Approval of the Low Bid for the Dutchman's Creek Greenway Project — *Jonathan Wilson*
11. Consideration to approve a request of Annexation for Jonas Property — *Kemp Michael*
12. Closed Session Pursuant to N.C.G.S 143-318.11 (a)(3 and 5)
13. Discussion and possible action regarding Sale of the City Cemetery — *Kemp Michael*
14. Adjourn

To sign up to speak at the Public Hearing or for additional information please contact the City Clerk, Amy Miller at 704-951-3016 or by email at amy.miller@mtholly.us.

CONSENT AGENDA

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	April 8, 2020
From:	David E. Johnson, PE	**Meeting Date:**	April 17, 2020

Agenda Item to be considered:

Reduction of the Performance Bond posted for River Park Phase 5 in accordance with the Subdivision and Land Development Guidelines. .

Will this require a public hearing? ☐ **YES** ☒ **NO**

Background/Purpose of Request :

Phase 5 letter of credit of $333,133.80 was posted by HDP River Park, LLC. This phase of River Park has over 80% of the lots built upon and the developer has also completed the water, sewer, drainage and road facilities in accordance with the approved construction plans. HDP River Park, LLC is asking for a reduction to 30% of the total amount at this time in accordance with the Subdivision Ordinance.

If approved, the LOC amount required will be $99,940.14

Fiscal Impact:

Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☐ YES	☒ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☐ NO	☒ N/A
Budget Transfer required	☐ YES	☐ NO	☒ N/A
Total City Dollars:	***$***		
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation: *Recommend reduction of the Performance Bond as requested by HDP River Park, LLC.*

Result of City Council Decision:

Attachments: Developer request, Site Inspector approval memo,Financial Estimate and Developers Subdivision Agreement

PERFORMANCE BOND
Bond No. LICX1184223

KNOW ALL MEN BY THESE PRESENTS, that we, HDP River Park, LLC, a Delaware Limited Liability Company, as Principal, and Lexon Insurance Company, licensed to do business in the State of North Carolina, as Surety, are held and firmly bound unto City of Mount Holly (Obligee), in the penal sum of Three Hundred Thirty Three Thousand One Hundred Thirty Three and 80/100 Dollars ($333,133.80), lawful money of the United States of America, for the payment of which sum, well and truly to be made, the Principals and Surety do bind themselves, their heirs, executors, administrators, and successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the above bounden Principals has entered into a certain written Contract with the above named Obligee, effective the _____ day of ____________ ____________, 2019 and terminating the _________ day of ______________, 2021, for River Park Subdivision Phase 5, Lots 6-20, 43-56, and more fully described in said Contract, a copy of which is attached, which Agreement is made a part hereof and incorporated herein by reference, except that nothing said therein shall alter, enlarge, expand or otherwise modify the term of the bond as set out below.

NOW, THEREFORE, if Principals, their executors, administrators, successors and assigns shall promptly and faithfully perform the Contract, according to the terms, stipulations or conditions thereof, then this obligation shall become null and void, otherwise to remain in full force and effect. In the event that the Principals have failed to promptly and faithfully perform the Contract, the Surety shall, at its option, either perform the Contract in accordance with its terms and conditions or pay to the Obligee the amount of the bond penalty, or such amount that is necessary to cure such failure to perform. This bond is executed by the Surety and accepted by the Obligee subject to the following express condition:

Notwithstanding the provisions of the Contract, the term of this bond shall apply from 24th day of September, 2019, until 24th day of September, 2021, and will be extended by the Surety by Continuation Certificate annually, until such time as the work has been completed and accepted by the Obligee. However, neither nonrenewal by the Surety, nor the failure or inability of the Principals to file a replacement bond in the event of nonrenewal, shall itself constitute a loss to the obligee recoverable under this bond or any renewal or continuation thereof. The liability of the Surety under this bond and all continuation certificates issued in connection therewith shall not be cumulative and shall in no event exceed the amount as set forth in this bond or in any additions, riders, or endorsements properly issued by the Surety as supplements thereto.

Sealed with our seals and dated this 24th day of September, 2019.

HDP River Park, LLC
(PRINCIPAL)

_______________________ Witness

_______________________ Title

Lexon Insurance Company
(SURETY)

Kelly A. Gardner

Witness Kelly A. Gardner

Stephen T. Kazmer

Stephen T. Kazmer, Attorney-In-Fact Title

POWER OF ATTORNEY

LX- 1079

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its statutory home office in Austin, Texas, does hereby constitute and appoint: James I. Moore, Stephen T. Kazmer, Dawn L. Morgan, Kelly A. Gardner, Elaine Marcus, Jennifer J. McComb, Melissa Schmidt, Tariese M. Pisciotto, Diane Rubright, Amy Wickett its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed $15,000,000.00, Fifteen Million Dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 22nd day of June, 2018.

LEXON INSURANCE COMPANY

LEXON INSURANCE COMPANY CORPORATE SEAL MARCH 16, 1984 STATE OF TEXAS

BY ______________________
Brian Beggs
President

ACKNOWLEDGEMENT

On this 22nd day of June, 2018, before me, personally came Brian Beggs to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

AMY TAYLOR STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 5-9-2023

BY Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 24th Day of September, 2019.

LEXON INSURANCE COMPANY CORPORATE SEAL MARCH 16, 1984 STATE OF TEXAS

BY ______________________
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

State of Illinois}
} ss.
County of DuPage }

On September 24, 2019, before me, Alexandra Sartori, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Stephen T. Kazmer known to me to be Attorney-in-Fact of Lexon Insurance Company the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument in behalf of the said corporation, and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires July 5, 2020

OFFICIAL SEAL
ALEXANDRA SARTORI
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires Jul 5, 2020

Alexandra Sartori

Alexandra Sartori, Notary Public

Commission No. 840142

MOUNT HOLLY

David Johnson <david.johnson@mtholly.us

·wd: River Park Phase 5 Subdivision Agreement

messages

·erek Dixon <derek.dixon@mtholly.us>
ɔ: David Johnson <david.johnson@mtholly.us>

Thu, Mar 19, 2020 at 2:50 PI

Dave,
See attached Memo for recommendation to reduce the River Park Phase 5 bond and the subdivision agreement for Phase 5. Below is an email from Ron Willing requesting the reduction of the bond.

---------- Forwarded message ---------
From: **Ron Willing** <rwilling@smithdouglas.com>
Date: Mon, Mar 16, 2020 at 3:57 PM
Subject: River Park Phase 5 Subdivision Agreement
To: Derek.dixon@mtholly.us <Derek.dixon@mtholly.us>

Derek,

Attached is the River Park Phase 5 Subdivision Agreement. Since the work has all been completed, I would like to reduce the bond. Please let me know if you need anything else.

Thank you very much!

Ron Willing

Land Development Manager

rwilling@smithdouglas.com

C:704.808.1132

Mailing Address: PO Box 311 Midland, NC 28107

Physical Address: 4297B NC Highway 24/27, Midland, NC 28107

SMITH DOUGLAS HOMES

QUALITY | INTEGRITY | VALUE

MOUNT HOLLY
Connecting Community & Nature

MEMO

TO: David E. Johnson P.E.

FROM: Derek J Dixon

DATE: 3/19/20

RE: River Park Phase 5

David,

Smith Douglas Homes has requested a reduction of their financial guarantee for Phase 5 of River Park. 100% of the lots in Phase 5 have been improved upon and home building is underway. Water, sewer, drainage, and roadway items have been constructed per plan and Mount Holly specifications. I approve of a 70% reduction of the bond amount of $333,133.80 to $99,940.14.

Derek J Dixon

Site Inspector

EXHIBIT A

Jun-19

MOUNT HOLLY

Financial Estimate Requirements for Developers

Development: **River Park Subdivision**

Date: 07/02/2019 Phase: 5 Map: Lots encompassed: 6-20, 43-56

Item	Plan Quantity	Unit	Unit Cost	Bonded Quantity	Item Cost
Streets and Sidewalk					
7.0" ABC Base Course	3063	SY	$15.00	3063	$45,945.00
2.0" IM Course	2575	SY	$14.00	2575	$36,050.00
Milling IM Course	2575	SY	$5.00	257.5	$1,287.50
1.5" Surface Course	2575	SY	$12.00	2575	$30,900.00
2.0' Valley Gutter	2165	LF	$27.00	2165	$58,455.00
5.0' Sidewalk	2146	LF	$25.00	2146	$53,650.00
Street Signs	1	EA	$500.00	1	$500.00
Barricades	1	EA	$1,000.00	1	$1,000.00
Handicap ramp	4	EA	$600.00	4	$2,400.00
Drainage/Storm					
Structure Repair	1	EA	$2,500.00	1	$2,500.00
System clean out	1	EA	$1,500	1	$1,500.00
Water					
Test & Chlorinate	1	EA	$750.00	1	$750.00
Tap to Test	1	EA	$100.00	1	$100.00
Water Repairs	1207	LF	$100.00	120.7	$12,070.00
Sewer					
Air Test	1	EA	$500.00	1	$500.00
Mandrel Test	1	EA	$500.00	1	$500.00
Manhole adjust	5	EA	$750.00	5	$3,750.00
Repairs	1047	LF	$100.00	104.7	$10,470.00
Erosion Control					
Rip Rap	72	Ton	$75.00	72	$5,400.00
Removal of ERSC	1	EA	$5,000.00	1	$5,000.00
Seeding & Fertilization	13024	SY	$3.75	1302.4	$4,884.00
Miscellaneous					
				Total Cost of Items	$277,611.50
				120% Financial Guarantee	$333,133.80

Instructions: Fill in the plan quantity column using respective units. The sheet will autofill amounts required.

Note: The undersigned Engineer certifies to the City of Mount Holly that the Estimate attached hereto and dated 7/16/2019 (Date), has been given under seal has been prepared by the undersigned in accordance with generally accepted engineering standards, but the undersigned does not guarantee such costs.

NORTH CAROLINA PROFESSIONAL SEAL 24626 ENGINEER JAMES R. BAYSINGER 7-16-19

NORTH CAROLINA
GASTON COUNTY

RIVERPARK SUBDIVISION AGREEMENT
PHASE 5
LOTS 6-20 & 43-56

2020 THIS CONTRACT made and entered into this 16th day of March, ~~2019~~; by and among HDP RIVER PARK, LLC, a Delaware limited liability company, hereinafter referred to as "Developer;" and CITY OF MOUNT HOLLY, a North Carolina municipal corporation, hereinafter referred to as "City;"

WITNESSETH:

WHEREAS, Developer has petitioned the City for approval of its final plats for a portion of a subdivision in Riverbend Township, Gaston County, North Carolina, known as RIVERPARK, said portion being Phase 5, consisting of Lots 6-20, and 43-56, prepared by James Timothy Thomas, P.L.S., dated June 28, 2019, and;.

WHEREAS, Developer has submitted Plans to install certain infrastructure that is not yet completed, hereinafter referred to as Improvements, as required by the City Subdivision Ordinance and as itemized as set forth in the estimate prepared by James R. Baysinger, II, PE, sealed and dated July 16, 2019, and attached hereto as Exhibit "A" and incorporated herein by reference; and,

WHEREAS, Developer has requested, pursuant to the City Subdivision Ordinance, to be permitted to enter into an agreement with the City for completion of the required Improvements and otherwise comply with all the requirements of the Subdivision Ordinance and to provide the City a Performance Bond, satisfactory to City, guaranteeing the timely performance of this Agreement and that all required Improvements shall be made in compliance with the Ordinance; and,

WHEREAS, the Plans have been reviewed by the City and have been found to be in compliance with the City Subdivision Ordinance and approval of the final plat would be in order upon the execution of this Agreement and the posting of a Performance Bond payable to the City by a surety acceptable to the City in an amount of 1.2 times the cost of installing said Improvements; and,

WHEREAS, Developer has agreed to dedicate all streets, sidewalks, and other Improvements to City at such time as the same are acceptable in accordance with the City Subdivision Ordinance; and,

NOW, THEREFORE, Developer contracts and agrees with the City of Mount Holly, its successors and/or assigns as follows:

1. Developer shall provide City with a renewable Performance Bond effective for a term of two years from the date of this Agreement, in a form acceptable to City, in the amount of

$333,133.80, which represents 120% of the estimated cost to complete the required Improvements, as set forth in the Exhibit "A."

2. All construction and installation of Improvements required under this Agreement shall be certified to City by Developer's engineer as complete in accordance with the approved Plans and specifications and approved by City not later than sixty (60) days prior to the expiration date of the term of the Performance Bond set forth herein ("Completion Date"). Developer will provide "as built" drawings to the City.

3. If Developer foresees the need to request an extension to the Completion Date, then such request for an extension shall be in writing to the Planning Director at least thirty (30) days prior to the Completion Date, which date is also ninety (90) days prior to the expiration of the term of the Performance Bond. City shall allow such requests for extension for good cause shown, provided Developer has made reasonable progress and/or demonstrated due diligence. Such request shall also be allowed due to delays beyond Developer's reasonable control. Any request for extensions of time shall require a Continuation Certificate on the Performance Bond which shall be effective prior to the expiration date of the term of the Performance Bond and shall be received by City at least sixty (60) days prior to the expiration of the term of the Performance Bond in such an amount as required by City.

4. That Developer shall maintain all roads within the subdivision until accepted by the City. Upon such acceptance, the roads shall be deemed dedicated to the City and shall thereafter be maintained by City subject to the warranty set forth in Paragraph 7 below.

5. That Developer agrees to maintain all waterlines, sewer lines, hydrants, and connections until accepted by the City. Following acceptance of the waterlines, sewer lines, hydrants, and connections, together with the necessary elements thereto, title to the same shall vest in the City of Mount Holly and shall thereafter be maintained by City subject to the warranty set forth in Paragraph 7 below.

6. That Developer agrees to maintain all other Improvements until accepted by the City. Upon final acceptance by the City of the Improvements, Applicant shall be deemed to have dedicated all Improvements to the City, and thereafter City shall own and maintain the same in accordance with City policies, subject to the warranty set forth in Paragraph 7 below.

7. Developer warrants all construction and installation of Improvements required under this Agreement to be free of defects in materials and workmanship for a period of one year from acceptance by the City.

8. That Developer agrees to indemnify the City from any costs, liability, demands of any kind, sort or nature for the construction, installation, and completion of the above recited Improvements.

9. That Developer warrants that it is entering into this Agreement as the owner of RIVERPARK as above recited and that is has the legal right to enter into this Agreement.

IN WITNESS WHEREOF, Developer has caused this instrument to be signed by its corporate officers as required by law, and the City of Mount Holly has caused this instrument to be executed in accordance with the action of the City Council.

DEVELOPER:

HDP River Park, LLC, A Delaware Limited Liability Company
By: HDP Blue Investments, LLC, a Delaware limited liability company, its manager
By: HDP Blue Holdings, LLC, a Delaware limited liability company, its manager
By: Grass Lake Capital, LLC, a Delaware limited liability company, its manager

By: ____________________ (SEAL)
Name: Christopher J. Fiegen,
Title: Manager

NORTH CAROLINA · CITY OF MT. HOLLY · INCORPORATED · SEAL · 1879

CITY:

CITY OF MOUNT HOLLY, NC

By: Bryan Hough
Bryan Hough, Mayor

Attest:
Amy Miller
City Clerk

STATE OF NORTH CAROLINA
COUNTY OF GASTON

I, Tara Douglas, a Notary Public in and for Gaston County, North Carolina, do hereby certify that Amy Miller this day appeared before me and acknowledged that he/she is the Clerk of the City of Mount Holly and that by authority duly given and as the act of the City of Mount Holly, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by himself/herself as Clerk.

WITNESS my hand and Notarial Seal, this the 10th day of March ~~2019~~ 2020.

My commission expires:

Tara Douglas
Notary Public

TARA DOUGLAS · NOTARY · MY COMMISSION EXPIRES 4/22/2023 · PUBLIC · IREDELL COUNTY, NC

STATE OF IL
COOK COUNTY

I, CHRISTOPHER LEFKOVITZ, a Notary Public in and for said County and State, do hereby certify that Christopher J. Fiegen, personally came before me this day and acknowledged that he is the manager of Grass Lake Capital, LLC., a Delaware limited liability company, manager of HDP Blue Holdings, LLC, a Delaware limited liability company, manager of HDP Blue Investments, LLC, a Delaware limited liability company, manager of HDP River Park, LLC, a Delaware limited liability company; that he, being authorized to do so, executed the foregoing instrument on behalf of the company.

Witness my hand and official seal this the 4 day of MARCH, 2020.

My commission expires:
10/27/20

Notary Public

CHRISTOPHER LEFKOVITZ
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
October 27, 2020

{00076025}

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	April 5, 2020
From:	Amy Hollingsworth	**Meeting Date:**	April 17,2020

Agenda Item to be considered:
Recognize grant revenue received from the State of North Carolina, Department of Public Safety on behalf of the Governor's Crime Commission. Refer to the October 14, 2019 Agenda Action Form.

Will this require a public hearing? ☐ **YES** ☒ **NO**

Background/Purpose of Request:
The October 14, 2019 Board meeting included a consent agenda action approving a transfer of $24,500 from fund balance to the police department's budget to cover the cost of Surface Pro's. The grant was a reimbursable grant by the Governor's Crime Commission. This action recognizes revenue for the reimbursement cost of the Surface Pro's. The reimbursement amount was $22,112.52.

Fiscal Impact:			
Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:	***$***		
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation – Approve recognition of revenue

Result of City Council Decision:

Attachments:

City of Mount Holly
Action Agenda Item

To: Mayor and City Council	**Date:** March 10, 2020
From: David E. Johnson, PE	**Meeting Date:** April 17, 2020

Agenda Item to be considered:

Budget Amendment for WWTP digester valve

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request:

Emergency purchase/installation of digester valve. This is essential to the operation the wastewater treatment plant. The valve controls the flow of waste from the digester going to the hauling trucks. One digester was replaced in January using our maintenance/repair budget line. Both digesters share the feeder pipe and work in tandem. Without this valve in operation, the digesters will equalize and become inoperable to properly haul waste out.

$39,500 Kemp Inc

Fiscal Impact:

Will Item affect current budget	☒ YES	☐ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☒ YES	☐ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☒ YES	☐ NO	☐ N/A
Total City Dollars:	***$ 39,500***		
Budget Code	62-91-7140-352		
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation

Approve Budget Amendment

Result of City Council Decision:

Attachments: Budget Amendment

MOUNT HOLLY
Connecting Community & Nature

CITY OF MOUNT HOLLY
FY 19-20 Budget Amendment

Account Number	Description	Debit	Credit
62-91-3991-000	Fund Balance		39,500.00
62-91-7140-352	Maintenance & Repair Equipment	39,500.00	
	TOTAL	$ 39,500.00	$ 39,500.00

Date Submitted: 17-Apr-20

Finance Officer:

City Manager:

Department Comments:

Appropriation from enterprise fund balance funding for repairs to Disgester Value for WWTP

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	April 5, 2020
From:	Amy Hollingsworth	**Meeting Date:**	April 17,2020

Agenda Item to be considered:

Approve part-time position for Utility Meter Reader within the Enterprise Fund. Position will be a part of the Admin team

Will this require a public hearing? ☐ **YES** ☒ **NO**

Background/Purpose of Request:

Requesting action to approve adding a part time meter reader position. The position is housed in the Utility Field budget of the Enterprise fund. This position is an essential role in the City's utility billing process. This position will be responsible for reading customers meters, and will average around 75 hours per month. This action is the result of field demands due to growth. The City lost the services of a twenty (20) year meter reader recently due to retirement. If the position is approved it will equate to a total of two full time (existing) employees and one part time (new) employee.

Fiscal Impact:			
Will Item affect current budget	☒ YES	☐ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:	*$*		
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation – Approve position

Result of City Council Decision:

Attachments:

PUBLIC HEARINGS

MEMORANDUM

TO: Mayor and City Council, City of Mount Holly

FROM: Kemp A. Michael and Marie M. Anders

RE: Small Business Emergency Loan Program

DATE: April 14, 2020

The City Council adopted at its special meeting on March 30, 2020, a small business loan program known as, "City of Mount Holly Emergency Management Act Small Business Loan Program." This loan program was established on an emergency basis with an accelerated timeline in order for borrowers facing loss of revenue due to the COVID-19 pandemic and governmental states of emergency to receive these loan funds quickly to pay rental and mortgage payments starting in April.

The statutory authority of a municipality under the NC Emergency Management Act only exists during a declared state of emergency. Therefore, it is necessary to also approve these loans under economic development statutory authority, so that the City of Mount Holly can continue to service and collect on these three year loans after the declared states of emergency end. It is a requirement of economic development state law that the City hold a public hearing after publishing notice of the public hearing at least 10 days in advance.

The public hearing scheduled for April 17 has been duly advertised and the included proposed resolution to adopt the "City of Mount Holly Small Business Emergency Loan Program," as this revised loan program is entitled, ratifies loans previously made under the March 30 loan program. The eligibility criteria attached to the resolution incorporates some changes discussed by the loan committee and staff while reviewing loan applications received so far. Eligibility changes are as follows:

- Businesses will provide or assist the City with obtaining a W9 for the landlord or mortgage company (in addition to providing a W9 for the business)
- Only "for profit" businesses are eligible
- The requirement to hold a "current, lawful permit" has been removed and replaced with a more detailed definition that amounts to the following being eligible: (1) businesses located in a commercial zone, and (2) legal nonconforming businesses in a residential zone
- Clarification is added that home occupations are not eligible, since there are other programs available to assist homeowners with their mortgage payments, and this loan program is targeted in scope to address a lending gap to small businesses that is not being covered by banks and other governmental programs

MEMORANDUM

TO: Mayor and City Council, City of Mount Holly

FROM: Kemp A. Michael and Marie M. Anders

RE: Small Business Emergency Loan Program

DATE: April 14, 2020

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- Businesses will provide or assist the City with obtaining a W9 for the landlord or mortgage company (in addition to providing a W9 for the business)
- Only "for profit" businesses are eligible
- The requirement to hold a "current, lawful permit" has been removed and replaced with a more detailed definition that amounts to the following being eligible: (1) businesses located in a commercial zone, and (2) legal nonconforming businesses in a residential zone
- Clarification is added that home occupations are not eligible, since there are other programs available to assist homeowners with their mortgage payments, and this loan program is targeted in scope to address a lending gap to small businesses that is not being covered by banks and other governmental programs

RESOLUTION OF THE CITY OF MOUNT HOLLY TO MAKE ECONOMIC DEVELOPMENT APPROPRIATIONS TO ESTABLISH THE SMALL BUSINESS EMERGENCY LOAN PROGRAM UNDER NCGS 158-7.1 AND NCGS 166A

WHEREAS, our City, County, Country, and the entire World is in the grips of the COVID-19 respiratory disease, which has been declared a global pandemic by the World Health Organization, and in response the State of North Carolina, Gaston County, and the City of Mount Holly are all currently under declared States of Emergency; and,

WHEREAS, Gaston County has issued a "Stay at Home" order effective March 27, 2020, and the State of North Carolina has issued a "Stay at Home" order effective March 30, 2020, both of which severely restrict businesses and have shut businesses not deemed "essential"; and,

WHEREAS, due to the global pandemic, declared states of emergency, and the Gaston County "Stay at Home" order, commerce within the City of Mount Holly is crippled and our small businesses are on the verge of financial collapse; and,

WHEREAS, the City Council of the City of Mount Holly does hereby recognize the necessity of the survival of the small business community following the lifting of these emergency measures, that our small businesses are necessary for a viable City, and that the collection of property and sales taxes going forward will enable the continued functions of our City into the future; and,

WHEREAS, in order for our small businesses to have an opportunity to survive and recover, the City Council recognizes the need to put a small business emergency loan program in place without delay to meet the immediate needs of small business owners that are not being met by banks and other governmental lenders; and,

WHEREAS, the City Council hereby determines that an economic development appropriation for a small business emergency loan program would increase the employment or business prospects of the City of Mount Holly; and,

WHEREAS, a public hearing on the question of this economic development appropriation was held at the Mount Holly Municipal Complex at 9:00 AM on Friday, April 17, 2020, after due notice by advertisement in The Gaston Gazette on April 7, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY PURSUANT TO NCGS 158-7.1 AND THE EMERGENCY MANAGEMENT ACT IN NCGS 166A:

1. The City of Mount Holly does hereby establish the "Small Business Emergency Loan Program" to provide emergency, short-term loans to small businesses located within the City limits of Mount Holly for the purpose of paying up to three months' rent or mortgage payments of the business in order to secure the physical business location from eviction or foreclosure during this state of emergency.

2. By separate resolution, the City is budgeting an aggregate sum of $300,000 for program loans to eligible small businesses in the amount of the actual monthly rental or mortgage payment of the business not to exceed the sum of $5,000 per month for up to three months, which would be a total of $15,000 for each small business. This program shall be available to eligible businesses who apply until the City of Mount Holly is no longer under the above-referenced declared states of emergency, as may be amended from time to time, or such earlier date as the budgeted funds are exhausted. The loans will be funded by direct payments by the City of the rental or mortgage payments directly to the landlord or mortgage servicer. The loans will be unsecured, with interest accruing at _______% per annum with a default rate of eight percent per annum, and having repayment terms over thirty-six months with no payments due and payable for the first twelve months and no prepayment penalty, to be documented by a promissory note and loan agreement in a form as reasonably acceptable to the City Attorney.

3. There is hereby instituted a loan review committee, and the Assistant City Manager, Economic Development Coordinator, and Deputy Finance Director are hereby appointed as members of the loan review committee for the purpose of reviewing applications from small businesses to determine eligibility for the program loans under the criteria established by the City Council from time to time.

4. Eligibility criteria for loan approval for this program will be as adopted by City Council from time to time, and the initial eligibility criteria are hereby adopted as shown on that attached sheet marked Exhibit "A," and incorporated herein by reference. Eligibility criteria shall target this emergency loan program to businesses which are small businesses having 50 employees or fewer physically located within the City limits of Mount Holly that can demonstrate that they are in need of assistance with lease or mortgage payments to secure their Mount Holly physical location as a result of the above-referenced declared states of emergency or "Stay at Home" orders.

5. The City Council does hereby ratify all loans previously made under the "City of Mount Holly Emergency Management Act Small Business Loan Program" adopted by resolution of March 30, 2020, and with the consent of the borrowers, hereby modifies all such loans to be in conformity with the loan program established herein.

Upon motion of Councilperson _____________ and second of Councilperson __________________, this resolution was adopted by a vote of _______ ayes and _________ nays this the 17th day of April, 2020.

THE CITY OF MOUNT HOLLY

By: ________________________________

Bryan M. Hough, Mayor

Attest:

____

City Clerk

Exhibit "A"

CITY OF MOUNT HOLLY
SMALL BUSINESS EMERGENCY LOAN PROGRAM
ELIGIBILITY CRITERIA ADOPTED APRIL 17, 2020

SUMMARY:
This loan program provides emergency, short-term loans to small businesses located within the City limits of Mount Holly for the purpose of paying up to three months' rent or mortgage payments of the business in order to secure the physical business location from eviction or foreclosure during this state of emergency. Loans to eligible small businesses are the actual monthly rental or mortgage payment of the business, not to exceed the sum of $5,000 per month for up to three months, which would be a total of $15,000 for each small business. The loans will be funded by direct payments by the City of the rental or mortgage payments directly to the landlord or mortgage servicer. The loans will be unsecured, with interest accruing at ______% percent per annum with a default rate of eight percent per annum, and having repayment terms over thirty-six months with no payments due and payable for the first twelve months and no prepayment penalty, to be documented by a promissory note and loan agreement in a form as reasonably acceptable to the City Attorney.

WHAT BUSINESSES ARE ELIGIBLE:
In order to be eligible for this loan program, the business must completely and properly fill out, sign, and submit an application and must:

- Have a physical location inside the city limits of Mount Holly from which the business currently operates or operated as of the State of North Carolina State of Emergency Declaration on March 10, 2020, to provide goods or services to the public
- Have 50 or fewer employees
- Have been in business at the Mount Holly physical location prior to March 10, 2020
- Provide a copy of the Mount Holly physical location lease or most recent mortgage statement
- Provide the name and address of the landlord or mortgage company which the City will use to process the rental or mortgage payment checks
- Provide a W9 for the business
- Provide or assist the City with obtaining a W9 for the landlord or mortgage company
- Demonstrate that the business is in need of assistance with lease or mortgage payments to secure its Mount Holly physical location as a result of the above-referenced declared states of emergency or Gaston County's or State of NC's "Stay at Home" order
- Be a "for profit" business
- The business must be lawfully operating on a commercially-zoned property with one of the following zoning district designations: B-1 Central Business District, B-2 Neighborhood Business, B-3 General Business, O&I Office and Institutional, Mount Holly Mixed-Use, H-1 Heavy Industrial, L-1 Light Industrial and Commercial Conditional District, as well as conditional uses and overlay districts with one or more of the aforementioned commercial base zonings in place. Legal

nonconforming businesses, which are not located on commercially-zoned property, are also eligible.

WHAT BUSINESSES ARE NOT ELIGIBLE:

- Any business not meeting the eligibility criteria as outlined above
- Any business applying for a loan on a physical location where the business does not provide goods or services, but solely leases the location to a tenant
- Home occupations are defined under Article 3 in the Mount Holly Zoning Ordinance as, "A professional occupation conducted within a portion of a main dwelling unit, which does not adversely impact or change the residential character of the neighborhood and which is carried on continuously and regularly," and are regulated under Article 7, Note 3. Any business meeting the definition of a home occupations as outlined above are not eligible.
- Any business that would not be able to receive this loan assistance without causing a violation of NC law against conflicts of interest, including: businesses that are owned more than 10% by a City of Mount Holly Council member or public officer or employee making or administering this loan program or their spouses.

ELIGIBLE BUSINESSES WILL NO LONGER BE ELIGIBLE for future advances if the business is operating as of its application date and thereafter ceases operations or fails to operate to provide goods or services for a minimum of thirty hours per week at its Mount Holly location, other than pursuant to governmental order. For example, if a business is approved for a loan of three months' rental payments, and after the City makes one rental payment the business ceases operations in that Mount Holly location (other than pursuant to governmental order), then the City will not make any further rental payments.

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	April 16, 2020
From:	Jonathan Wilson, Planning Project Manager	**Meeting Date:**	April 17, 2020

Agenda Item to be considered:

Approval of Old Hickory Grove Road Water Main Improvements Project and accept the low bidder. Approval of Capital Project Ordinance for above project.

Will this require a public hearing? ☐ **YES** ☒ **NO**

Background/Purpose of Request:

On January 22, 2020 the City of Mount Holly advertised the Old Hickory Grove Road Water Main Improvement Project with a bid date of February 20, 2020. The City received nine bids for this project. The two lowest bidders being:

Company	Base Bid	15% Contingency (excluding Mobilization)	Total Bid
Fuller & Co. Construction LLC	$905,927.09	$113,727.27	$1,037,634.36
Zoladz Construction Co., Inc.	$1,274,296.00	$182,144.40	$1,456,440.40

In addition to the total bid price from Fuller & Co. Construction, LLC there are other services that are currently and will need to take place for this project. Those services are construction administration, construction material testing, easements, and surveying. There was $333,886.00 placed in this fiscal year's budget to begin the project. Construction administration has already been encumbered and surveying and construction testing is estimated to be $75,000.00. Therefore, Staff would recommend a Capital Project with Construction being $1,037,655.00, Surveying/Soil Testing being $75,000.00 and a project contingency being $155,345.00.

Fiscal Impact:			
Will Item affect current budget	☒ YES	☐ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☒ YES	☐ NO	☐ N/A
Capital Project Ordinance required	☒ YES	☐ NO	☐ N/A
Budget Transfer required	☒ YES	☐ NO	☐ N/A
Total City Dollars:	$ 1,268,000.00		
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation: Approval to award the Old Hickory Grove Road Water Main Improvement Project to Fuller & Co. Construction, LLC at $1,037,634.36. Additionally, approve the Capital Project Ordinance for the Old Hickory Grove Road Water Main Improvement Project with a total budget being $1,268,000.00

Result of City Council Decision:_____

Attachments:

1. Bid Tabulation

2. Capital Project Ordinance

CAPITAL PROJECT ORDINANCE FOR THE OLD HICKORY GROVE ROAD WATER MAIN IMPROVEMENT PROJECT

BE IT ORDAINED by the Governing Board of the City of Mount Holly, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statues of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is for the Old Hickory Grove Road Water Main Improvements. The project will be funded through enterprise fund balance.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3. The following amounts are appropriated for the project:

Construction	$ 1,037,655
Surveying/Soil Testing	75,000
Contingency	155,345
TOTAL	**$1,268,000**

Section 4. The following revenues are anticipated to be available to complete this project:

Enterprise Fund Balance	$1,268,000
TOTAL	**$1,268,000**

Section 5. The Finance Officer is hereby directed to maintain within the capital project ordinance sufficient specific detailed accounting records to satisfy all financial reporting requirements.

Section 6. Copies of this capital project ordinance shall be furnished to the Finance Officer for direction in carrying out this project.

THIS ORDINANCE ADOPTED THIS THE 17TH DAY OF APRIL 2020.

Bryan Hough, Mayor
City of Mount Holly

ATTEST:

Amy Miller, CMC
City Clerk

CITY OF MOUNT HOLLY
FY 19-20 Budget Amendment

Account Number	Description	Debit	Credit
62-91-3991-000	Fund Balance		$ 1,268,000.00
62-91-3986-000	Transfer to Capital Projects	$ 1,268,000.00	
45-00-3986-980	Transfer from Water and Sewer		1,268,000.00
45-00-8183-550	Construction Hickory Grove	1,037,655.00	
45-00-8183-620	Soft Cost	75,000.00	
45-00-8183-552	Contingency	155,345.00	
	TOTAL	$ 2,536,000.00	$ 2,536,000.00

Date Submitted: 17-Apr-20

Finance Officer: ______________________

City Manager: ______________________

Department Comments:

Construction for Old Hickory Grove Water Main Improvement - Set up Capital Project Fund

Mount Holly
Connecting Community & Nature

MEMO

TO: Jonathan

FROM: David E. Johnson, PE

DATE: 4/3/2020

RE: Old Hickory Grove Road Budget

1. The Professional Services budget is NOT used for construction. If we were to assign this to the Capital Project budget, we would need to ask the Council for a budget amendment/transfer.

This is the budget that would be appropriate for the above referenced project:

Low Bid	$1,037,654.36	
Construction Surveying	$ 50,000.00	
Material Testing	$ 25,000.00	
Contingency from your email rounded	$ 155,345.64	
TOTAL	$1,268,000.00	Budget Amendment

As you stated, we would have to go for a budget amendment in April to retain the low bidder. This would be a Capital Project since the construction and expenditures would span to the next fiscal year.

BID TABULATION

Project: Old Hickory Grove Road Water Main Improvements Project

AG Project Number: 18022

Owner: Mount Holly, NC

No.	Company	License	Bid Amount
1	ACIPCO 2916 16th Street N Birmingham, AL 35207	C -	
2	Buckeye Bridge, LLC 654 Buckeye Cove Road Canton, NC 28716	C -	
3	Classic City Mechanical 220 Smithonia Road Winterville, GA 30683	C - 15247	1,578,020.35
4	Consolidated Pipe & Supply Company 201 E. 16th Street Charlotte, NC 28206	C -	
5	D.E. Walker Construction.com 5017-A Sirus Lane Charlotte, NC 28208	C - 49960	1,846,526.15
6	Dellinger, Inc. 2631 Old Charlotte Highway Monroe, NC 28110	C -	
7	Fuller & Co. Construction LLC 697 Saint Marks Church Road Bessermer City, NC 28016	C - 64580	1,037,654.36
8	Hall Contracting 6415 Lakeview Road Charlotte, NC 28269	C - 5689	1,468,100.75
9	Kemp Sigmon Construction Co., Inc. 4671 S. Depot Street Claremont, NC 28610	C -	
10	Kennedy Concrete & Utilities, Inc. 2106 Cedar Circle Drive Shelby, NC 28152	C -	

BID TABULATION

Project: Old Hickory Grove Road Water Main Improvements Project

AG Project Number: 18022

Owner: Mount Holly, NC

No.	Company	License	Bid Amount
11	NHM Constructors, LLC 1121 Brevard Road Asheville, NC 28816	C- 72707	1,555,548.60
12	Piedmont Utility Group, LLC 681 NC 120 Highway Mooresboro, NC 28114	C- 78068	1,681,729.07
13	RNF Construction, LLC 2657 McFarland Road York, SC 29745	C- 79991	2,116,546.37
14	Sanders Utility Construction Company 6801 Brookshire Boulevard Charlotte, NC 28216	C-	
15	State Utility Contractors, Inc. 4417 Old Charlotte Highway Monroe, NC 28110	C- 17793	1,767,317.00
16	Zoladz Construction Co., Inc. 13600 Railroad Street Alden, NY 14004	C- 72142	1,456,100.00

City of Mount Holly
Action Agenda Item

To: **From:**	Mayor and City Council Jonathan Wilson, Planning Project Manager	**Date:** **Meeting Date:**	April 13, 2020 April 17, 2020

Agenda Item to be considered:

Approval of the Tuckaseege Park Storage Building Project and award the low bidder.

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request:

On March 3, 2020 the City of Mount Holly advertised the Tuckaseege Park Storage Building Project with a bid date of March 18, 2020. The City did not receive any bids for this project on the bid due date. Therefore, the City issued an addendum to extend the bid due date to March 27, 2020. On March 27, 2020 the City received one bid for the project.

Company	Base Bid	15% Contingency	Total Bid
Quinn Sales, Inc. (Custom Building Systems)	$136,000	$20,400	$156,400

Once the project's bidding period closed Staff spoke with the contractor to see if the bid could be lowered closer to the City's budgeted funds which are $100,000.00. Through negotiations with the contractor it was determined that the City could reduce the scope of the project and loose items for the building such as HVAC, a lower R-value insulation, etc. After discussions amongst Staff it was determined that it would be in the best interest for the Parks & Recreation Department to keep the scope as bid and request a budget amendment for additional monies. It is also important to note that the Contractor and Staff do not anticipate the need to utilize contingency funds at this time however, we would request that the contingency be included in the overall project budget should it be necessary.

The contract period is sixty (60) calendar days and will begin upon contract execution and issuance of the Notice to Proceed. It is important to note that the Contractor stated that it will take approximately 8-10 weeks to obtain all necessary permits and procure the materials for the building. It would then take approximately 6 weeks to construct the storage building. With these timeframes Staff would request that the additional $56,400.00 be placed in the 2020-2021 budget as well as carrying forward any monies not spent in this year's budget for the project.

Fiscal Impact:

Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☒ YES	☐ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:	$ $156,400.00		
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation: Approval to award the Tuckaseege Park Storage Building Project to Quinn Sales, Inc. (Custom Building Systems) at $156,400.00. Approval to carry forward any remaining funds associated with this project to next fiscal year and request allocation for $56,400.00 in the 2020-2021 budget.

Result of City Council Decision: ______

Attachments: Bid Tabulation

Project:	**Tuckaseege Park Storage Building**					
Bid Opening Date:	**March 18, 2020; Re-Advertised March 27, 2020**					
Time:	**2:30 PM; 10:30 AM**					
Location:	**400 East Central Avenue Mount Holly, NC 28120 Administration Conference Room**					
Company Name:	Quinn Sales, Inc.					
Addendum Acknowledgement: (2 Addendum)	Yes					
Execution of Bid Sheet:	Yes					
Bid Bond:	Yes					
Total Bid including Contingency:	$156,400					

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	April 16, 2020
From:	Jonathan Wilson, Planning Project Manager	**Meeting Date:**	April 17, 2020

Agenda Item to be considered:

Approval of the River Park Patching Project and award the lowest qualified bid

Will this require a public hearing? ☐ **YES** ☒ **NO**

Background/Purpose of Request:

On March 12, 2020 the City of Mount Holly advertised the River Park Patching Project with a bid date of March 27, 2020. There were three contractors who submitted bids for this project.

Company	Base Bid	15% Contingency	Total Bid
Robert Mason and Son Grading & Paving Inc.	$62,219	$9,332	$71,551
Quinn Sales, Inc. (Custom Paving Company)	$71,850	$10,777.50	$82,627.50
Tarpon Construction Inc.	$79,755.00	$11,963.25	$91,718.25

You will see that the low bidder is Robert Mason and Son Grading & Paving Inc. however, through Staff's due diligence in reviewing the bids it was determined that their bid is non-compliant due to the lack of an inactive General Contractors License. Therefore, Staff recommends that the City award the project to the second low bidder, Quinn Sales, Inc. (Custom Paving Company).

The contract period is thirty (30) calendar days and will begin upon contract execution and issuance of the Notice to Proceed.

Fiscal Impact:

Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☐ YES	☒ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:	$ 82,627.50		
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation: Approval to award the River Park Patching Project to Quinn Sales, Inc. at $82,627.50.

Result of City Council Decision:_____

Attachments: Bid Tabulation

Project:	**River Park Patching Project**					
Bid Opening Date:	**March 27, 2020**					
Time:	**3:00 PM**					
Location:	**400 East Central Avenue Mount Holly, NC 28120 Via Email**					
Company Name:	Robert Mason & Son Grading & Paving Inc.	Quinn Sales, Inc.	Tarpon Construction, Inc.			
Addendum Acknowledgement: (1 Addendum)	Yes	Yes	Yes			
Execution of Bid Sheet:	Yes	Yes	Yes			
Bid Bond:	N/A	N/A	N/A			
Total Bid including Contingency:	$71,551.00	$82,627.50	$91,718.25			

City of Mount Holly
Action Agenda Item

To: **From:**	Mayor and City Council Jonathan Wilson, Planning Project Manager	**Date:** **Meeting Date:**	April 13, 2020 April 17, 2020

Agenda Item to be considered:

Approval of the Dutchmans Creek Greenway Project and accept the low bidder

Will this require a public hearing? ☐ **YES** ☒ **NO**

Background/Purpose of Request:

On March 16, 2020 the City of Mount Holly advertised the Dutchmans Creek Greenway Project with a bid date of April 7, 2020. The City received four bids for this project. The four contractors and their bids can be found in the table below.

Company	Base Bid	15% Contingency	Total Bid
J.D. Goodrum Company, Inc.	$449,483.00	$67,422.45	$516,905.45
Piedmont Utility Group, Inc.	$324,467.02	$48,670.05	$373,137.07
Tarpon Construction, Inc.	$289,791.00	$43,468.65	$333,259.65
Quinn Sales, Inc. (Custom Paving Company)	$247,640.00	$37,146.00	$284,786.00

The greenway will run from Highway 27 along the west side of the CaroMont Emergency Facility and follow the sanitary sewer easement paralleling Dutchmans Creek and end at North Lee Street. This segment of the greenway will have an asphalt surface and will be ten feet in width and will span 2,600 linear feet. It is important to note that US Infrastructure of Carolina, Inc. completed a cost estimate for this greenway in 2014 which showed that total construction cost should be $255,530.00. Additionally, in 2018 Kimley Horn completed a feasibility study for several projects, one of which was the Dutchmans Creek Greenway and it showed that the cost estimate was $390,000.00. Lastly, the bid for this project is in line with the bid for the Catawba Riverfront Greenway. Therefore, Staff feels certain that the City is receiving the appropriate price for the work.

Staff received $245,000.00 in the 2019-2020 budget for this project. At this time Staff has encumbered $107,332.50 for services such as design, survey, easements, etc. Therefore, this leaves $137,667.50 remaining in this year's budget for the construction of the project. Additionally, there will be construction materials testing which has been estimated by the City's on-call consultant (ESP Associates) to be no more than $20,321.00. This means that there is a short fall in this year's budget of $127,653.50 to complete the project. Due to the timing of this project it will not be completed within the 2019-2020 fiscal year. Therefore, Staff would like for this project to be budgeted in the 2020-2021 budget as well as to carry forward any remaining funds from this year's budget for this project. Additionally, the City received a grant in the amount of $50,000 for this project from the Carolina Thread Trail. Given the grant monies from the Carolina Thread Trail and if we were to spend all monies already encumbered in this year's budget we would need $117,439.50 placed in next year's budget for this project.

Fiscal Impact:

Will Item affect current budget	☒ YES	☐ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☒ YES	☐ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:	$ 412,439.50		
Budget Code			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation: Approval to award the Dutchmans Creek Greenway Project to Quinn Sales, Inc. (Custom Paving Company) at $284,786.00. Approval to carry forward remaining funds from the 2019-2020 fiscal year for this project and fund the remainder of the project in fiscal year 2020-2021. Request allocation of $117,439.50 in the 2020-2021 budget.

Result of City Council Decision:**_____**

Attachments: Bid Tabulation

City of Mount Holly

Bid Tabulation

Project:	**Dutchmans Creek Greenway Project**					
Bid Opening Date:	**April 7, 2020**					
Time:	**3:00 PM**					
Location:	**400 East Central Avenue Mount Holly, NC 28120 Council Chambers (via Livestream)**					
NC GC# :	6736	54813	19284	78068		
Company Name:	Quin Sales	Tarpon	JD Goodrum	Piedmont Utility		
Addendum Acknowledgement: (1 Addendum)	✓	✓	✓	✓		
Execution of Bid Sheet:	✓	✓	✓	✓		
Bid Bond:	✓	✓	✓	✓		
Total Bid including Contingency:	$284,786.00	$333,259.65	$516,905.45	$373,137.07		

4/7/2020

Opened & read ~~as~~ aloud by Miles Braswell

Recorded by Jonathan Wilson

via Livestream