

BURNSVILLE TOWN COUNCIL
Special Meeting - Wednesday, June 14, 2023, 10am
Burnsville Town Center

On Wednesday, June 14, 2023, the Burnsville Town Council with Mayor Russell Fox, and members Judy Buchanan, Denise Collier, Bill Wheeler, and Randy Ollis present held a special meeting at the Burnsville Town Center. Also in attendance were Heather Hockaday, Chad Fox, and Leslie Crowder. Mayor Fox called the meeting to order at 10:02am.

Adoption of agenda - Randy Ollis moved to approve the agenda. Judy Buchanan seconded the motion, which carried. All were in favor.

Consideration of a notice to proceed for the Azalea Lane culvert project - Town Manager Heather Hockaday gave background on the project and the process of working with FEMA. She mentioned delays due to materials that were above estimated costs and had an eight to ten months wait on delivery. She explained how the project was reassessed and it was decided to do a pour in place culvert.

Mayor Fox explained that some of the price increase was due to the change in materials from metal to concrete. He said that the initial poor design, with two metal culverts, caused the failure. Bill Wheeler moved to approve the *Resolution To Approve Bid and Tentatively Award the Construction Contract to Young & McQueen Grading Company, Inc for the Azalea Lane Culvert Repair Project* and authorize Mayor Fox to sign it. Judy Buchanan seconded the motion, which carried. All were in agreement.

Project Ordinance - Mrs. Crowder also introduced an amendment to the Project Ordinance for the Tropical Storm Fred event acknowledging an increase to the construction portion of the Azalea Lane project and an increase to the engineering costs on the Azalea Lane and Meadow Road projects.

Budget amendment - Finance Officer Leslie Crowder introduced Budget Amendment #7 for FY 22/23, recognizing a possible contribution from the fund balance of \$82,818.00 into the operating budget.

Judy Buchanan moved to approve amendments to the Project Ordinance for the Tropical Storm Fred event and *Budget Amendment #7*. Bill Wheeler seconded the motion, which unanimously carried.

Adjourn - With there being no further business, Randy Ollis moved to adjourn the meeting at 10:09am. Judy Buchanan seconded the motion, meeting adjourned.


J. Chad Fox, Town Clerk




T. Russell Fox, Mayor

Resolution # 2023.06.14.01

RESOLUTION TO APPROVE BID AND TENTATIVELY AWARD THE CONSTRUCTION CONTRACT TO YOUNG & McQUEEN GRADING COMPANY, INC. FOR THE AZALEA LANE CULVERT REPAIR PROJECT.

WHEREAS, on or about August 18, 2021 a culvert on the south end of Azalea Lane, a street owned and maintained by the Town of Burnsville, was damaged and failed as the result of rain from tropical storm Fred. Subsequently, FEMA approved funding for repair of the culvert (project #548863, Azalea Lane Culvert); and

WHEREAS, the engineering firm of McGill Associates was contracted to design and bid the culvert repair project. The dollar threshold for the project costs is under the formal bidding amount and bidding was accomplished by solicitation of more than three contractors. A pre-bid conference was held at Burnsville Town Hall on May 30, 2023 with three contractors present. Sealed bids were due by June 8, 2023; and

WHEREAS, McGill Associates held a bid opening at 2:00 p.m. on June 8, 2023 in the Council Chambers of the Town of Burnsville, North Carolina. Two submitted bids were opened and read. Said bids were accompanied by acceptable certified checks or bidder's bonds in the amount of 5% of the bid. A copy of the Bid Certification is attached hereto; and

WHEREAS, the apparently low bid was submitted by Young & McQueen Grading Company, Inc. in the amount of \$159,500.00. The company holds an unlimited General Contracting License in North Carolina and has the capability to complete the work required for this project and is deemed the lowest, responsive, responsible bidder; and

WHEREAS, McGill Associates made recommendation to the Town of Burnsville to tentatively award the construction contract to Young & McQueen Grading Company, Inc., for a total base bid amount of \$159,500.00; and

WHEREAS, due to materials price increases, inflation, and supply chain issues affecting design and cost of the project the amount of the bid exceeds the amount obligated by FEMA (\$134,202.76) for the project and necessitates that

the Town contribute funding to the project from the Water and Sewer Enterprise Fund savings; and

WHEREAS, Council believes that approval of this Bid and engineer's recommendation is in the best interest and critical to the health, safety and welfare of the citizens and residents of the Town of Burnsville and that re-bidding the project would not result in a lower bid and would only serve to delay the project completion further; and

NOW, THEREFORE, be it resolved by the Burnsville Town Council the following:

1. That the Bid for \$159,500.00 from Young & McQueen Grading Company, Inc. is accepted pending contract negotiations and entering into a contract for the repair project.
2. That pending final contracts, the Notice of Award is granted to Young & McQueen Grading Company, Inc. and the Mayor or Town Manager is authorized to sign the Notice of Award. McGill Associates will prepare contracts for the Azalea Lane culvert repair project, including any language required under federal law and FEMA guidelines, to be executed by the Town and the Contractor.
3. That Town Council approves an amendment to the Project Ordinance to cover from water and sewer enterprise fund balance any amounts over that which was obligated by FEMA for the project.
4. That all acts and doings of officers, employees and agents of the Town, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.
5. That the Mayor or the Town Manager, or either of them, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by this Resolution, except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of the specific provisions of this Resolution.

6. Any prior resolutions or parts thereof of the Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.
7. This Resolution is effective upon its adoption.

This the 14th day of June, 2023.

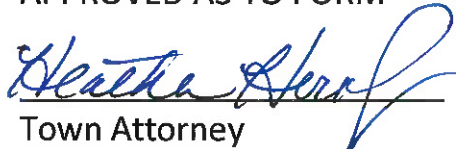
ATTEST:

TOWN OF BURNSVILLE


Clerk to the Board

By: 
T. Russell Fox, Mayor

APPROVED AS TO FORM


Town Attorney



June 12, 2023

Ms. Heather Hockaday, Town Manager
Town of Burnsville
Post Office Box 97
Burnsville, North Carolina 28714

RE: Recommendation of Award and Certified Bid Tabulation
Azalea Lane Culvert Repair
Yancey County, North Carolina

Dear Ms. Hockaday:

On June 8, 2023, public bids were opened and read aloud at the Town of Burnsville Council Chambers for the above referenced project. Two (2) bids were received with the apparent low bid submitted by Young & McQueen Grading Company, Inc. of Burnsville, North Carolina for a total base bid price of \$159,500.00. Attached is a certified bid tabulation for all the bids submitted.

Young & McQueen Grading Company, Inc. holds an Unlimited General Contracting License with the North Carolina Licensing Board for General Contractors. Young & McQueen Grading Company, Inc. appears to have the capability to complete the work required for this project.

McGill Associates recommends that the Town of Burnsville tentatively award the construction contract to Young & McQueen Grading Company, Inc., for a total base bid amount of \$159,500.00.

McGill Associates looks forward to continuing to assist the Town during the construction phase of this project. If you have any questions regarding this matter or require additional information, please do not hesitate to contact me.

Sincerely,
McGILL ASSOCIATES, P.A.

A handwritten signature in black ink, appearing to read 'Ben Cathey'.

BEN CATHEY, PE
Practice Area Leader

Enclosures

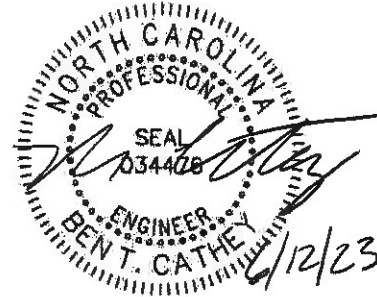
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CERTIFIED BID TABULATION
Azalea Lane Culvert Repair
Town of Burnsville, North Carolina

| | | | | Young & McQueen Grading Co., Inc. 25 Crest View Road Burnsville, NC 28714 | | Rock Creek Grading, 9 Rock Wall Lane Burnsville, NC 28714 | |
|--------------|-------------------|----------|------|---|--------------|---|---------------------|
| ITEM | DESCRIPTION | QUANTITY | UNIT | | TOTAL | UNIT PRICE | TOTAL |
| 1 | Lump Sum Base Bid | 1 | LS | \$159,500.00 | \$159,500.00 | \$184,700.00 | \$184,700.00 |
| TOTAL | | | | | | \$159,500.00 | \$184,700.00 |



This is to certify that the bids tabulated herein were publicly opened and read aloud at 2:00 p.m. on the 8th day of June 2023, in the Council Chambers of the Town of Burnsville, North Carolina and that said bids were accompanied by acceptable certified checks or bidder's bonds in the amount of 5% of the bid.



Town of Burnsville
Grant Project Ordinance For
Azalea Ln culvert, Multiple Culverts and Erosion and Management Cost
(Tropical Storm Fred Event #4617DR-NC)

BE IT HEREBY ORDAINED by The Town of Burnsville Council that, pursuant to section 13.2(a)(2) of chapter 159 of the North Carolina General Statutes, the following grant project ordinance is hereby adopted:

SECTION 1: That the project authorized hereby is to complete restoration of the culvert and infrastructure damage sustained by Event # 4617DR-NC

SECTION 2: The Town of Burnsville staff is hereby directed to proceed with the Grant Project within the terms and provisions of Chapter 159 of North Carolina General Statutes and the budget contained herein.

SECTION 3: The following revenues and resources are anticipated to be available to complete the project activities.

Revenues:

| From: | Amount: |
|--|--------------------|
| Federal Emergency Management Agency | \$232,545.70 |
| NC Emergency Management Agency | \$77,515.24 |
| <i>Possible additional FEMA funding or local match</i> | <u>\$82,817.24</u> |
| Total | \$392,878.18 |

SECTION 4: The following expenditures are hereby appropriated for the project activities:

Expenditures:

| For: | |
|---|--------------|
| Management Costs (Category Z) | \$15,078.84 |
| Multiple Culverts and Erosion (Includes Meadow Rd 917992-435688) | \$160,779.34 |
| Azalea- Culvert Repair (548863) | \$159,500.00 |

| | |
|--|-------------------|
| Engineering-design | \$26,020.00 |
| (Azalea \$21,020, Meadow Rd. \$5,000) | |
| Bidding and Award | \$7,300.00 |
| Assessment | \$3,200.00 |
| Construction Administration | \$17,500.00 |
| (Azalea 15,500, Meadow and culverts 2,000) | |
| Density and compaction testing | <u>\$3,500.00</u> |
| Total | \$392,878.18 |

SECTION 5: The Town of Burnsville Finance Office is hereby directed to maintain within the grant project Fund sufficient specific detailed accounting information as required by Chapter 159 of the North Carolina General Statutes.

SECTION 6: The Town of Burnsville Manager is hereby authorized and empowered to execute any and all documents necessary to commence, carry out, and complete the grant project set forth herein without any other direction, authorization, or consent, including without limitation any and all contract documents, change orders, and any other such documents as may be necessary to give direction to architects, contractors, and others in completing this grant project. Further the Town Manager is authorized to transfer appropriations within the various line items of this grant project ordinance as he/she deem necessary, according to the law. Further that the Town Manager shall from time to time report to the Town Council as they shall direct as to the status of completion of the grant project and/or the status of the budget for the capital project.

SECTION 7: Copies of this grant project ordinance shall be made available to all Town staff for the purposes of direction in carrying out the completion of this capital project.

SECTION 8: This grant project ordinance is amended and adopted on this the 14th day of June 2023 for the purpose of setting revenues and expenditures per North Carolina General Statute 159-13.2(a)(2)



Hon. T Russell Fox, Mayor

Attest:



Town of Burnsville, North Carolina

Budget Amendment # 7

FY: 22/23

Funding Source: Described below

THE FY: 22/23 BUDGET ORDINANCE IS HEREBY AMENDED TO REFLECT THE FOLLOWING CHANGES, And TO REFLECT THESE LINE ITEM TRANSFERS.

Fund: General Fund

DEPT: Street

Revenue:

Increase Line Item number: 10-399-0000 Fund Balance Appropriations \$82,818

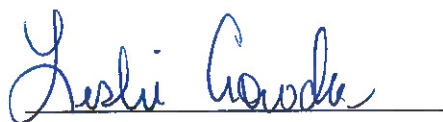
EXPENDITURE:

Increase: LINE ITEM NUMBER: 10-560-6500 Flooding Expense (FEMA) \$82.818.00

Total of all changes: 82,818.00

Acknowledge and account for the possible amount that we may have to contribute to get the FEMA projects completed.

Requested by:



Finance Officer

Authorized by:



Mayor

Council Vote: 5 yes 0 no

Date approved by council: