

**AGENDA  
REGULAR MEETING  
CITY COUNCIL, CITY OF ASHEBORO  
THURSDAY, JULY 10, 2014, 7:00 PM**

1. Call to order.
2. Silent prayer and pledge of allegiance.
3. Consent agenda:
  - (a) Approval of the minutes of the city council's regular meeting on June 5, 2014.
  - (b) Approval of the minutes of the city council's special meeting on June 26, 2014.
  - (c) Acknowledgement of the receipt of the minutes of the Asheboro ABC Board meeting held on May 5, 2014.
  - (d) Acknowledgement of the receipt of the annual budget adopted by the Asheboro ABC Board for FY 2014-2015.
  - (e) Approval of Change Order #1 (Final) on the Airport Obstruction Clearing Project (Terry's Plumbing and Utilities, Inc.) increasing the construction contract amount by \$7500 to \$77,718.00 for the clearing of three (3) additional acres as required by recently revised FAA Standards.
  - (f) Ordinance to amend the General Fund Budget 2014-2015.
  - (g) Approval of a resolution awarding a service side arm to a retiring officer of the Asheboro Police Department.
  - (h) Approval of a resolution authorizing the conveyance of surplus police department helmets to the City of Archdale.
  - (i) Approval of a resolution authorizing the electronic auction of surplus vehicles and equipment.
4. Public comment period.
5. The City Attorney will present proposed amendments to the Code of Asheboro:
  - (a) An ordinance to amend Chapter 91 (Animals)
  - (b) An ordinance to amend Chapter 30 (General Administrative Provisions)

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6. Mayor Smith will entertain a motion to re-appoint Stephen R. Knight to the Asheboro ABC Board.

7. Mr. Sermon will present a proposed ordinance to update the Cultural and Recreation Services Policy Manual's provisions pertaining to malt beverages and unfortified wines in Bicentennial Park.

8. Mr. Rhoney will discuss the bids received for both the Wastewater Treatment Plant Digester Cover Project and the Water Treatment Plant Filter Replacements Project.

9. Mayor Smith will entertain a motion to enter into closed session in order to discuss a potential economic development project(s).

10. Return to open session and discuss items not on the agenda.

11. Adjournment.

**Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on May 5, 2014**

The Asheboro ABC Board met on May 5, 2014, at 5:00 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC.

Present were Chair Brooke Schmidly, Board Member Steve Knight, Board Member Bob Morrison, and General Manager Rodney Johnson (GM). Former Board Chair Rusty Walker Jr., also attended the meeting. A quorum being present, the Chair called the meeting to order for the transaction of business and business transacted as follows:

The Chair inquired as to any known conflict of interest, appearance of a conflict of interest, or objections concerning agenda items before the Board; after the Chair and both Board members voiced having no conflict, and there being no objection, the agenda was adopted.

The Board reviewed and there being no objection, approved and signed the Minutes from the April 7, 2014, regular meeting.

Steve Knight and the GM reviewed Board finances reporting all finances remain consistent.

As discussed at the Board's April 7, 2014, meeting, the GM met with Asheboro Police Department Sergeant Brown and Detective Burrow to update the PD concerning statewide ABC enforcement activities at the County and City level. The ABC Enforcement Contract between the Board and the police department and ABC enforcement statistics maintained by the NC ABC Commission were reviewed. During FY 2012-13 Asheboro PD exceeded statewide ABC enforcement averages. Also discussed were issues brought to light at a meeting of the Appropriations Subcommittee on Justice and Public Safety (NC Legislature) concerning low ABC enforcement performance in other jurisdictions across the state.

A draft policy proposal granting leave time for full-time regular employees who become living organ donors was reviewed. After discussion, several changes were proposed and the GM directed to incorporate the changes into a draft for review at a future Board meeting.

The Asheboro ABC Board Meeting Schedule for fiscal year 2014-2015 was reviewed and approved by the Board. A copy of the schedule is attached hereto and incorporated herein by reference.

The Board discussed long-term planning issues relating to how best support the future operational needs and goals of the Board while assuring a reliable stream of revenue to the city. The Board determined a need to begin funding for future facility needs and related capital requirements. GS18B-805(d) requires approval from the City of Asheboro before such funds can be set aside. Upon motion by Bob Morrison, the Board approved

making a formal request to the City to create a Future Facility Fund. The Board directed the GM draft a letter setting out the terms and conditions of the request for the Chair's signature and submission to the City. A copy of the letter to Mayor David Smith and City Council Members is attached hereto and incorporated herein by reference.

The Board heard reports from the General Manager concerning the following issues:

1. The Proposed Annual Budget for Fiscal Year 2014-15 will be submitted to each Board member by May 15<sup>th</sup>.
2. A budget hearing will be held at the regular Board meeting on June 2, 2014.
3. The Change-Fund Report ending April 30, 2014, was reviewed with nothing remarkable noted.
4. Asheboro ABC sales statistics comparing:
  - April 2014 sales with the previous month indicate:
    - An overall -7.9% change (all sales and tax collections)
  - April 2014 sales with sales from the same month last year indicate:
    - Retail Sales +5.5%
    - Mixed Beverage Sales: +8.5%
    - Sales Tax Collections: +5.5%
    - Overall Collections: +5.9%
  - April 2014 bottle sales with bottle sales from the same month last year indicate:
    - Retail Bottle Sales: +6.7%
    - Mixed Beverage Bottle Sales: +5.1%
    - Overall Bottle Sales: +6.5%

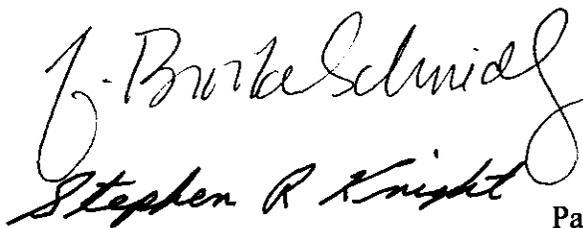
Charts reflecting sales histories were handed out to Board members for review and discussion.

The next regular Asheboro ABC Board meeting will be held Monday, June 2, 2014, at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board 6-2-14

  
GM




Phone (336) 629-2530 • Fax (336) 629-2704  
700 South Fayetteville Street, Asheboro, NC 27203

## **NOTICE**

### **ASHEBORO ABC BOARD MEETING SCHEDULE FOR FISCAL-YEAR 2014-2015**

**REGULAR MONTHLY MEETINGS OF THE ASHEBORO ABC BOARD  
WILL BE HELD AT 5:30 PM, IN THE ABC STORE BOARD MEETING  
ROOM, 700 SOUTH FAYETTEVILLE STREET, ASHEBORO, NC, ON  
THE FOLLOWING DATES:**

**July 7, 2014**

**August 4, 2014**

**September 2, 2014 (Tuesday)**

**October 6, 2014**

**November 3, 2014**

**December 1, 2014**

**January 5, 2015**

**February 2, 2015**

**March 2, 2015**

**April 6, 2015**

**May 4, 2015**

**June 1, 2015**

**J. Brooke Schmidly, Chair  
Asheboro ABC Board  
May 5, 2014**



Phone (336) 629-2530 • Fax (336) 629-2704  
700 South Fayetteville Street, Asheboro, NC 27203

May 8, 2014

Mayor David Smith and  
City Council Members  
C/O John Ogburn, City Manager  
City of Asheboro  
146 North Church Street  
Asheboro, NC 27203

Dear Mr. Ogburn:

The Asheboro ABC Board has discussed long-term planning issues relating to how we can best support the future operational needs and goals of the Board while assuring a reliable stream of revenue to the city. With this in mind, the Board at its May 5, 2014, meeting determined a need to begin funding for future facility needs and related capital requirements. Establishment of a Future Facility Fund will grow capital and reduce the probability of needing debt financing to meet future requirements.

General Statute 18B-805 regulates the distribution of ABC Board revenues. From its receipts the Asheboro ABC Board must first pay all operational costs and make specified tax, alcohol treatment, and law enforcement distributions. With the remaining gross receipts, the Board maintains a working capital cash fund within limits set by the State ABC Commission and distributes the remainder to the City of Asheboro.

Subsection (d) allows the Board, with the approval of the City of Asheboro, to set aside a portion of these gross receipts to fund specific capital improvements. Based upon sales histories and expected revenues, the Board is now in a position to direct a portion of revenues into the Future Facility Fund without reducing the monthly distribution the Board now makes to the City. Therefore, the Board requests approval from the City of Asheboro to set aside up to forty-thousand dollars (\$40,000) per year from gross receipts to fund the Future Facility Fund.

If in any year the Board's net revenue is not sufficient to fund the Future Facility Fund and continue current monthly distributions to the City, contributions will not be made to the Future Facility Fund thereby ensuring distributions to the City. We believe this will allow the Board to continue providing at least the same amount of monthly revenue to the city while accumulating a reserve to address future needs.

Sincerely,

  
J. Brooke Schmidly, Chair

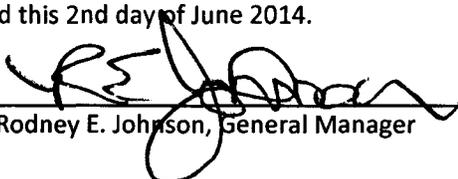
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J. Brooke Schmidly, Chair • Stephen R. Knight, Board Member  
Robert E. Morrison, Board Member • Rodney E. Johnson, General Manager

ASHEBORO ABC BOARD  
ANNUAL BUDGET FOR FISCAL YEAR  
2014-2015

Sales		3,179,000.00
Other Income		300.00
	<b>Total</b>	<b>\$3,179,300.00</b>
Less Taxes		898,524.50
	<b>Net Sales</b>	<b>\$2,280,775.50</b>
Less:		
Cost of Sales		1,558,950.50
	<b>Gross Profit</b>	<b>\$721,825.00</b>
Less:		
<u>Operating Expenses</u>		
Salaries, benefits and fees		250,500.00
Payroll taxes		20,150.00
Rent		64,800.00
Repairs and maintenance		6,500.00
Utilities		16,725.00
Insurance - general and bonds		14,050.00
Supplies and janitorial		11,500.00
Travel and training		3,100.00
Professional services		9,250.00
Dues and subscriptions		1,250.00
Bank fees and charges		30,000.00
Miscellaneous & Contingencies		7,000.00
	<b>Total Operating Expenses</b>	<b>\$434,825.00</b>
	<b>Operating Income</b>	<b>\$287,000.00</b>
Less:		
<u>Capital Expenditures</u>		
Future Facility Fund		40,000.00
Capital Improvements		25,000.00
	<b>Total Capital Expenditures</b>	<b>\$65,000.00</b>
Net Income before Distributions		<b>\$222,000.00</b>
Less:		
<u>Distributions</u>		
Law Enforcement		15,000.00
Alcohol Education and Rehab		21,000.00
City of Asheboro General Fund		186,000.00
	<b>Total Distributions</b>	<b>\$222,000.00</b>
<b>Net Income after Distributions</b>		<b>-</b>

Adopted by the Asheboro ABC Board this 2nd day of June 2014.

  
 Rodney E. Johnson, General Manager

**City of Asheboro  
Finance Office**

To: John Ogburn, City Manager  
From: Debbie Reaves, Finance Director  
Date: July 7, 2014  
Re: Ordinance to Amend General Fund Budget 14-15

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I would like to add the attached Ordinance to Amend the General Fund Budget to the Council consent agenda.

As I was entering the approved General Fund expenditures for 2014-2015, I noticed a clerical error in the Environmental Services Budget (580) that I would like to correct. In the Departmental Request for the Environmental services budget, Kermit Williamson requested a replacement Knuckle Boom Truck for \$165,000. This request was discussed on management team level but due to the budget constraints, this request was not presented to Council as a purchase we were recommending for approval at this time. This amount however was not deleted from the total recommended "departmental budget" of \$2,534,054. Since its inclusion was unintentional, I recommend a budget amendment of \$165,000 to reduce and correct the budget and reallocate to other General Fund needs as noted below.

Since preparing and presenting the budget to Council, the Cranford family has agreed to sell the City of Asheboro the downtown Cranford building (to allow for future additional downtown parking) for \$125,000. The detail associated with the negotiations and purchase of the Cranford Building is scheduled to be presented to both the Redevelopment Commission and the City Council at their respective September meetings. In anticipation of a late September 2014 closing, I recommend a new allocation of \$126,200 for the purchase and title insurance and closing fees be made at this time.

In the past few years, we have dedicated resources to enhancing the WW Thomas Tennis Facility. I recommend allocation of \$13,000 to renovate the existing office, restrooms and lounge at the Tennis Center. The City of Asheboro did receive a \$5,000 donation for this renovation in a prior budget year.

I also recommend an allocation of \$25,800 to purchase a pick-up truck for the Street Department. This will give that department one of the three requested trucks.

ORDINANCE TO AMEND  
THE GENERAL FUND  
FY 2014-2015

WHEREAS, The City Council of the City of Asheboro desires to amend the budget as required by law to adjust for changes in expenditures in comparison to the current fiscal year adopted budget, and;

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

Section 1: That the following Expense line item be increased / (decreased):

<u>Account #</u>	<u>Expense Description</u>	<u>Increase (decrease)</u>
10-580-7400	Capital Outlay	(165,000)
10-615-7400	Capital Outlay	126,200
10-620-1507	Maintenance & Repair- Tennis Center	13,000
10-565-7400	Capital Outlay	25,800
	Total Increase / (Decrease)	(0)

Adopted this 10<sup>th</sup> day of July, 2014

\_\_\_\_\_  
David H. Smith, Mayor

ATTEST:

\_\_\_\_\_  
Holly H. Doerr, CMC, NCCMC, City Clerk

## ARTICLE XII. ROTARY PAVILION AT BICENTENNIAL PARK

### SECTION 12.1 APPLICATION

The Rotary Pavilion at Bicentennial Park and the contiguous city-owned property when used in support of events at the pavilion shall be administered by the City of Asheboro Cultural Services Department in a manner that will provide the citizens of Asheboro and Randolph County with an opportunity for a quality experience. Under the general supervision of the Recreation Services Superintendent, the Cultural Services Department shall coordinate the use of the pavilion with the Recreation Services Department which is responsible for processing reservations at Bicentennial Park. This park may be rented to individuals or other types of legal entities, subject to the terms and conditions listed herein and elsewhere within the Code of Asheboro.

Application to use this venue shall be made on a form available from the Asheboro Cultural and Recreation Services Departments. Applications are subject to the final departmental review and decision making authority of the Recreation Services Superintendent.

### SECTION 12.2 RULES AND REGULATIONS

1. Unless authorization to the contrary is listed on the prescribed application form as part of the written approval of an event by the Cultural Services Department, alcoholic beverages are prohibited. In those cases where the Recreation Services Superintendent has authorized the sale, possession, and/or consumption of unfortified wines and/or malt beverages on the premises in connection with and for the duration of the approved event, such sale, possession, and/or consumption of the listed beverages must be conducted in strict compliance with Section 12.3 of this manual, any conditions attached by the Recreation Services Superintendent to the event approval, and all applicable laws, ordinances, and regulations. No alcoholic beverages other than unfortified wines and malt beverages are permitted on the premises of the facility at any time.
2. The park is open from 6am – 11pm. No activities may take place after the curfew time unless approved by the Recreation Services Superintendent.
3. Items such as vehicles, tractors, heavy machinery, etc. shall not be parked on any area of grass at any time.
4. The person/organization renting the facility shall pay for and maintain, at all times during the individual or entity's use of the facility, Comprehensive and General Liability insurance coverage with primary limits of liability of no less than one million dollars (\$1,000,000) per occurrence for bodily injury and property damage. The required policy or policies shall be written through insurance carriers which are qualified to do business in North Carolina. Furthermore, the City of Asheboro is to be named as an additional insured and shall be furnished with a Certificate of Insurance in a form satisfactory to the City. In order to be deemed satisfactory, such a certificate must affirmatively state without any disclaimer or limitation whatsoever that the coverage or coverages referred to therein shall not and cannot be terminated or modified until the city has received thirty (30) days written notice

thereof. A satisfactory Certificate of Insurance must be in the possession of the Cultural Services Department no later than 48 hours prior to the scheduled event. Failure to provide proof of insurance will result in the event being cancelled. Furthermore, the Applicant must agree to forever hold harmless and to fully indemnify the City and its personnel, agents, officials, and City Council, in both their official and individual capacities, from any and all judgments, liens, claims, assessments, demands, attorney fees, actions, and causes of action of any sort arising out of any damage or injury sustained by any person or entity by reason of any negligent or willful act or omission of the Applicant or its officers, employees, agents or contractors in connection with the Applicants use of the Rotary Pavilion at Bicentennial Park.

5. The person/organization renting the facility must designate a representative who will be responsible for all phases of the event and who will be on site the entire time the event is taking place.
6. Upon request, trashcans will be provided by the City of Asheboro. The size of the event will determine the number of cans available.
7. Rental of Rotary Pavilion at Bicentennial Park does not automatically include the parking areas. Renters must request to use the parking areas. Blocking the parking lot during regular business hours Monday – Friday is discouraged and may only be approved at the sole discretion of the Recreation Services Superintendent.
8. As appropriate, the renter is responsible for procuring the services of properly trained security/law enforcement personnel.
9. Portable toilets are to be provided by the renter and shall be placed at a designated location.
10. Portable Grills shall not be placed under the pavilion or on any grass areas. They shall be placed at a designated location.
11. No items may be sold, displayed, given, or exhibited on the premises without prior approval of the Recreation Services Superintendent.
12. The Asheboro Police Department and employees in the Asheboro Cultural and Recreation Services Departments shall have access to all areas of the park at all times before, during, and after the event.
13. The person/organization renting the facility is responsible for clean up following the event. The facility must be cleaned prior to the normal park closing time on the day of the event. Failure to clean up, shall result in loss of security deposit.
14. No items may be attached to any area of the pavilion structure, trees, bushes, poles or artwork in the park.

15. Signs may not be placed in the park without written permission of the ~~Parks & Recreation Director~~ Recreation Services Superintendent or his designee.
16. Tents may be set up in the field, however, if they need to be staked, they shall be placed in a designated area.
17. Anyone using a tent (700 sq ft. or larger) is responsible for obtaining the appropriate inspections from the building inspector, fire marshal and any necessary zoning permits prior to event.
18. Failure to adhere to these guidelines shall subject future rental applications to denial.
19. ~~The Parks & Recreation Director reserves the right~~ Recreation Services Superintendent is authorized to cancel any event, at any time, based on rental agreement violations.
20. ~~The Parks & Recreation Director City of Asheboro reserves the right, in the sole discretion of the city, to co-sponsor an event~~ any and all events.
21. A user fee shall be charged to all applicants for the use of Rotary Pavilion at Bicentennial Park. All Applicants shall be subject to the following charges:
  - a. Security Deposit: \$75.00 (This refundable fee must be paid at time of application).
  - b. City Resident (with Rec Card) Rate: ~~\$100.00~~ \$325.00
  - c. Non-Resident Rate: ~~\$175.00~~ \$400.00
  - d. Non-Profit / Government Rate: \$225.00
  - e. The rental rate must be paid at least 48 hours in advance of the event.

### **SECTION 12.3 SALE, POSSESSION, AND CONSUMPTION OF MALT BEVERAGES AND UNFORTIFIED WINES**

~~Regulations authorizing the sale, possession, and consumption of malt beverages and unfortified wines on the premises of this facility are currently under review. Until final adoption of these regulations, the sale, possession, and consumption of malt beverages and unfortified wines on the premises of this facility are strictly prohibited.~~

Authorization for the sale, possession, and consumption of malt beverages and unfortified wines on the premises of this facility must be requested from the Cultural Services Department on the prescribed facility rental application. No stand alone authorization for the distribution of alcoholic beverages will be granted. Such authorization will only be provided as one component, along with other components such as facility rental issues, of a comprehensive event plan that must receive final approval from the Recreation Services Superintendent before the event may be advertised as taking place on city property. When creating and submitting an event plan, the applicant must be guided by the operational guideline that the distribution of malt beverages and unfortified wines are meant to enhance the experience of the event and should in no way detract from the program and the use of this facility.

In order to obtain approval of a comprehensive event plan, the following conditions, which represent a baseline for an event plan before it is eligible for review by the Recreation Services Superintendent, must be satisfied:

1. Any malt beverages and unfortified wines found on the premises of the Rotary Pavilion at Bicentennial Park, as well as any contiguous city-owned property included within the event plan, must have been obtained in accordance with a sale/distribution plan developed and implemented by the event organizer.
2. The sale/distribution plan drafted by an event organizer must be compliant with all applicable laws, ordinances, and administrative regulations in order to be considered for approval.
3. In its capacity as the Lessor of the premises, the City of Asheboro hereby establishes that, in order to be eligible to submit a request for permission to sale/distribute alcoholic beverages on these premises, the event organizer must establish that the contemplated event is planned for a charitable purpose. An event is deemed to be for a charitable purpose if the event is either (a) organized by a legal entity that is recognized under the laws of the United States and the State of North Carolina as a not for profit organization, or (b), in the absence of formal legal recognition of a stand alone not for profit legal entity, the purpose of the event can be demonstrated to be a charitable event for civic, educational, or patriotic purposes. Any event organizer seeking to obtain permission for the sale/distribution of alcoholic beverages must be willing to provide legal documentation to establish the event organizer's eligibility for the requested authorization. If the event organizer does not provide the documentation requested by the Recreation Services Superintendent for eligibility verification purposes, no sale/distribution plan will be reviewed, and the request for authorization to sale/distribute alcoholic beverages shall be denied.
4. The event organizer must consult with and satisfactorily address any legal and regulatory compliance concerns raised by the Asheboro Police Department in connection with the sale/distribution plan. One of the compliance concerns that must be addressed to the satisfaction of the Chief of Police and the Recreation Services Superintendent is the manner in which the event organizer proposes to ensure that adequately trained personnel are in place and capable of enforcing vital elements of the plan such as ensuring that underage persons are not served alcoholic beverages and that alcoholic beverages are not served to individuals who are already intoxicated. The Chief of Police must be given a minimum of seven (7) days to review the plan for any legal and regulatory compliance concerns prior to the Recreation Services Superintendent making a final decision as to whether the submitted plan is acceptable.
5. The event organizer, or an authorized representative in the case of an event organizer that is a legal entity other than a natural person, must provide written acknowledgment that the organizer has received a copy of the regulations applicable to the rented facilities along with a copy of the Schedule of Deposits, Fees, and Charges Administered by the Cultural and Recreation Services Departments, and the event organizer must agree in writing to comply with all of these regulations and user fees.
6. In addition to the insurance requirements specified above in Section 12.2, the event organizer shall pay for and maintain, at all times during the individual or entity's use of the facility, Liquor

Liability insurance coverage with an each common cause limit and aggregate limit of liability of no less than one million dollars (\$1,000,000). The required policy shall be written through insurance carriers which are qualified to do business in North Carolina. Furthermore, the City of Asheboro is to be named as an additional insured and shall be furnished with a Certificate of Insurance in a form satisfactory to the City. In order to be deemed satisfactory, such a certificate must affirmatively state without any disclaimer or limitation whatsoever that the coverage or coverages referred to therein shall not and cannot be terminated or modified until the city has received thirty (30) days written notice thereof. A satisfactory Certificate of Insurance must be in the possession of the Cultural Services Department no later than forty-eight (48) hours prior to the scheduled event. Failure to provide proof of insurance will result in the event being cancelled.

July 1, 2014

Mr. Michael Rhoney, P.E.  
City of Asheboro  
Water Resources Division  
P.O. Box 1106  
Asheboro, NC 27204

Re: City of Asheboro  
Wastewater Treatment Plant  
Digester Gas Holder Cover and Mixing System  
Discussion of Bids

Dear Mr. Rhoney:

The following information is a summary of the Bid Solicitation process and results for the "Wastewater Treatment Plant Digester Gas Holder Cover and Mixing System."

## **General**

Separate sealed bids for the "Wastewater Treatment Plan Gas Holder Cover and Mixing System" project were opened and read aloud inside the Council Chambers of the Asheboro City Hall at 2:00 PM on Friday June 13<sup>th</sup>. The project was solicited formally. Two (2) addendums were issued prior to the bid.

The project consists of the replacement of an existing steel cover and appurtenant sludge mixer for a 55' diameter circular concrete digester located at the Asheboro Wastewater Treatment Plant. Five (5) steel cover manufacturers were pre-approved prior to the bid. However, the project specifications and bid documents were written to require a "linear motion" type sludge mixer be supplied as patented and manufactured by OVIVO USA, LLC (hereafter referred to as OVIVO).

Rehabilitative work such as this does not require regulatory permitting.

## **Bids**

A mandatory pre-bid conference was held on May 20<sup>th</sup>. Six (6) potential bidders attended the conference.

Mr. Michael Rhoney, P.E.

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The "Form of Proposal" included a Base Bid and an Alternate Bid. The Base Bid allowed the Bidder to incorporate the welded steel basin cover from any of the pre-approved manufacturers with the sludge mixer from OVIVO. The alternate bid allowed pricing for the cover and sludge mixer from OVIVO as a sole source.

A certified Bid Tabulation form is attached. Five (5) bids were received. One of the bids did not contain all of the required information, so it was considered "not responsive" and subsequently rejected and not read aloud.

The four (4) responsive "Base Bids" ranged in price from a low bid of \$778,000.00 to a high bid of \$1,587,900.00. Haren Construction Company, Inc. of Etowah, Tennessee provided the low bid. Haren Construction Company, Inc. listed Olympus Technologies, Inc. of Eugene, Oregon as the digester cover manufacturer.

The four (4) responsive "Alternate Bids" ranged in price from a low bid of \$783,000.00 to a high bid of \$1,612,900.00. Haren Construction Company, Inc. again provided the low bid.

The Engineer's estimate for construction of the project was \$795,000.

### **Project Budget**

The project is funded by the City of Asheboro. The project budget for construction is as follows:

	<u>Original</u>	<u>As-Bid</u>
Construction:	\$1,000,000	\$778,000 (assumes award of Base Bid)
Construction Contingency (5%):	N/A	<u>\$38,900</u>
<b>Total Project Cost:</b>	<b>\$1,000,000</b>	<b>\$816,900</b>

### **Recommendation of Award**

MBD Consulting Engineers, P.A. believes both cover manufacturers (Olympus Technologies, Inc. and OVIVO) will provide a good finished product. Our opinion is the City would be best served to base the award on the lowest price which is the "Base Bid" from Haren Construction Company, Inc.

Haren Construction Company, Inc. is the lowest responsive and responsible bidder. Our firm has experience with Haren Construction Company, Inc on similar projects and have found they produce quality work. Therefore, we recommend award to Haren Construction Company, Inc. in the amount of \$778,000.

Mr. Michael Rhoney, P.E.

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July 1, 2014

MBD Consulting Engineers, P.A. is prepared to issue the Notice of Award and prepare contract documents for construction upon your advisement. If you have any questions concerning the information presented please do not hesitate to contact me.

Sincerely,

MBD CONSULTING ENGINEERS, P.A.



Charlie McGougan, P.E.

Enclosures: Bid Tabulation

CITY OF ASHEBORO WASTEWATER TREATMENT PLANT DIGESTER GAS HOLDER COVER AND MIXING SYSTEM <u>BID TABULATION</u> (Bid Date: June 13, 2014)		Haren Construction Company, Inc.	RTD Construction, Inc.	Morrison Engineers, PLLC	Terry's Plumbing & Utilities, Inc.
		Etowah, TN	Zephyrhills, FL	Raleigh, NC	Asheboro, NC
<b>Part A: Base Bid</b>					
1.	Gas Holder Digester Cover	\$563,000.00	\$665,320.00	\$770,000.00	\$1,292,900.00
	Manufacturer:	Olympus Technologies, Inc.	Olympus Technologies, Inc.	Olympus Technologies, Inc.	Olympus Technologies, Inc.
2.	Incorporation of Linear Motion Mixer manufactured by OVIVO	\$170,000.00	\$232,020.00	\$163,647.75	\$250,000.00
3.	Stated Allowances	\$45,000.00	\$45,000.00	\$45,000.00	\$45,000.00
<b>Total Base Bid:</b>		<b>\$778,000.00</b>	<b>\$942,340.00</b>	<b>\$978,647.75</b>	<b>\$1,587,900.00</b>
<b>Part B: Alternate Single-Source Manufacturer Bid</b>					
1.	Gas Holder Cover and Linear Motion Mixer by OVIVO	\$738,000.00	\$903,578.00	\$943,650.00	\$1,567,900.00
2.	Stated Allowances	\$45,000.00	\$45,000.00	\$45,000.00	\$45,000.00
<b>Total Alternate Single-Source Manufacturer Bid:</b>		<b>\$783,000.00</b>	<b>\$948,578.00</b>	<b>\$988,650.00</b>	<b>\$1,612,900.00</b>

*J. Charles McGougan*

Bids Certified By

7.1.14

Date

MBD CONSULTING ENGINEERS, P.A.  
Asheboro, NC



CITY OF ASHEBORO

WASTEWATER TREATMENT PLANT DIGESTER  
GAS HOLDER COVER AND MIXING SYSTEM

*DM*  
13 Jun 14

BID SUMMARY

Bid Date: June 13, 2014 @ 2:00 PM

CONTRACTORS	Addenda		Bid Surety	PART A: BASE BID	PART B: ALTERNATE BID
	#1	#2		Total Bid Price	Total Bid Price
1. Dellinger, Inc. Monroe, NC					
2. Haren Construction Co., Inc. Etowah, TN				778,000	783,000
3. Morrison Engineers, PLLC Raleigh, NC				978,647. <sup>75</sup>	\$ 988,650
4. RTD Construction, Inc. Zephyrhills, FL				942,340	\$ 948,578
5. T. A. Loving Company Goldsboro, NC					
6. Terry's Plumbing and Utilities Asheboro, NC				1,587,900	1,612,900

BIDS RECEIVED AND READ BY:

Joe McGougan, P.E.  
MBD Consulting Engineers, P.A.

**BID SUMMARY**  
**WATER TREATMENT PLANT FILTER REPLACEMENT**  
**FOR THE CITY OF ASHEBORO**  
**WATER TREATMENT PLANT**  
**JUNE 12, 2014**

Five (5) bids listed below were received at 2:00 PM, June 12, 2014 for the Filter Replacement Project at the Water Treatment Plant. These bids included removal of the old surface wash system and filter media replacement for four filters. It also included installing two air blowers with enclosures and concrete pads, 270 LF of 6" stainless steel air piping, air scour system for four filters, and associated appurtenances. The bids received were as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Dellinger, Inc. 2631 Old Charlotte Hwy Monroe, NC 28110	\$837,476.00
Gilbert Engineering Co. 638 South Meeting St Statesville, NC 28677	\$1,063,910.00
Morrison Engineers, PLLC 7701 Chapel Hill Rd, Ste 200 Raleigh, NC 27607	\$1,100,000.00
T A Loving Company 400 Patetown Road Goldsboro, NC 27530	\$974,100.00
Terry's Plumbing and Utilities 465 Lewallen Road Asheboro, NC 27205	\$1,143,402.00

It is recommended that all bids be rejected. This project was bid as the first of two phases. The budget for this project in FYE 2014 was \$757,000. Therefore, the lowest apparent bid was \$80,476 over budget. The \$757,000 budget figure has been carried over to FYE 2015 with an additional \$500,000 to complete the second phase of the project. I recommend this bid be rejected and request the project be rebid as one contract to include all eight filters rather than two phases of four filters due to the current availability funds.

By Michael D Rhoney  
Michael D. Rhoney, P.E.  
Water Resources Director

**BID TAB**  
**WATER TREATMENT PLANT FILTER REPLACEMENT**  
**CITY OF ASHEBORO, NORTH CAROLINA**

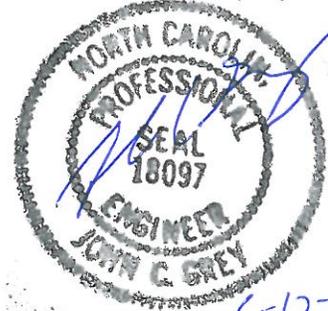
**BID DATE/TIME: June 12, 2014 / 2:00 PM**

**TWC NO. 2810-O**

CONTRACTORS	LICENSE	ADDENDUM 1	BID BOND	E-Verify	BID AMOUNT	REMARKS
Dellinger, Inc. 2631 Old Charlotte Hwy Monroe NC 28110	5992	✓	5%	✓	\$837,476.00	Low
Gilbert Engineering Co. 638 South Meeting St. Statesville, NC 28677	999	✓	5%	✓	\$1,063,910.00	3rd
Morrison Engineers, PLLC 7701 Chapel Hill Rd, Ste 200 Raleigh NC 27607	63835	✓	5%	✓	\$1,100,000.00	4th
T.A. Loving Company 400 Patetown Road Goldsboro NC 27530	325	✓	5%	✓	\$974,100.00	2nd
Terry's Plumbing & Utilities 465 Lewallen Road Asheboro NC 27205	51103	✓	5%	✓	\$1,143,402.00	5th

This is to certify that the bids tabulated herein were publicly opened and read aloud at 2:00 PM the 12th day of June, 2014 in Asheboro City Hall Council Chambers located at 146 N Church Street and that all said bids were accompanied by bidder's bond except as otherwise noted.

The Wooten Company



John C. Grey, PE





**SUMMARY BID TAB**  
**WATER TREATMENT PLANT FILTER REPLACEMENT**  
 City of Asheboro, North Carolina  
 TWC Project No.: 2837-O

THE WOOTEN COMPANY  
 6/12/2014

				<b>LOW BIDDER</b>					
				<b>Dellinger, Inc.</b>		<b>TA Loving Co.</b>		<b>Gilbert Engineering</b>	
	DESCRIPTION	UNITS	TOTAL QUAN.	UNIT COST	EXTENDED COST	UNIT COST	EXTENDED COST	UNIT COST	EXTENDED COST
1	Mobilization (Not to exceed 3% of construction cost)	LS	1	\$23,402.00	\$23,402.00	\$29,000.00	\$29,000.00	\$31,500.00	\$31,500.00
2	6-inch Stainless Steel Air Pipe	LF	270	\$98.00	\$26,460.00	\$150.00	\$40,500.00	\$250.00	\$67,500.00
3	Two(2) Blowers with Enclosure, Pressure Valves and Control Panel	LS	1	\$87,523.00	\$87,523.00	\$150,000.00	\$150,000.00	\$135,000.00	\$135,000.00
4	First Filter Replacement Work	Ea	1	\$277,382.00	\$277,382.00	\$303,800.00	\$303,800.00	\$290,000.00	\$290,000.00
5	Additional Filter Replacement Work	EA	3	\$82,140.00	\$246,420.00	\$95,000.00	\$285,000.00	\$125,000.00	\$375,000.00
6	6-inch Butterfly Valve	EA	8	\$1,000.00	\$8,000.00	\$1,000.00	\$8,000.00	\$1,100.00	\$8,800.00
7	Electric Actuator	Ea	4	\$12,346.00	\$49,384.00	\$12,000.00	\$48,000.00	\$9,200.00	\$36,800.00
8	Stainless Steel Pipe Hanger	Ea	15	\$494.00	\$7,410.00	\$100.00	\$1,500.00	\$720.00	\$10,800.00
9	Stainless Steel Pipe Ceiling Hanger	Ea	3	\$1,247.00	\$3,741.00	\$100.00	\$300.00	\$290.00	\$870.00
10	Stainless Steel Pipe Wall Anchor	EA	4	\$1,038.00	\$4,152.00	\$400.00	\$1,600.00	\$560.00	\$2,240.00
11	Stainless Steel Pipe Support	Ea	2	\$3,846.00	\$7,692.00	\$150.00	\$300.00	\$850.00	\$1,700.00
12	Wall and Floor Penetrations	EA	8	\$1,279.00	\$10,232.00	\$950.00	\$7,600.00	\$950.00	\$7,600.00
13	Clay Tile Block	EA	64	\$1,252.00	\$80,128.00	\$1,500.00	\$96,000.00	\$1,400.00	\$89,600.00
14	Pipe Insulation	LF	25	\$222.00	\$5,550.00	\$100.00	\$2,500.00	\$260.00	\$6,500.00
<b>TOTAL BASE BID PRICE</b>				<b>\$837,476.00</b>		<b>\$974,100.00</b>		<b>\$1,063,910.00</b>	



**SUMMARY BID TAB**  
**WATER TREATMENT PLANT FILTER REPLACEMENT**  
City of Asheboro, North Carolina  
TWC Project No.: 2837-O

THE WOOTEN COMPANY  
6/12/2014

	DESCRIPTION	UNITS	TOTAL QUAN.	Morrison Engineering		Terry's Plumbing	
				UNIT COST	EXTENDED COST	UNIT COST	EXTENDED COST
1	Mobilization (Not to exceed 3% of construction cost)	LS	1	\$29,265.00	\$29,265.00	\$33,303.00	\$33,303.00
2	6-inch Stainless Steel Air Pipe	LF	270	\$250.00	\$67,500.00	\$675.00	\$182,250.00
3	Two(2) Blowers with Enclosure, Pressure Valves and Control Panel	LS	1	\$105,000.00	\$105,000.00	\$140,000.00	\$140,000.00
4	First Filter Replacement Work	Ea	1	\$295,000.00	\$295,000.00	\$302,750.00	\$302,750.00
5	Additional Filter Replacement Work	EA	3	\$132,500.00	\$397,500.00	\$115,400.00	\$346,200.00
6	6-inch Butterfly Valve	EA	8	\$2,000.00	\$16,000.00	\$1,082.00	\$8,656.00
7	Electric Actuator	Ea	4	\$15,500.00	\$62,000.00	\$4,325.00	\$17,300.00
8	Stainless Steel Pipe Hanger	Ea	15	\$750.00	\$11,250.00	\$730.00	\$10,950.00
9	Stainless Steel Pipe Ceiling Hanger	Ea	3	\$450.00	\$1,350.00	\$125.00	\$375.00
10	Stainless Steel Pipe Wall Anchor	EA	4	\$650.00	\$2,600.00	\$250.00	\$1,000.00
11	Stainless Steel Pipe Support	Ea	2	\$525.00	\$1,050.00	\$500.00	\$1,000.00
12	Wall and Floor Penetrations	EA	8	\$520.00	\$4,160.00	\$400.00	\$3,200.00
13	Clay Tile Block	EA	64	\$1,550.00	\$99,200.00	\$1,487.00	\$95,168.00
14	Pipe Insulation	LF	25	\$325.00	\$8,125.00	\$50.00	\$1,250.00
<b>TOTAL BASE BID PRICE</b>					<b>\$1,100,000.00</b>		<b>\$1,143,402.00</b>



**SUMMARY BID TAB**  
**WATER TREATMENT PLANT FILTER REPLACEMENT**  
City of Asheboro, North Carolina  
TWC Project No.: 2837-O

THE WOOTEN COMPANY

6/12/2014

	DESCRIPTION	UNITS	TOTAL QUAN.	Average Low 3 Bids		Average All Bids	
				UNIT COST	EXTENDED COST	UNIT COST	EXTENDED COST
1	Mobilization (Not to exceed 3% of construction cost)	LS	1	\$27,222.33	\$27,222.33	\$29,294.00	\$29,294.00
2	6-inch Stainless Steel Air Pipe	LF	270	\$166.00	\$44,820.00	\$284.60	\$76,842.00
3	Two(2) Blowers with Enclosure, Pressure Valves and Control Panel	LS	1	\$114,174.33	\$114,174.33	\$123,504.60	\$123,504.60
4	First Filter Replacement Work	Ea	1	\$292,060.67	\$292,060.67	\$293,786.40	\$293,786.40
5	Additional Filter Replacement Work	EA	3	\$103,213.33	\$309,640.00	\$110,008.00	\$330,024.00
6	6-inch Butterfly Valve	EA	8	\$1,333.33	\$10,666.67	\$1,236.40	\$9,891.20
7	Electric Actuator	Ea	4	\$13,282.00	\$53,128.00	\$10,674.20	\$42,696.80
8	Stainless Steel Pipe Hanger	Ea	15	\$448.00	\$6,720.00	\$558.80	\$8,382.00
9	Stainless Steel Pipe Ceiling Hanger	Ea	3	\$599.00	\$1,797.00	\$442.40	\$1,327.20
10	Stainless Steel Pipe Wall Anchor	EA	4	\$696.00	\$2,784.00	\$579.60	\$2,318.40
11	Stainless Steel Pipe Support	Ea	2	\$1,507.00	\$3,014.00	\$1,174.20	\$2,348.40
12	Wall and Floor Penetrations	EA	8	\$916.33	\$7,330.67	\$819.80	\$6,558.40
13	Clay Tile Block	EA	64	\$1,434.00	\$91,776.00	\$1,437.80	\$92,019.20
14	Pipe Insulation	LF	25	\$215.67	\$5,391.67	\$191.40	\$4,785.00
<b>TOTAL BASE BID PRICE</b>					<b>\$970,525.33</b>		<b>\$1,023,777.60</b>