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 DRAINAGE BACKUP.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
   2 MM D2 W SIDE MUP BACKUP.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
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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

Town of Nags Head
Post Office Box 99
Nags Head, North Carolina 27959
Telephone 252-441-1122
Fax 252-441-3350
www.nagsheadnc.gov

Attachment A- Bid Tabulation

Formal Bid- FY 19-20 Drainage Improvements- Bid Opening January 30, 2020 2:00 PM

Bid No.	Vendor	Address	Cover Sheet Signed	Executed Bid Form	Bid Bond	Addenda Acknowledged	Bid Form Completed	MBE/WBE Participation	E-Verify Provided	Submitted on time	Bid Amount
1	RPC Contracting , Inc.	PO Box 333 Kitty Hawk, NC 27949	X	X	X	X	X	X	X	Yes	Bid Amount: **$1,410,855.30**
2	Barnhill Contracting Co.	PO Box 1050 Kitty Hawk, NC 27949	X	X	X	X	X	X	X	Yes	Bid Amount: **$1,263,236.15**
3	Hatchell Concrete Inc.	PO Box 2405 Manteo, NC 27954	X	X	X	X	X	X	X	Yes	Bid Amount: **$1,601,435.25**
4											
5											

TOWN OF NAGS HEAD

FY 19/20 DRAINAGE INFRASTRUCTURE IMPROVEMENTS PHASE 5

BID FORM

TIP No: DATE: 1/21/2020

COUNTY: DARE

DESCRIPTION: Installation of french drain and stormwater pump system

LINE ITEM	SECT.	DESCRIPTION	QTY	UNIT	UNIT PRICE	AMOUNT BID
1	800	Mobilization	1	LS	62,000.00	62,000.00
2	1605	Temporary Silt Fence	5220	LF	3.80	19,836.00
3	1607	Stone for Erosion Control - Class A	75	TON	46.00	3,450.00
4	1607	Geotextile for Drainage	65	SY	2.85	185.25
5	SP	Concrete Washout Structure	2	EA	2,200.00	4,400.00
6	SP	Temporary Traffic Control	1	LS	2,100.00	2,100.00
7	226	Lump Sum Grading 22,700.00 AB	1	LS	~~27,415.00~~	~~27,415.00~~ 22,700.00 AB
8	SP	Removal of Existing Pavement (Driveways and Multi Use Path)	3780	SY	9.58	36,212.40
9	SP	Perforated 24" HDPE Drainage Pipe	4262	LF	50.00	213,100.00
10	310	24" Solid Wall HDPE Drainage Pipe	38	LF	68.25	2,593.50
11	SP	Mesh Screen	8914	SY	2.00	17,828.00
12	SP	Washed #57 Stone	1860	TON	45.00	83,700.00
13	840	Masonry/Precast Drainage Structure - Drop Inlet	41	EA	2,360.00	96,760.00
14	840	Masonry/Precast Drainage Structure - Junction Box	1	EA	3,700.00	3,700.00
15	840	Frame and Grate Std 840.16	41	EA	515.00	21,115.00
16	SP	Project Area 12 Pump Station	1	LS	37,000.00	37,000
17	SP	Project Area 13 Pump Station	1	LS	158,000.00	158,000.00
18	SP	6" HDPE Force Main & Fittings (Restrained Joint)	106	LF	169.00	17,914.00
19	SP	6" HDPE Force Main & Fittings (Directional Drill)	1480	LF	50.00	74,000.00
20	SP	6" HDPE Force Main & Fittings (In Infiltration Trench)	683	LF	40.00	27,320.00
21	1515	6" MJ Gate Valve	4	EA	1,565.00	6,260.00
22	1515	4" MJ Gate Valve	4	EA	1,390.00	5,560.00
23	1540	14" O.D. Steel Encasement Pipe	50	LF	553.00	27,650.00
24	SP	Quick Connect for Portable Pump	3	EA	5,500	16,500.00
25	848	6" Concrete Driveway	1650	SY	72.70	119,955.00
26	710	4" Portland Cement Concrete Pavement, Miscellaneous (no dowels)	1945	SY	50.00	97,250.00
27	654	Asphalt Plant Mix, Driveway Repair	168	SY	70.00	11,760.00
28	545	Incidental Stone Base	519	TON	48.00	24,912.00
29	SP	Erection of Signs & Mailboxes	34	EA	125.00	4,250.00

TOWN OF NAGS HEAD

FY 19/20 DRAINAGE INFRASTRUCTURE IMPROVEMENTS PHASE 5

BID FORM

TIP No: DATE: 1/21/2020

COUNTY: DARE

DESCRIPTION: Installation of french drain and stormwater pump system

LINE ITEM	SECT.	DESCRIPTION	QTY	UNIT	UNIT PRICE	AMOUNT BID
30	SP	Seeding and Mulching	9400	SY	0.72	6,768.00
31	1510	12" DIP Water Main	78	LF	154.00	12,012.00
32	1510	Ductile Iron Water Pipe Fittings	2050	LB	12.90	26,445
		one million two hundred	**TOTAL AMOUNT BID**			1,263,236.15

sixty-three thousand
two hundred thirty-six
and 15/100 dollars

WithersRavenel
Our People. Your Success.

February 12, 2020

David Ryan
Town Engineer
Town of Nags Head
PO Box 99
Nags Head, NC 27959

RE: FY 19/20 Drainage Improvements, Phase 5

Dear Mr. Ryan

WithersRavenel has reviewed the materials you provided following the bid opening on January 30, 2020 and has discusses reasonable modifications to the project with Barnhill Contracting, the selected low bidder. WithersRavenel believes that the materials, including the revised bid tabulation, show general conformance with the plans and specifications as outlined in the Project Manual, Addendum #2, and are consistent with previously discussed modifications to the project limits.

Sincerely,
WithersRavenel

Hunter Freeman
Project Manager

137 South Wilmington Street, Suite 200 | Raleigh, NC 27601
t: 919.469.3340 | f: 919.467.6008 | www.withersravenel.com | License No. C-0832
Asheville | Cary | Greensboro | Pittsboro | Raleigh | Wilmington

Attachment D - Phase V Value Engineering Matrix

Modification #	Description	Add / Delete / Modify	Line Item #	Line Item Name	Change in Quantity	Unit Price	Change in $$	Sub-Total	Notes
1	Mobilization	Modify	1	Mobilization	0	-$1,500.00	-$1,500.00	**-$1,500.00**	Reduction in bond cost reflected here
2	Selected Silt Fence Areas	Modify	2	Silt Fence	-4220	$3.80	-$16,036.00	**-$16,036.00**	Estimated, to be confirmed by David @ walk through
3	Adjust Length of Project Area 12	Modify	3	Stone for Erosion Control - Class A	-7	$46.00	-$322.00	**-$79,636.90**	
		Modify	7	Lump Sum Grading	$0.00	-$1,000.00	-$1,000.00		
		Modify	8	Removal of Existing Pavement	-505	$9.58	-$4,837.90		**STA 14+70 to 28+40**
		Delete	9	Perforated 24" HDPE	-2016	$50.00	-$100,800.00		
		Add	9	Perforated 24" HDPE with Sock	1370	$52.45	$71,856.50		Delete STA 11+20 to 14+70 (350 LF, 2 DI, 6 Driveways, 330 SY Concrete Path)
		Modify	13	Masonry / Precast Drainage Structure - Drop Inlet	-5	$2,360.00	-$11,800.00		Delete STA 28+40 to 31+16 (276 LF, 3 DI, 4 Driveway)
		Modify	15	Frame & Grate Std 840.16	-5	$515.00	-$2,575.00		
		Modify	25	6" Concrete Driveway	-175	$72.70	-$12,722.50		
		Modify	26	4" Portland Cement Concrete Pavement (no dowels)	-330	$50.00	-$16,500.00		
		Modify	28	Incidental Stone Base	-6	$48.00	-$288.00		
		Modify	30	Seeding and Mulching	-900	$0.72	-$648.00		
4	Adjust Length of Project Area 13	Modify	3	Stone for Erosion Control - Class A	-17	$46.00	-$782.00	**-$88,793.57**	
		Modify	7	Lump Sum Grading	0	-$1,200.00	-$1,200.00		
		Modify	8	Removal of Existing Pavement	-319	$9.58	-$3,056.02		**STA 14+90 to 31+31**
		Delete	9	Perforated 24" HDPE	-2246	$50.00	-$112,300.00		
		Add	9	Perforated 18" HDPE with Sock	1641	$45.95	$75,403.95		
		Delete	10	24" Solid Wall HDPE	-20	$68.25	-$1,365.00		Delete STA 10+70 to 14+90 (420 LF, 7 DI, 7 Driveways)
		Modify	13	Masonry / Precast Drainage Structure - Drop Inlet	-9	$2,360.00	-$21,240.00		Delete STA 31+31 to 35+25 (394 LF, 2 DI, 3 Driveways, 44 SY Concrete Path)
		Modify	15	Frame & Grate Std 840.16	-9	$515.00	-$4,635.00		
		Modify	19	6" HDPE Forcemain & Fittings (Directional Drill)	395	$50.00	$19,750.00		
		Modify	20	6" HDPE Forcemain & Fittings (In Infiltration Trench)	-395	$40.00	-$15,800.00		
		Modify	25	6" Concrete Driveway	-275	$72.70	-$19,992.50		
		Modify	26	4" Portland Cement Concrete Pavement (no dowels)	-44	$50.00	-$2,200.00		
		Modify	27	asphalt mix driveway repair	-20	$70.00	-$1,400.00		
		Modify	28	Incidental Stone Base	-7	$48.00	-$336.00		
		Modify	30	Seeding and Mulching	-750	$0.72	-$540.00		
		Add	33	18" Solid Wall HDPE	20	$44.95	$899.00		
5	Remove Project Area #12 Wet Well & Associated Work	Delete	10	24" Solid Wall HDPE	-18	$68.25	-$1,228.50	**-$83,954.00**	
		Modify	13	Masonry / Precast Drainage Structure - Drop Inlet	0	$2,360.00	$0.00		
		Delete	14	Concrete Junction Box	-1	$3,700.00	-$3,700.00		
		Modify	15	Frame & Grate Std 840.16	0	$515.00	$0.00		
		Delete	16	Project Area #12 Pump Station	-1	$37,000.00	-$37,000.00		No new inlet needed, DI @ STA 19+70 will be moved, JB can be deleted.
		Add	18	6" HDPE Forcemain & Fittings (Restrained Joint)	4	$169.00	$676.00		
		Modify	20	6" HDPE Forcemain & Fittings (In Infiltration Trench)	-288	$40.00	-$11,520.00		
		Modify	21	6" MJ Gate Valve	-1	$1,565.00	-$1,565.00		
		Modify	22	4" MJ Gate Valve	-1	$1,390.00	-$1,390.00		
		Modify	24	Quick Connect for Portable Pump	-2	$5,500.00	-$11,000.00		
		Modify	31	12" DIP Water Main	-26	$154.00	-$4,004.00		
		Modify	32	Ductile Iron Pipe Fittings	-1025	$12.90	-$13,222.50		
6	Driveway Profile to Follow Swale X-Section	Modify	28	Incidental Stone Base	-300	$48.00	-$14,400.00	**-$14,400.00**	Estimated
7	Additional Reduction in # of Inlets	Modify	13	Masonry / Precast Drainage Structure - Drop Inlet	-14	$2,360.00	-$33,040.00	**-$40,250.00**	In addition to reductions from items #2 and #3, locations TBD
		Modify	15	Frame & Grate Std 840.16	-14	$515.00	-$7,210.00		
8	Modifications to Project Area #13 Wet Well	Modify	17	Project Area 13 Pump Station	0	-$36,400.00	-$36,400.00	**-$36,400.00**	Reduce Depth to 8.5', reduce diameter to 6', delete area light, delete extra pump, delete davit crane, revise panel
9	Path Preservation	Modify	26	4" Portland Cement Concrete Pavement (no dowels)	-571	$50.00	-$28,550.00	**-$28,550.00**	Estimated by Ricky Brake
10	Path Preservaton	Modify	8	Removal of Existing Pavement	-588	$9.58	-$5,633.04	**-$5,633.04**	
11	Modified DI Price for 24" x 36"	Modify	13	Masonry / Precast Drainage Structure - Drop Inlet	13	-$184.00	-$2,392.00	**-$2,392.00**	Per email from Ricky Brake
12	Replace 24" HDPE with Sock Pipe (associated edits)	Delete	11	Mesh Screen	-8914	$2.00	-$17,828.00	**-$101,528.00**	
		Delete	12	Washed Stone	-1860	$45.00	-$83,700.00		
13	Reduction in Sign Repair	Modify	29	Erection of Signs & Mailboxes	-16	$125.00	-$2,000.00	**-$2,000.00**	
14	Remove Concrete Washout	Delete	5	Concrete Washout	-1	$2,200.00	-$2,200.00	**-$2,200.00**	

Original Bid: **$1,263,236.15**

Projected Cost Reduction: **-$503,273.51**

New Estimated Base Bid: $759,962.64

Contingency *$40,037.36*

New Estimated Project Cost: **$800,000.00**

Attachment E- Barnhill Contracting
Modified Bid

TOWN OF NAGS HEAD
FY 19/20 DRAINAGE INFRASTRUCTURE IMPROVEMENTS PHASE 5

BID FORM
REVISED PER DISCUSSION WITH BARNHILL

DATE: 2/12/2020

COUNTY: DARE

DESCRIPTION: Installation of french drain and stormwater pump system

					Barnhill Contracting	
LINE ITEM	SECT.	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION
1	800	Mobilization	1	LS	$60,500.00	$60,500.00
2	1605	Temporary Silt Fence	1000	LF	$3.80	$3,800.00
3	1607	Stone for Erosion Control - Class A	51	TON	$46.00	$2,346.00
4	1607	Geotextile for Drainage	65	SY	$2.85	$185.25
5	SP	Concrete Washout Structure	1	EA	$2,200.00	$2,200.00
6	SP	Temporary Traffic Control	1	LS	$2,100.00	$2,100.00
7	226	Lump Sum Grading	1	LS	$20,500.00	$20,500.00
8	SP	Removal of Existing Pavement (Driveways and Multiuse Path)	2368	SY	$9.58	$22,685.44
9	SP	Perforated 24" HDPE Drainage Pipe w/sock	1370	LF	$52.45	$71,856.50
10	310	Perforated 18" HDPE Drainage Pipe w/sock	1641	LF	$45.95	$75,403.95
11	SP	Mesh Screen	0	SY	$2.00	$0.00
12	SP	Washed #57 Stone	0	TON	$45.00	$0.00
13	840	Masonry Drainage Structure - Drop Inlet	13	EA	$2,176.00	$28,288.00
14	840	Masonry Drainage Structure - Junction Box	0	EA	$3,700.00	$0.00
15	840	Frame & Grate Std. 840.16	13	EA	$515.00	$6,695.00
16	SP	Project Area 12 Pump Station	0	LS	$37,000.00	$0.00
17	SP	Project Area 13 Pump Station	1	LS	$121,600.00	$121,600.00
18	SP	6" HDPE Force Main & Fittings (Restrained Joint)	110	LF	$169.00	$18,590.00
19	SP	6" HDPE Force Main & Fittings (Directional Drill)	1875	LF	$50.00	$93,750.00
20	SP	6" HDPE Force Main & Fittings (In Infiltration Trench)	0	LF	$40.00	$0.00
21	1515	6" MJ Gate Valve	3	EA	$1,565.00	$4,695.00
22	1515	4" MJ Gate Valve	3	EA	$1,390.00	$4,170.00
23	1540	14" O.D. Steel Encasement Pipe	50	LF	$553.00	$27,650.00
24	SP	Quick Connect for Portable Pump	1	EA	$5,500.00	$5,500.00
25	848	6" Concrete Driveway	1200	SY	$72.70	$87,240.00
26	710	4" Portland Cement Concrete Pavement	1000	SY	$50.00	$50,000.00
27	654	Asphalt Plant Mix, Driveway Repair	148	SY	$70.00	$10,360.00
28	545	Incidental Stone Base	206	TON	$48.00	$9,888.00
29	SP	Erection of Signs & Mailboxes	18	EA	$125.00	$2,250.00
30	SP	Seeding and Mulching	7750	SY	$0.72	$5,580.00
31	1510	12" DIP Water Main	52	LF	$154.00	$8,008.00
32	1510	Ductile Iron Water Pipe Fittings	1025	LB	$12.90	$13,222.50
33	1510	18" Solid Wall HDPE	20	LF	$44.95	$899.00
			TOTAL AMOUNT BID			$759,962.64

Signed: _____ Barnhill Contracting

C-510 Notice of Award

Date: February 18, 2020

Project: FY 19-20 Drainage Infrastructure Improvement Projects*, Nags Head, Dare County, NC*	
Owner: *Town of Nags Head, North Carolina*	Owner's Contract No.: -
Contract: FY 19-20 Drainage Infrastructure Improvement Projects*, Nags Head, Dare County, NC*	Engineer's Project No.: **N/A**
Bidder: *Barnhill Contracting Company*	
Bidder's Address: *PO Box 1050, Kitty Hawk, NC 27949*	

You are notified that your Bid dated 30 Jan 2020 for the above Contract has been considered. You are the successful lowest, responsive, responsible bidder and are awarded a Contract for the scope of work described in the Contract Documents for the Town of Nags Head Capital Improvement Project – FY 19-20 Drainage Infrastructure Improvement Projects.

- **Project Area #12***: French drain installation on the east side of Old Oregon Inlet Road between James St. and Juncos St..*
- **Project Area #13***: 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.*

The Contract Price of your Contract is Seven-hundred fifty-nine thousand, nine hundred sixty-two dollars and sixty four cents ($759,962.64).

3 copies of the proposed Contract Agreement (except Drawings) accompany this Notice of Award.

3 sets of the Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within [15] days of the date you receive this Notice of Award.

1. Deliver to the Owner (3) three fully executed counterparts of the Contract Documents.
2. Other conditions precedent: The contractor shall provide insurance certificates, 100% payment and performance bonds and Minority Business documents as required by the Instructions to Bidders, General Conditions and the Supplementary Conditions in the contract documents.
3. Execution of the Final Contract is contingent on the Town Board of Commissioners Approval, Owner's Legal Review, Financial Approval and issuance of State Permit approvals.

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within fifteen days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

Town of Nags Head
Owner

By:_____
Authorized Signature

Town Manager
Title

Copy to Engineer

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
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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

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Attachment A- PH 8B Bid Tabulation

Formal Bid- W. Side Multi-Use Path PH 8B- Bid Opening February 11, 2020 2:00 PM

Bid No.	Vendor	Address	Bid Signed	Executed ND Form	Bid Bond	Addenda Acknowledged	Bid Form Completed	MBE Participation	License Provided	Affadavit A or B	Bid Amount
1	RPC Contracting , Inc.	PO Box 333 Kitty Hawk, NC 27949	X	X	X	X	X	X	X	A	Base Bid: $533,900.00 Alt 1: ($4780) Total Amount: **$529,120.00** (base bid + ALT 1)
2	Barnhill Contracting Co.	PO Box 1050 Kitty Hawk, NC 27949	X	X	X	X	X	X	X	A	Base Bid: $623,100.00 Alt 1: ($4,500.00) Total Amount: **$618,600.00** (base bid + ALT 1)
3	Hatchell Concrete Inc.	PO Box 2405 Manteo, NC 27954	X	X	X	X	X	X	X	A	Base Bid: $768,329.95 Alt 1: $16,000.00 Total Amount: **$784,329.95** (base bid + ALT 1)
4											
5											

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BID FORM

W. SIDE MULTI-USE PATH PHASE VIII-B

Site." AND approximately 1,394 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 the Outer Banks Visitors Bureau "Event Site" to Gull St.

(see paragraph 5.01.D, page 3)			
Item No.	Description	Unit	Bid Unit Price
1	General Clearing within the limits of disturbance	AC	37,500.00
2	Common excavation	CY	5.50
3	Select Fill, (furnished, placed and compacted)	CY	14.50
4	Ex. asphalt, concrete curb removal & disposal	SY	40.00
5	30" Concrete curb & gutter as per NCDOT std. 846.01	LF	24.00
6	6" high integral sidewalk curb	LF	18.00
7	36"x26" Catch Basin (840.01) with Hood, frame & grate (840.03)-installed	EA	2,000.00
8	36"x24" Drop Inlet (840.15) with frame & grate (840.16)-installed	EA	1,900.00
9	36"x36" Junction Box (840.32) with manhole frame & cover- installed	EA	2,500.-
10	48"x48" Junction Box (840.32) with manhole frame & cover-installed	EA	4,000.-
11	15" dia. Double Wall HDPE culvert/storm drain pipe-installed	LF	34.00
12	15" HDPE flared end section- installed	EA	320.00
13	18" dia. Double Wall HDPE culvert/storm drain pipe-installed	LF	42.00
14	24" dia. double wall HDPE culvert/storm drain pipe-installed	LF	60.00
15	30" dia. double wall HDPE culvert/storm drain pipe-installed	LF	76.00
16	30" dia. High Performance HDPE culvert/storm drain pipe -installed	LF	76.00
17	36" dia. double wall HDPE culvert/storm drain pipe-installed	LF	135.00
18	ADA Handicap Ramp w/dome alert matting as per NCDOT std. 848.05	EA	1,765.00
19	Concrete Driveway REMOVAL	SF	4.00
20	Concrete Driveway REPLACEMENT	SF	~~4.50~~ 12.00
21	Concrete sidewalk REMOVAL	SF	3.00
22	Concrete sidewalk REPLACEMENT	SF	4.50
23	4" thick by 10' wide reinforced concrete pathway	SF	4.50
24	4" thick by 6' wide reinforced concrete pathway	SF	4.50
25	Drainage inlet protection	EA	135.00

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26	24" high wood guardrail construction	LF	21.00
27	Permanent Asphalt Pavement patch	SY	50.00
28	8" solid white thermoplastic striping (90 mil)	LF	6.50
29	Existing sign relocation	EA	50.00
30	Traffic Control Measures in accordance with NCDOT requirements	Lump Sum	6,000.-
31	Manhole riser extension	EA	750.-
32	Water valve frame & cover extension	EA	125.-
33	Rock check dam	EA	600.-
34	Silt fencing	LF	3.50
35	Excelsior matting, installed	SY	2.50
36	Disturbed Area Restoration permanent grass	SY	0.70
37	Geocell, installed	SF	1.70
38	6" Fire Hydrant Assembly riser installation	EA	1,990.-
39	6" Fire Hydrant Assembly relocation - per plans	EA	3,270.-
40	Class "A" Rip-Rap	TON	85.00
41	Class "B" Rip-Rap	TON	100.00
42	NEW water service connection	EA	1,600.00

Total of Lump Sum (Base Bid) = Total Base Bid Price $ 533,900.00

Alternates	Description	Amount
1 – Slope Stabilization	Substitute high performance turf reinforcement matting for specified Geocell slope stabilization, in locations specified on plans.	DEDUCT ($ 4,780.00)

5.03 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions and the Supplementary Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

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C-510 Notice of Award

Date: February 18, 2020

Project: Phase 8B W. Side Multi-Use Path, *Nags Head, Dare County, NC*	
Owner: *Town of Nags Head, North Carolina*	Owner's Contract No.: -
Contract: FY 19-20 Capital Improvement Project- PH 8B W. Side Multi-Use Path, *Nags Head, Dare County, NC*	Engineer's Project No.: **N/A**
Bidder: *RPC Contracting, Inc.*	
Bidder's Address: *PO Box 1050, Kitty Hawk, NC 27949*	

You are notified that your Bid dated 11 Feb 2020 for the above Contract has been considered. You are the successful lowest, responsive, responsible bidder and are awarded a Contract for the scope of work described in the Contract Documents for the Town of Nags Head Capital Improvement Project PH 8B W. Side Multi-Use Path.

- *Approximately 2,398 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 Baymeadow Dr.. to the Outer Banks Visitors Bureau "Event Site."*
- *Approximately 1,394 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 the Outer Banks Visitors Bureau "Event Site" to Gull St.*

The Contract Price of your Contract is Five-hundred thirty-three thousand, nine hundred dollars and zero cents ($533,900.00).

3 copies of the proposed Contract Agreement (except Drawings) accompany this Notice of Award.

3 sets of the Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within [15] days of the date you receive this Notice of Award.

1. Deliver to the Owner (3) three fully executed counterparts of the Contract Documents.
2. Other conditions precedent: The contractor shall provide insurance certificates, 100% payment and performance bonds and Minority Business documents as required by the Instructions to Bidders, General Conditions and the Supplementary Conditions in the contract documents.
3. Execution of the Final Contract is contingent on the Town Board of Commissioners Approval, Owner's Legal Review, Financial Approval and issuance of State Permit approvals.

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within fifteen days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

Town of Nags Head
Owner

By:_____
Authorized Signature

Town Manager
Title

Copy to Engineer

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Town of Nags Head
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Attachment D- PH 8C Bid Tabulation

Formal Bid- W. Side Multi-Use Path PH 8C- Bid Opening February 11, 2020 2:00 PM

Bid No.	Vendor	Address	Bid Signed	Executed ND Form	Bid Bond	Addenda Acknowledged	Bid Form Completed	MBE Participation	License Provided	Affadavit A or B	Bid Amount
1	RPC Contracting , Inc.	PO Box 333 Kitty Hawk, NC 27949	X	X	X	X	X	X	X	A	Base Bid: $479,340.00 ADD Alt 1: $133,920.00 Total Amount: **$613,260.00** (base bid + ALT 1)
2	Barnhill Contracting Co.	PO Box 1050 Kitty Hawk, NC 27949	X	X	X	X	X	X	X	A	Base Bid: $513,577.00 ADD Alt 1: $118,202.00 Total Amount: **$631,779.00** (base bid + ALT 1)
3	Hatchell Concrete Inc.	PO Box 2405 Manteo, NC 27954	X	X	X	X	X	X	X	A	Base Bid: $694,480.00 ADD Alt 1: $165,197.50 Total Amount: **$859,677.50** (base bid + ALT 1)
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BID FORM

W. SIDE MULTI-USE PATH PHASE VIII-C

of-way margin extending from W. Danube St. to the northern entrance of the Outer Banks Mall.

(see paragraph 5.01.D, page 3)			
Item No.	**Description**	**Unit**	**Bid Unit Price**
1	General Clearing within the limits of disturbance	AC	37,500.00
2	Common excavation	CY	5.50
3	Select Fill, (furnished, placed and compacted)	CY	14.50
4	Ex. asphalt, concrete curb removal & disposal	SY	40.00
5	30" Concrete curb & gutter as per NCDOT std. 846.01	LF	24.00
6	6" high integral sidewalk curb	LF	18.00
7	36"x26" Catch Basin (840.01) with Hood, frame & grate (840.03)-installed	EA	1600.00
8	36"x24" Drop Inlet (840.15) with frame & grate (840.16)-installed	EA	1,600.00
9	36"x36" Junction Box (840.32) with manhole frame & cover- installed	EA	1,800.00
10	48"x48" Junction Box (840.32) with manhole frame & cover-installed	EA	2,400.-
11	15" dia. Double Wall HDPE culvert/storm drain pipe-installed	LF	32.00
12	15" HDPE flared end section- installed	EA	320.00
13	18" dia. Double Wall HDPE culvert/storm drain pipe-installed	LF	42.00
14	24" dia. double wall HDPE culvert/storm drain pipe-installed	LF	53.00
15	30" dia. double wall HDPE culvert/storm drain pipe-installed	LF	76.00
16	30" dia. High Performance HDPE culvert/storm drain pipe -installed	LF	~~[illegible]~~ 76.00
17	36" dia. double wall HDPE culvert/storm drain pipe-installed	LF	95.00
18	ADA Handicap Ramp w/dome alert matting as per NCDOT std. 848.05	EA	1765.00
19	Concrete sidewalk REMOVAL	SF	3.00
20	Concrete sidewalk REPLACEMENT	SF	4.50
21	4" thick by 10' wide reinforced concrete pathway	SF	4.50
22	Drainage inlet protection	EA	135.00
23	24" high wood guardrail construction	LF	21.00
24	Permanent Asphalt Pavement patch	SY	50.00
25	8" solid white thermoplastic striping (90 mil)	LF	6.50
26	Existing sign relocation	EA	50.00

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27	Traffic Control Measures in accordance with NCDOT requirements	Lump Sum	6,000.00
28	Manhole riser extension	EA	750.00
29	Water valve frame & cover extension	EA	125.00
30	Silt fencing	LF	3.50
31	Excelsior matting, installed	SY	2.50
32	Disturbed Area Restoration permanent grass	SY	0.70
33	Geocell, installed	SF	1.70
34	6" Fire Hydrant Assembly riser installation	EA	1,990.00
35	6" Fire Hydrant Assembly relocation - per plan	EA	3,270.00
36	Class "A" Rip-Rap	TON	85.00
37	Class "B" Rip-Rap	TON	100.00
38	NEW water service connection	EA	1,600.00

Total of Lump Sum (Base Bid) = Total Base Bid Price $ 479,340.00

Alternates	Description	Amount
1 – Additional pathway length	Approximately 1,700 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 the northern entrance of the Outer Banks Mall to W. Seachase Dr.	$ 133,920.00

5.03 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions and the Supplementary Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

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C-510 Notice of Award

Date: February 18, 2020

Project: Phase 8C W. Side Multi-Use Path, *Nags Head, Dare County, NC*	
Owner: *Town of Nags Head, North Carolina*	Owner's Contract No.: -
Contract: FY 19-20 Capital Improvement Project- PH 8C W. Side Multi-Use Path, *Nags Head, Dare County, NC*	Engineer's Project No.: **N/A**
Bidder: *RPC Contracting, Inc.*	
Bidder's Address: *PO Box 1050, Kitty Hawk, NC 27949*	

You are notified that your Bid dated 11 Feb 2020 for the above Contract has been considered. You are the successful lowest, responsive, responsible bidder and are awarded a Contract for the scope of work described in the Contract Documents for the Town of Nags Head Capital Improvement Project PH 8C W. Side Multi-Use Path.

- *Base Bid: Approximately 2,800 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 the northern entrance of the Outer Banks Mall.*
- *Add Alternate #1: Approximately 1,700 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 the northern entrance of the Outer Banks Mall to W. Seachase Dr..*

The Contract Price of your Contract is Six-hundred thirteen thousand, two hundred sixty dollars and zero cents ($613,260.00).

3 copies of the proposed Contract Agreement (except Drawings) accompany this Notice of Award.

3 sets of the Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within [15] days of the date you receive this Notice of Award.

1. Deliver to the Owner (3) three fully executed counterparts of the Contract Documents.
2. Other conditions precedent: The contractor shall provide insurance certificates, 100% payment and performance bonds and Minority Business documents as required by the Instructions to Bidders, General Conditions and the Supplementary Conditions in the contract documents.
3. Execution of the Final Contract is contingent on the Town Board of Commissioners Approval, Owner's Legal Review, Financial Approval and issuance of State Permit approvals.

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within fifteen days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

Town of Nags Head
Owner

By:_____
Authorized Signature

Town Manager
Title

Copy to Engineer

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 No. 20-03-003
Support of Alligator River Bridge
BOC Meeting February 18, 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