



TOWN OF NAGS HEAD

AGENDA

TOWN OF NAGS HEAD BOARD OF COMMISSIONERS
NAGS HEAD MUNICIPAL COMPLEX - BOARD ROOM
TUESDAY, FEBRUARY 18, 2020, 1:00 P.M.
RECESSED SESSION

A. CALL TO ORDER / PLEDGE OF ALLEGIANCE

B. ADOPTION OF AGENDA

C. PUBLIC COMMENT

D. NEW BUSINESS

1. Consideration Of Stormwater Master Plan Projects #12, #13 – South Nags Head
 - Authorization for Town Manager to execute contract and Notice of Award
 - Reimbursement Resolution FY 19/20

Documents:

[2 MM D1 STORMWATER DRAINAGE SUMMARY.PDF](#)
[2 MM D1 STORMWATER DRAINAGE PART 1.PDF](#)
[2 MM D1 STORMWATER REIMB RES.PDF](#)

2. Consideration Of Phases 8B And 8C Of W Side Multi-Use Path
 - Authorization for Town Manager to execute contracts and Notices of Award

Documents:

[2 MM D2 W SIDE MUP SUMMARY.PDF](#)
[2 MM D2 W SIDE MUP SUMMARY PART 1-2.PDF](#)

3. Consideration Of Resolution In Support Of Alligator River Bridge Improvements

Documents:

[2 MM D3 ALLIGATOR RIVER BRIDGE SUMMARY.PDF](#)
[2 MM D3 ALLIGATOR RIVER BRIDGE IMPROVE RES.PDF](#)

E. ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN ATTORNEY

F. ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN MANAGER

G. BOARD OF COMMISSIONERS AGENDA

H. MAYOR'S AGENDA

I. OTHER BUSINESS

J. ADJOURNMENT

K. FULL AGENDA In .PDF Format With Bookmarks

**5401 S. Croatan Hwy, Nags Head, NC 27959
252-441-5508**



Agenda Item Summary Sheet

Item No: **D-1**
Meeting Date: **February 18, 2020**

Item Title: Consideration of Stormwater Master Plan Projects #12, #13 – South Nags Head
- Authorization for Town Manager to execute contract and Notice of Award
- Reimbursement Resolution FY 19/20

Item Summary:

Part 1 - Request Board consideration of Stormwater Master Plan Projects #12 and #13 in South Nags Head with information provided in Part 1 attached - See Board Action #1 below.

(To be presented by Hunter Freeman, PE from WithersRavenel)

Part 2 - In addition, for Board consideration is a reimbursement resolution which declares the Town's intention to finance and reimburse itself for the cost of expenditures associated with the above referenced stormwater projects. The requested finance amount is \$800,000 which includes the modified bid proposal amount of \$759,962.64 and a 5% contingency allowance for a total amount of \$800,000. See Board Action #2 below.

(To be presented by Finance Director Amy Miller)

Number of Attachments: 2

Specific Action Requested:

Board Action #1 - Consideration of Notice of Award to Barnhill Contracting Company for the FY 19-20 Drainage Infrastructure Improvement Projects #12 & #13 for the modified bid amount of \$759,962.64 and authorize the Town Manager to execute the construction contract with Barnhill Contracting Company for the modified bid amount contingent upon Town Attorney review.

Board Action #2 - Consideration of adoption of Attachment G Reimbursement Resolution – FY 2019-2020.

Submitted By: Administration

Date: February 13, 2020

Finance Officer Comment:

The Town intends to finance this project over 6 years. This will require LCG approval. A Town owned property where another real property improvement will occur (Public Works fuel tank conversion approved in the fiscal year 2020 budget) will serve as collateral. A public hearing request will be put on the March agenda. A public hearing and financing resolution will be put on the April agenda. The LGC has been contacted and has put the financing approval on their May agenda. The bank financing this project will require this reimbursement resolution ahead of project funding. The Town Manager will approve a budget transfer from funds within Stormwater (contracted services) in order to pay for the first debt payment. This will keep funds within the Stormwater department and will have no budgetary impact this fiscal year 2020. The LGC has been contacted regarding this project and has authorized the project to begin ahead of their approval. Staff requests this resolution be adopted in order to authorize financing in order to maintain healthy fund balance.

Signature: Amy Miller

Date: February 13, 2020

Town Attorney Comment:

Has for contract review.

Signature: John Leidy

Date: February 13, 2020

Town Manager Comment and/or Recommendation:

I concur with staff, pending attorney review.

Signature: Cliff Ogburn

Date: February 13, 2020

Benjamin Cahoon
Mayor

Michael Siers
Mayor Pro Tem

Cliff Ogburn
Town Manager



Town of Nags Head
Post Office Box 99
Nags Head, NC 27959
Telephone 252-441-5508
Fax 252-441-0776
www.nagsheadnc.gov

M. Renée Cahoon
Commissioner

J. Webb Fuller
Commissioner

Kevin Brinkley
Commissioner

Consideration of Stormwater Master Plan Projects #12, #13 – South Nags Head

Part 1

On January 7, 2020, The Town of Nags Head solicited formal bids for the construction of (2) separate drainage infrastructure improvement projects encompassing the following work- (1) French drain installation on the east side of Old Oregon Inlet Road between James St. and Juncos St., and (2) French drain installation, generally on the east side of Old Oregon Inlet Rd. between Hargrove St. to Harvest St., wet well and pump installation near Harvest Dr., with connecting force main discharging to a west side infiltration basin north of Fire Station 21. Bids were received on Jan. 30, 2020 with (3) competitive bids being received from the following contractors: RPC Contracting Inc., Hatchell Concrete, Inc. and Barnhill Contracting Company. The lowest responsible, responsive bidder, Barnhill Contracting Company, submitted bid proposal of \$1,263,236.15. exceeded the available funds for the project. In accordance with NCGS 143-129, a unit of government may negotiate with the lowest responsive, responsible bidder to make "reasonable" changes to the plans and specifications to bring the contract price within the funds available. A value engineering exercise was conducted between the contractor and the consulting engineer to bring the construction contract price to **\$759,962.64**.

Attachments for Part 1:

- Attachment A - FY 19/20 Drainage Infrastructure Improvements Bid Tabulation
- Attachment B - Submitted Barnhill Contracting Company Bid
- Attachment C - WithersRavenel Bid Evaluation memorandum dated February 12, 2020
- Attachment D - Phase V Value Engineering Matrix Exhibit
- Attachment E - Barnhill Contracting Company FY 19/20 Drainage Infrastructure Improvements
- Modified Bid form
- Attachment F - Notice of Award



**REIMBURSEMENT RESOLUTION – FISCAL YEAR 2019-2020
OF THE TOWN OF NAGS HEAD
DECLARING THE INTENTION TO REIMBURSE
THE COST OF CERTAIN EXPENDITURES**

WHEREAS, The Town Manager and the Finance Director have described to the Board of Commissioners the desirability of adopting a resolution, as provided under federal tax law, to facilitate the Town's use of financing proceeds to restore Town funds when the Town makes capital expenditures prior to closing on tax exempt financing.

BE IT HEREBY RESOLVED by the Board of Commissioners of the Town of Nags Head, North Carolina as follows:

Section 1. The project is the financing of stormwater projects as identified in the fiscal year 2019-2020 budget.

Section 2. The project is to be financed. The currently expected type of financing (which is subject to change) is an installment purchase contract. The currently expected maximum amount to be contracted for the project is \$800,000.

Section 3. The Town presently intends, and reasonably expects, to reimburse itself for the original expenditures incurred and paid by the Town from the General Fund and Water Fund within 60 days of adoption of this Resolution from a portion of the financing proceeds.

Section 4. This Resolution shall become effective immediately upon the date of its adoption.

This the 18th day of February 2020.

Benjamin Cahoon, Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk



Agenda Item Summary Sheet

Item No: **D-2**
Meeting Date: **February 18, 2020**

Item Title: Consideration of Phases 8B and 8C of W Side Multi-Use Path
- Authorization for Town Manager to execute contracts and Notices of Award

Item Summary:

Parts 1 and 2: On January 16, 2020, The Town of Nags Head solicited formal bids for the construction of (2) separate multi-use path projects. Bids for the two projects were received on February 11, 2020. Board consideration of the projects will be considered separately and in two parts. Please see attached information and below requested Board Actions.

(Part 1 and Part 2 will be presented by Town Engineer, David Ryan, PE)

Number of Attachments: 1

Specific Action Requested:

Part 1 - Board Action - Consideration of Notice of Award to RPC Contracting, Inc. for the FY 19-20 Capital Improvement Project- Phase 8B W. Side Multi-Use Path for the construction contract amount of \$533,900 and authorize the Town Manager to execute the construction contract with RPC Contracting, Inc. contingent upon Town Attorney review.

Part 2 – Board Action - Consideration of Notice of Award to RPC Contracting, Inc. for the FY 19-20 Capital Improvement Project- Phase 8C W. Side Multi-Use Path for the construction contract amount of \$613,260 and authorize the Town Manager to execute the construction contract with RPC Contracting, Inc. for the construction contract amount contingent upon Town Attorney review.

Submitted By: Administration

Date: February 13, 2020

Finance Officer Comment:

A reimbursement resolution was adopted July 3, 2019. This was adopted in the fiscal year 2020 budget to be financed with LGC approval. Sufficient funds are currently budgeted for this project's debt payment.

Signature: Amy Miller

Date: February 13, 2020

Town Attorney Comment:

Has for contract review.

Signature: John Leidy

Date: February 13, 2020

Town Manager Comment and/or Recommendation:

I concur with staff, pending attorney review.

Signature: Cliff Ogburn

Date: February 13, 2020

Benjamin Cahoon
Mayor

Michael Siers
Mayor Pro Tem

Cliff Ogburn
Town Manager



Town of Nags Head
Post Office Box 99
Nags Head, NC 27959
Telephone 252-441-5508
Fax 252-441-0776
www.nagsheadnc.gov

M. Renée Cahoon
Commissioner

J. Webb Fuller
Commissioner

Kevin Brinkley
Commissioner

Consideration of Phases 8B and 8C of W Side Multi-Use Path

Part 1

The first project, Phase 8B, W. Side Multi-Use Path encompasses the following work: approximately 3,792 l.f of 6'-10' wide concrete multi-use pathway with associative concrete curb and gutter, drainage infrastructure improvements and incidental work along the S. Croatan Hwy (US Hwy 158) western right-of-way margin extending from Baymeadow Dr.. to the north end of the Outer Banks Visitors Bureau "Event Site" and from the south end of the "Event Site" to Gull St.. Bids were received on Feb. 11, 2020 with (3) competitive bids received from the following contractors: RPC Contracting Inc., Hatchell Concrete, Inc. and Barnhill Contracting Company. RPC Contracting Inc., was determined to be the lowest responsible, responsive bidder, with a submitted bid proposal of **\$533,900**. Please note that an alternate bid item #1 was provided on the bid form for a substitution of slope stabilization material specified in the base bid. Considering the cost differential and stabilization benefits of the two stabilization product types, staff recommends proceeding with the specified base bid geocell containment system, thus waiving the need for acceptance of pricing for alternate #1. Staff requests the Board to consider the following:

Part 2

The second project, Phase 8C, W. Side Multi-Use Path encompasses the following work: - Base Bid: approximately 4,500 l.f of 10' wide concrete multi-use pathway with associative concrete curb and gutter, drainage infrastructure improvements and incidental work along the S. Croatan Hwy (US Hwy 158) western right-of-way margin extending from W. Danube St. to W. Seachase Dr. The bid package was structured with a base bid and an alternate bid to permit the Town flexibility to award a portion of the scope of work if the bids exceeded the available funds. Bids were received on Feb. 11, 2020 with (3) competitive formal bids being received from the following contractors: RPC Contracting Inc., Hatchell Concrete, Inc. and Barnhill Contracting Company. For Phase 8C, RPC Contracting Inc., was determined to be the lowest responsible, responsive bidder, with a submitted bid proposal of **\$613,260**. Since the lowest responsive, responsible bid received for the base bid + additive alternate amount was within the available funds, staff recommends acceptance of the total scope of work. Staff requests the Board to consider the following:

Attachments (Part 1)

Attachment A - PH 8B W. Side Multi-Use Path Bid Tabulation
Attachment B - PH 8B RPC Contracting, Inc. Bid
Attachment C - PH 8B Notice of Award

Attachments (Part 2):

Attachment D- PH 8C W. Side Multi-Use Path Bid Tabulation
Attachment E- PH 8C RPC Contracting, Inc. Bid
Attachment F- PH 8C Notice of Award



Agenda Item Summary Sheet

Item No: **D-3**
Meeting Date: **February 18, 2020**

Item Title: Consideration of Resolution in support of Alligator River Bridge improvements

Item Summary:

Attached please find a resolution in support of improvements to the Alligator River Bridge (officially named the Lindsey C. Warren Bridge). As the main transportation link on US 64 west of Dare County, the bridge, built in 1960, is in need of repairs/replacement.

A similar resolution was adopted by the Dare County Board of Commissioners earlier this month. Request your consideration on February 18th.

Number of Attachments: 1

Specific Action Requested:

Request Board consideration of attached resolution in support of the Alligator River Bridge.

Submitted By: Administration

Date: February 13, 2020

Finance Officer Comment:

No unbudgeted fiscal impact.

Signature: Amy Miller

Date: February 13, 2020

Town Attorney Comment:

N/A

Signature: John Leidy

Date: February 13, 2020

Town Manager Comment and/or Recommendation:

N/A

Signature: Cliff Ogburn

Date: February 13, 2020



Resolution in Support of Alligator River Bridge Improvements

WHEREAS, the Lindsey C. Warren Bridge which crosses the Alligator River was constructed in 1960 and serves as the main transportation link along Highway 64 from areas west of Dare County; AND

WHEREAS, the draw-bridge infrastructure of the bridge is obsolete and was closed for repairs in 2017 and 2019 resulting in lengthy detours for residents, visitors, and commerce to Dare County, Currituck County, Hyde County and Tyrrell County; AND

WHEREAS, the Alligator River is part of the Intercoastal Waterway and is used by numerous commercial shipping vessels and recreational boats on an annual basis, often creating delays and back-ups; AND

WHEREAS, the Lindsey C. Warren Bridge is an essential component of the hurricane evacuation route for residents of Dare County, Currituck County, and Hyde County and thousands of Outer Banks visitors each year and the continuous functionality of the Warren Bridge is imperative to ensure the safety of our residents and visitors; AND

WHEREAS, the need for a new bridge and/or a replacement bridge across the Alligator River has been identified by the NC Department of Transportation but has not been funded as part of the State's Transportation Improvement Plan (STIP) despite the age, obscurity and continued operational issues of the bridge; AND

WHEREAS, the methodology for STIP funding does not allow a new or replacement Alligator River Bridge to compete effectively against other transportation improvements in more urban areas of the State, thus contributing to the continued delay in construction of a new or replacement bridge; AND

WHEREAS, the NC Department of Transportation is soliciting comments on transportation improvements for inclusion in the ten-year transportation plan for 2023-2032.

NOW THEREFORE BE IT RESOLVED the Nags Head Board of Commissioners requests a new or replacement bridge for the Alligator River be included in the 2023-2032 State Transportation Improvement Plan in recognition of the vital role this bridge plays in the transportation and commerce needs of Dare County and Eastern North Carolina. Be it further resolved that other funding sources for such improvements should be identified by the State of North Carolina if STIP methodology used for funding is not suitable and practicable for this project.

This the 18th day of February 2020.

Benjamin Cahoon, Mayor
Town of Nags Head

ATTES:

Carolyn F. Morris, Town Clerk