THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: April 26, 2022

Subject: Acceptance of grant monies from the North Carolina Department of Public Safety (NCDPS) for the Sulphur Springs Stormwater Improvements Project.

Staff Resource(s): Greg Shuler, Public Works Director
Russ Davis, Interim Stormwater Division Manager

Action Requested: Adoption of a resolution authorizing the City Manager to enter into an agreement with the NCDPS to accept a directed grant in the amount of $1,200,000 to be used for the Sulphur Springs Stormwater Improvements Project.

Background:

- The "Current Operations Appropriations Act of 2021" also known as NC General Assembly Session Law 2021-180, House Bill 105 (S105v8), awarded a Directed Grant to the City of Asheville for the Sulphur Springs Stormwater Improvements Project in the amount of $1,200,000.
- For the grant purpose, this project is also known as the West Sulphur Springs Drainage System Project.
- The grant is administered by the North Carolina Department of Public Safety (NCDPS).
- The agreement with the NCDPS shall be effective starting November 18, 2021 and shall terminate on June 30, 2023.
- The appropriation shall be distributed on a quarterly basis from North Carolina General Fund for $300,000 over four consecutive quarters totaling $1,200,000.
- As the recipient of the direct grant, the Stormwater Division will be required to submit quarterly project status reports that include employee, service and contract, goods, administration, and other expenses; along with a descriptive summary of how the funds were used including outcomes and specific deliverables.
- Said direct grant funds are subject to being audited, inspected and monitored at any time by North Carolina Department of Public Safety (NCDPS) upon request.
- City of Asheville Resolution 21-167 authorized the City Manager to execute a contract in the amount of $990,022.00 with Appalachian Site Work Inc. for the construction of the Sulphur Springs Stormwater Improvements Project.
- The contingency amount is $198,004.20, for a total budget of $1,188,026.40.
- This project will address significant drainage issues along Sulphur Springs Road that cause flooding in the roadway at the low point of the basin (the intersection with an unnamed tributary of Hominy Creek).
- This project will install a new drainage system to address the roadway flooding and provide a system that can be expanded with future projects along the contributing side streets.
- The minor culvert extension and associated stream stabilization at the inlet and outlet will address existing steep slopes at the roadway and provide a more sustainable stream bank at the outfall that will not be as prone to erosion.
- Approximately 2,100 linear feet of new stormwater system will be installed inside the rights-of-way of Sulphur Springs Road, Covington Road, Clinton Road, and Belmont Avenue to improve drainage and reduce excessive stormwater on the roadway.
- Sulphur Springs Road will be paved following the Stormwater Project as part of the resurfacing from the 2016 Transportation bond funding.
- Paving of side street sections of the project is funded by the Stormwater Capital Fund.

- This project is funded with 2016 General Obligation (GO) Bond funds and Stormwater Capital Funds.
    - The GO Bond contribution is $20,000.00 to replace existing stormwater infrastructure.
    - The Stormwater Capital Fund contribution is $1,168,026.40 to install new stormwater infrastructure.
- Construction began on October 4, 2021, and is approximately 50% complete.
- The anticipated completion date is September 30, 2022.

Vendor Outreach Efforts:

(Information below is from the original project outreach)

- The City's Goal Setting Committee set an annual aspirational goal for construction projects at 4.6% MBE participation, in alignment with the City's Business Inclusion Policy.
- Staff performed outreach to minority- and women-owned businesses through solicitation processes which include posting on the State's Interactive Purchasing System, the City of Asheville website, the City of Asheville Twitter account, and requiring prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- Stormwater staff also reached out to MWBE contractors that were identified through Yoruba Life, NCDOT HUB certified website, and The Color of Asheville directory.
- Past contractors who have shown interest in bidding on City of Asheville projects were informed about the project's advertisement.
- During the preparation for advertising this contract, the contract was shared with the Business Inclusion Manager in the Community & Economic Development Department.
- Out of the four (4) bids received, none self-identified as a MWBE business owner.
- All four (4) bidders indicated that they would be utilizing a MWBE sub-contractor (three woman-owned, one Black American-owned).
- The lowest responsive, responsible bidder, Appalachian Sitework Inc., provided very thorough documentation on their outreach.
- City of Asheville Business Inclusion Manager approved the good-faith effort by the contractor on August 2, 2021.
- Appalachian Sitework submitted documentation that they would use JLS Company, which is a woman-owned business, for paving.

Council Goal(s):

- A Financially Resilient City
- A Clean and Healthy Environment

Committee(s):

- None

Pro(s):

- Because the project is currently funded with Stormwater Capital funds and General Obligation Bond funds, the directed grant will allow previous funding to be used on other upcoming projects for the Stormwater Division.

Con(s):

- None

Fiscal Impact:

- Funding for this project was already budgeted in the General Obligation Bond Fund (2016 GO Bond Program) and the Stormwater Capital Fund.
- With the acceptance of the directed grant, those originally budgeted funds can be applied to other much needed stormwater capital improvement projects.

Suggested Motion:

- Motion to adopt a resolution authorizing the City Manager to enter into an agreement with the North Carolina Department of Public Safety to receive $1,200,000 in directed grant funds for the Sulphur Springs Stormwater Improvements Project.

Attachment(s):

- Resolution
- Vicinity Map

RESOLUTION NO. 22-____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY TO RECEIVE GRANT FUNDS FOR THE SULPHUR SPRINGS STORMWATER IMPROVEMENTS PROJECT.

WHEREAS, the City of Asheville has authority pursuant to N.C.G.S. §160A-17.1 to accept and contract for grant funds from the State government and its agencies to perform a function that the City has authority to provide or perform under law; and

WHEREAS, the North Carolina Department of Public Safety (NCDPS) will administer funds as part of the "Current Operations Appropriations Act of 2021" also known as NC General Assembly Session Law 2021-180, House Bill 105 (S105v8); and

WHEREAS, the NC General Assembly has awarded $1,200,000 of said funds to the City of Asheville to be used for the Sulphur Springs Stormwater Improvements Project. For the grant purpose, this project is also known as the West Sulphur Springs Drainage System Project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to enter into an agreement on behalf of the City of Asheville to receive a directed grant for $1,200,000 for the Sulphur Springs Stormwater Improvements Project.

Read, approved and adopted this the 26th day of April, 2022.

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney


HAYWOOD RD.
OAKLAND AVE.
BELMONT AVE.
CLINTON AVE.
CLINTON ST.
HARVARD PL.
SULPHUR SPRINGS RD.
SULPHUR SPRINGS RD.
SITE
LUCY S. HERRING ELEMENTARY
CARRIE R ST.
DELAWARE AVE.
VICINITY MAP
N