

CITY OF EDEN, N.C.

A special meeting of the City Council, City of Eden, was held on Thursday, January 30 at 6 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	Neville Hall
Council Members:	Darryl Carter
	Gerald Ellis
	Jerry Epps
	Angela Hampton
	Phillip Hunnicutt
	Bernie Moore
	Bruce Nooe
Interim City Manager:	Terry Shelton
City Clerk:	Deanna Hunt
City Attorney:	Erin Gilley
Media:	Roy Sawyers, Rockingham Update

Mayor Neville Hall called the special meeting of the Eden City Council to order.

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Consideration of a recommendation to award EPA Remediation Plan Contracts I, VI and VII to Yates Construction Company.

Mayor Hall asked Interim City Manager Terry Shelton to come forward with his presentation and recommendation.

Mr. Shelton explained that Yates Construction Company was the low bidder on all three contracts. The City had the legal right to negotiate with them and come to the revised costs on the memorandum. The work was revised in such a way that it did not compromise the integrity of reaching the objectives of the project, but it was not exactly the way that they would have preferred to have it if money were not an issue. The total for all three projects would be \$8,715,934 and that was \$1,669,125 less than the original low bidders' prices. Mark Bullins, Water and Sewer Construction Projects Manager, was present and he had worked with the engineers to get it down to a more manageable amount of money.

Mayor Hall said from his perspective, with the funding that was or was not available for this major project, they were having to go back and take out some of the things that they would like to do, that they would eventually need to do, but cannot afford to do right now. That was what resulted in this lower bid and he appreciated them whittling through and finding out what they have to do and what they can get by with waiting.

Mr. Shelton said an example of a project they had reworked was a plan to reroute a sewer line by digging and laying new line to make it more convenient either to maintain it or to get it further away from creeks or streams. They were now going to go in and line those pipes, which was a legitimate way to repair them and it should give a reasonable life expectancy to the pipes but did not address the need to remove them from a creek or across a creek or for more convenient maintenance. It did address stopping sanitary sewer overflows (SSOs) that was the objective of doing all of the work anyway. It was a compromise on cost but they would still be able to achieve the ultimate goals that they need to do.

Council Member Hunnicutt asked if there were items they were going to have to go back and revisit in just a short few years or if Mr. Shelton was comfortable that they have reengineered it to the extent that they were going to still get some reasonable life out of the improvements.

Mr. Shelton thought they will get a reasonable life expectancy out of the work but he would let Mr. Bullins address that as he had a lot of experience in the actual construction and dealing with pipes.

Mr. Bullins explained a lot of it they were relining, they were going to watertight the manhole rings and covers to prevent flooding causing overflows in the future. It would give them at least 20 years and that was what they were looking at. There were some other areas they were going to have to address that they were passing over now but they will have to address in five to 10 years. They were going to try to get everything that they can right now to immediately stop the SSOs and that was what they were working on.

Council Member Hunnicutt wanted to confirm there was nothing on the list the City would have to come back in just a short term and address again and that Mr. Bullins was comfortable that they were getting a reasonably good life out of the revalued engineer.

Mr. Bullins replied yes. There may be different lining methods and they can actually add strength to the pipe.

Council Member Moore wanted to clarify that the City would be in compliance with the EPA by doing the work.

Mr. Bullins replied they would. All of this was going before the EPA. He explained that this was what they propose to do in order to comply, it was not exactly what they want to do in order to solve other problems but it would bring them into compliance.

Council Member Nooe asked if some of the liners and things were in areas where there would be any new taps done or anything like that and would that become an issue with somebody making a proper connection to the system.

Mr. Bullins replied it was doubtful. These were on outfall lines where taps do not often occur and there were tapping methods that address the fiberglass liner. It was not his preferred thing to tap into as there can be problems with it but there were methods that can address that. He preferred using polyurea liners which were much easier to go in and tap but they would just have to see how the pricing goes and who gets the lining contracts.

Mr. Shelton added that referring to Council Member Moore's comment about the pipe lasting and addressing the EPA need, the engineering firm was certifying everything being done and putting their reputation on the line. At the end of all of this, they have to certify that they have put something in the ground that accomplishes the EPA administrative order mandate. They were making adjustments to reduce costs and also looking to be able to certify it in the end.

City Attorney Erin Gilley added that in one of the telephone conversations she was part of with the EPA, one of their main concerns in discussing taking things out or leaving them in the contracts was if that would affect the imminent issues of the SSOs to stop. The engineering firm and staff were able to say no, they addressed those major imminent emergency issues and they were still in the contracts.

Council Member Carter questioned one of the pipe issues. Plans originally talked about calling for a deeper depth behind Circle Drive-In and now they were going back at the same depth.

Mr. Bullins stated that it was going to be the same depth. There was a line in the creek that was cracked and they will have to address it where it was at, reinforce around it to protect it from the stream which was doable, it had been done before. They should get at least 20 years of life out of it if they do it and protect it properly. They were also addressing some sewers that were located under buildings that could now not be done due to funding. That was a huge savings just taking that section out so that they could actually afford to get that project underway. The project Council Member Carter was talking about in particular was in the Kuder Street basin. He noted that Park Road was a huge problem, it was a huge source of inflow. A lot of that pipe was still being replaced, manholes were being replaced, pipes being replaced, and he informed the engineering firm to redesign it because also at the same time they have a DOT project going in there at the culvert on Church Street. The culvert was going to be replaced but that project has been put off for at least another year. They were going to tie in and DOT will be doing the sewer in that short section and they will be replacing waterlines there as well. The City would tie through so the City project ties back into the existing line right there and that would be another thing they could go ahead and get that inflow out of the system now.

Council Member Carter asked if he had cameraed the lines under the buildings and there was no problem there at this time.

Mr. Bullins replied yes, the lines under the buildings can be rehabbed. There were no major issues that would cause the rehab to fail. It was fine for now. It was just something they were just going to have to put off to the future, 20 to 30 years out at this point.

Council Member Moore said that Council Member Carter had mentioned depth, he asked how deep those lines were.

Mr. Bullins replied if he recalled correctly they are between eight and 10 feet deep in that area, and they would actually be putting them deeper and reversing the fall coming from behind the drive-in restaurant and the car wash. Their goal was to actually reverse that fall and send it straight across toward the convenience store and across the circle there and get it back that way. That project was one of the things they want but they could not afford to do it at this time and still comply.

Council Member Hampton asked if the contractors tried the methods that were now giving a savings of a over a million dollars when the original estimates came out.

Mr. Bullins said that they were trying to solve problems that were created in the past in this area and to do that, they would still need to address those in the future. They were looking at savings from things being cut out that the City would like to do for its own benefit to improve the conditions of sewer for citizens and for the water and sewer customers. That was where the savings fell into place. They were not doing an ideal repair, they were doing it less than ideal so they can come into compliance and afford to do it.

Mr. Shelton added that the engineer's estimates were two to three years old at this point and the bidding environment changed dramatically. Contractors had virtually all the work that they want right now and when they bid on something he thought they bid to make a good profit on it if it was awarded to them. It was a really bad time to have to be bidding this work with the contractors in this situation and it was also evidenced in the fact that very few contractors bid on these projects. Several of them only had one bid. They were not really in a competitive mode right now as far as this goes and he thought they were indeed fortunate that Yates was willing to work with the City and actually they made suggestions that helped lower some of the things. Like Mr. Bullins said, it was not the ideal situation that they would do if everything had been fully funded. It was a compromise and it would do what they need to do.

Minutes of the special January 30, 2020 meeting of the City Council, City of Eden:

Council Member Ellis asked if they have done this in the past with other lines.

Mr. Bullins replied that these methods have been used in the past with success.

Mayor Hall pointed out with Council Member Nooe's experience as an engineer, he thought he was comfortable with the proposal. The City did negotiate with the low bidder which they could do by law so they have followed that. He was glad they were able to save what they could although they would like to have it all completely the way they would like it, there was an issue of timing. The City was up against the clock on accepting these bids or not and he doubted if there was a city in America that had a city manager that was any more of an expert on the issue than Mr. Shelton so he would definitely consider his recommendation as well as Mr. Bullins' to be a reasonable recommendation.

Council Member Moore asked if he had read that the PVC pipe was going up 10 percent after January 31.

Mr. Shelton said it was. It would actually affect the waterline project that they were working on more but there was some PVC pipe in this. It would be helpful if it was approved tonight so they could tell the contractor to go ahead and try to get the pipe before the increase.

Mr. Bullins added that there was 44,000 linear feet of PVC in this project.

Council Member Carter appreciated all that Mr. Bullins and Mr. Shelton had done to negotiate for savings and alternative methods.

A motion was made by Council Member Moore to award EPA Remediation Plan Contracts I, VI and VII to Yates Construction Company. The motion was seconded by Council Member Carter. All members voted in favor of the motion. The motion carried.

Mr. Shelton noted a correction to the last sentence of the memo for the recommendation, that Council was asked to "decline to accept any bid for contracts II, III, VI and V, which will allow us to return the bid bonds to these bidding contractors." The VI should be IV instead.

A motion was made by Council Member Epps to release the bonds for contracts II, III, IV and V. Council Member Angela Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

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As there was no further business to discuss, a motion was made by unanimous consent to adjourn.

Respectfully submitted,

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Deanna Hunt  
City Clerk

ATTEST:

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Neville Hall  
Mayor