



Legislation Details (With Text)

**File #:** 18-402      **Version:** 1      **Name:**

**Type:** Other Items of Business      **Status:** Agenda Ready

**File created:** 8/17/2018      **In control:** City Council Regular Meeting

**On agenda:** 8/27/2018      **Final action:** 10/14/2025

**Title:** Adoption of Capital Project Ordinance Amendment 2019-19 and Award of Contract for Mirror Lake Dam Hurricane Repairs

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Mirror Lake Bid Tabulation, 2. CPOA 2019-19 (Mirror Lake Dam), 3. FEMA Project Award Mirror Lake Dam

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**TO:** Mayor and Members of City Council

**THRU:** Kristoff Bauer, Deputy City Manager

**FROM:** Rob Stone, PE, Director of Public Services  
Tracey Broyles, Budget and Evaluation Director

**DATE:** August 27, 2018

**RE:**  
Adoption of Capital Project Ordinance Amendment 2019-19 and Award of Contract for Mirror Lake Dam Hurricane Repairs

**COUNCIL DISTRICT(S):**  
District 5

**Relationship To Strategic Plan:**

- Goal 1: Safe and Secure Community
- Goal 3: High Quality Built Environment
- Goal 4: Desirable Place to Live, Work and Recreate

**Executive Summary:**

Capital Project Ordinance Amendment (CPOA) 2019-19 will appropriate anticipated funding from the Federal Emergency Management Agency (FEMA) and the North Carolina Department of Public Safety (NC DPS) to provide \$2,952,051 of additional project funding for the reconstruction of Mirror Lake Dam.

Four bids have been received for the restoration of Mirror Lake Dam, which was damaged during

Hurricane Matthew. The City of Fayetteville is currently verifying the licenses, insurance and references required for the apparent lowest responsive, responsible bidder. Due to the time constraints of this project, a bidder recommendation will be presented at the Council meeting.

**Background:**

Mirror Lake Dam was severely damaged when the lake overtopped the roadway during Hurricane Matthew, beginning on October 4, 2016. The dam outlet pipes and a large portion of the roadway were washed away, and the roadway is currently closed to traffic.

On April 24, 2017, Council appropriated \$2,286,810 of anticipated state and federal funding for the repair and reconstruction of Mirror Lake Dam. On July 19, 2017, FEMA officially awarded Project Worksheet (PW) 01262 to provide \$1,529,530.19 for the project to return Mirror Lake Dam to its pre-disaster condition and also repair Mirror Lake Drive on top of the dam. As a “large” public assistance project under FEMA guidelines, total actual costs will be eligible for reimbursement, even if they exceed the PW estimate, provided that all of the work completed is within the scope of (or incidental to) the work described in the PW. Based upon staff conversations with FEMA & NCDPS staff, there is no reason to believe that total costs for this project will not be reimbursable under the 75%/25% federal/state funding model.

The Purchasing Division of the Finance Department is completing the bid process for the project. Bids were received on August 15, 2018 as follows:

<u>Bidders</u>	<u>Total Cost*</u>
Southern Specialty Civil Constructors, LLC Clemmons, NC	\$3,649,999.20
T.A. Loving Company Goldsboro, NC	\$3,875,346.98
Crowder Construction Company Charlotte, NC	\$4,258,024.00
Kiewit Infrastructure South Co. Peachtree City, GA	\$4,811,687.75

\* Total costs listed include the City’s portion and the portion to be paid by the PWC.

Staff has proposed a CPOA to appropriate an additional \$2,952,051 of federal and state funding for the project, which would provide a sufficient appropriation to fund the costs of the second lowest bid plus a 30% contingency. Project funds may only be expended for work within the scope authorized under PW 01262.

**Issues/Analysis:**

FEMA requires adherence to strict procurement and documentation guidelines to qualify for federal reimbursement of expenditures for response and recovery from natural disasters. City staff is making every effort to comply with those requirements to maximize reimbursement from FEMA as appropriate.

**Budget Impact:**

There is no anticipated impact to the General Fund as it is expected that the project will be fully reimbursed by FEMA and NCDPS.

**Options:**

1. Adopt CPOA 2019-19 and authorize the award and execution of the contract to the lowest responsive, responsible bidder by the City Manager as recommended by staff.
2. Do not adopt CPOA 2019-19 or award the contract as recommended and provide further direction to staff.

**Recommended Action:**

Staff recommends that Council move to adopt CPOA 2019-19, approve the contract award and authorize the City Manager to execute the contract for the repair and reconstruction of Mirror Lake dam to the recommended lowest responsive, responsible bidder as presented.

**Attachments:**

- Mirror Lake Bid Tabulation
- Capital Project Ordinance Amendment 2019-19 (Mirror Lake Dam)
- FEMA Project Award Mirror Lake Dam