Staff Report

Council Meeting Date: March 9, 2021

Subject: French Broad River Greenway West Bank Construction Project

Staff Resource(s): Jade Dundas, Capital Projects Director

Action Requested: Adoption of a resolution authorizing the City Manager to enter into a contract with IPC Paving, LLC (dba IPC Structures, LLC) in the amount of $3,252,544. for the French Broad River Greenway West construction project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of 10% ($325,254).

Background:

- The French Broad River Greenway West will connect the French Broad River Park to the existing greenway that terminates at the Haywood Road Bridge.
- This will be a 1.02 mile paved greenway extension that further enhances the pedestrian and bicycle infrastructure constructed with the RADTIP project.
- A 2018 Federal Grant will be paying for 80% of the construction costs for this project through the N.C. Department of Transportation.
- The Construction schedule is anticipated to begin April 2021 and end in June 2022.
- Duke Energy Progress, LLC owns the majority of the property that this greenway will be constructed on.
- The City of Asheville holds a lease for the public recreation and greenway purposes.
    - Duke Energy Progress has notified the City that the camping on the path has created a safety hazard in that it does not allow them to access the transmission lines in the event of an outage or a fire at this location.
    - Additionally, the City has concerns over the safety of individuals during the construction of the greenway which is tentatively scheduled to start in April.
    - Asheville Police Department's policy on homeless persons related to encampment procedures provides seven days to vacate the property.
    - For this particular project, we are proposing a 30 day notification period.
- One of the terms of this lease stipulates that the lessee (the City of Asheville) shall be "*solely responsible for maintaining and securing the Leased Premises against the activities of trespassers (such as unauthorized campers)*."
- No less than two weeks prior to starting construction, the City of Asheville and other community resources will work with the existing unauthorized campers to find alternative accommodations to abide with the terms of the property lease and avoid any dangerous conditions with the greenway construction.
- Nine bids were received and formally opened on January 28, 2021.
- The resulting bids (including bid alternate 1-parking improvements at French Broad River Park) are listed below:

Contractor	Location	Amount
Tennoca Construction	Candler, NC	$ 6,089,292.25
Baker Grading and Landscaping	Old Fort, NC	$ 5,569,609.00
TP Smith Construction	Forest City, NC	$ 5,161,455.41
Dane Construction	Mooresville, NC	$ 4,534,397.60*
Buchanan and Sons	Whittier, NC	$ 4,167,037.00
NHM Construction	Asheville, NC	$ 3,739,376.00
Bryant's Land Development Ind.	Burnsville, NC	$ 3,349,850.40
IPC Paving, LLC dba IPC Structures	Hendersonville, NC	$ 3,252,544.00
Penland Contracting Company	Franklin, NC	$ 2,217,796.75*

*improper bid form was used for two bids listed above, which deemed these two bidders non-responsive.

Vendor Outreach Efforts:

- With all Federally funded projects, the Disadvantaged Business Enterprise (DBE) program is required.
- The federally established DBE goal for this project is 5% participation.
- Staff performed outreach to minority and women-owned businesses through solicitation processes which include posting on the State's Interactive Purchasing System.
- IPC Paving's bid includes 5.36% DBE participation.
- This DBE participation is achieved by utilizing JLS Company, LLC from Skyland, NC as a subcontractor.

Council Goal(s):

- A Clean and Healthy Environment

Committee(s):

- None

Pro(s):

- Federal funding will be covering approximately $2.8M of the expected total $3.5M in construction cost.
- This project will finish a one mile long gap between two older sections of the French Broad River Greenway creating a four mile stretch of continuous greenway along the river through four parks.
- It will also pave the 0.02 mile long dirt trail underneath the Amboy Road Bridge.

Con(s):

- The project construction area will cause a temporary disruption to individuals that are actively using the area.

Fiscal Impact:

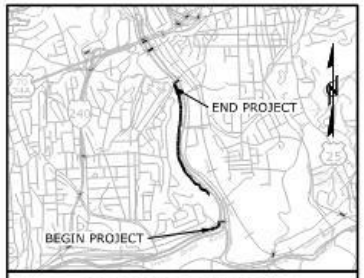
- Funding for this project will come from the previously approved existing CIP budget.

Suggested Motion:

- Motion to adopt a resolution adoption authorizing the City Manager to enter into a contract with IPC Paving, LLC dba IPC Structures, LLC, in the amount of $3,252,544, for the French Broad River Greenway West construction project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of 10% ($325,254).

Attachment(s)

- Map of greenway
- Resolution



VICINITY MAP

CITY OF ASHEVILLE
NORTH CAROLINA

FRENCH BROAD WEST GREENWAY

LOCATION:
FROM FRENCH BROAD RIVER PARK
TO NEW BELGIUM BREWERY

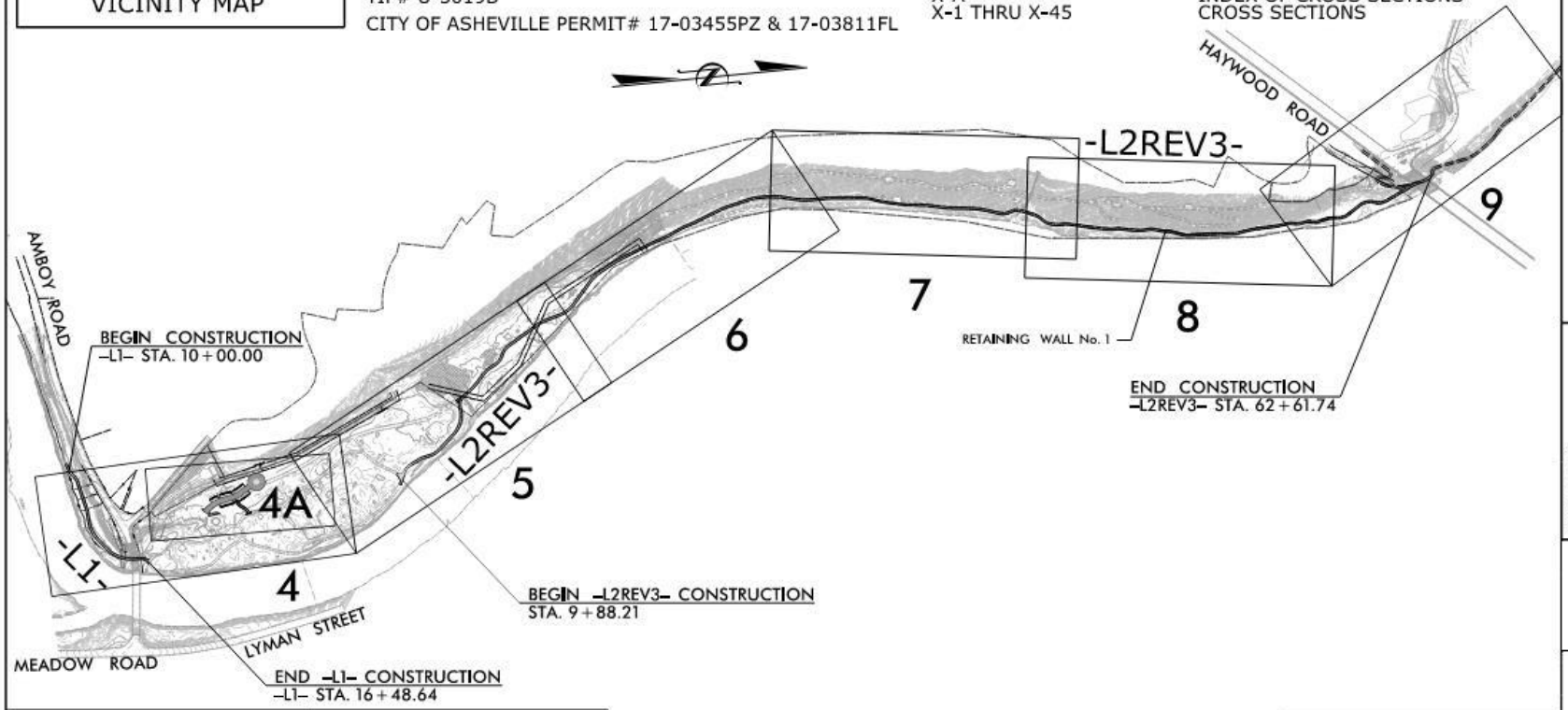
TYPE OF WORK:
GRADING, PAVING, RETAINING WALL,
DRAINAGE, LANDSCAPING,
SIGNAGE, AND EROSION CONTROL

TIP# U-5019B

CITY OF ASHEVILLE PERMIT# 17-03455PZ & 17-03811FL

INDEX OF SHEETS

1	TITLE
1A	STANDARD SYMBOLOGY SHEET
1B THRU 1C	NOTES
2 THRU 2D3	TYPICAL SECTION & DETAILS
3 THRU 3D-1	SUMMARY SHEETS
4 THRU 9	PLAN & PROFILE SHEETS
EC-1 THRU EC-9	EROSION CONTROL PLANS
SW-1 THRU SW-5	STORMWATER PLANS
L-100 THRU L-102	LANDSCAPE PLANS
L-200 THRU L-201	PARKING LOT LANDSCAPE PLAN (BID ALTERNATE)
SGN-1 THRU SGN-8	SIGNING PLANS
CMP-1 THRU CMP-8	CONSTRUCTION MANAGEMENT PLANS
W1 THRU W3	RETAINING WALL PLANS
X-A	INDEX OF CROSS SECTIONS
X-1 THRU X-45	CROSS SECTIONS



DESIGN DATA	PROJECT LENGTH
DESIGN SPEED = 20 MPH	
LEAN ANGLE = 15 DEGREES	LENGTH OF PROJECT = 1.14 MILES
FUNC. CLASSIFICATION = GREENWAY	

GRAPHIC SCALES

PLANS: 50 25 0 50 100
PROFILE (HORIZONTAL): 50 25 0 50 100
PROFILE (VERTICAL): 10 5 0 10 20

METHOD OF GRADING:
CLEARING ON THIS PROJECT SHALL BE TO LIMITS ESTABLISHED USING METHOD II.

THESE PLANS HAVE BEEN APPROVED FOR CONSTRUCTION BY THE CITY OF ASHEVILLE

FRENCH BROAD RIVER GREENWAY

PLANS PREPARED BY:
STEWART

PROJECT NO:
A15002.00

1

RESOLUTION NO. 21-_____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH IPC PAVING, LLC DBA IPC STRUCTURES, LLC. FOR THE CONSTRUCTION OF THE FRENCH BROAD RIVER GREENWAY WEST BANK.

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, pursuant to N.C.G.S. § 143-129, bids were solicited for the French Broad River Greenway West Bank, NCDOT Project #U-5019B**;** and

WHEREAS, IPC Paving, LLC dba IPC Structures, LLC of Hendersonville NC was the lowest responsive and responsible bidder for the project; and

WHEREAS, IPC Paving, LLC dba IPC Structures shall provide all labor, materials, and equipment for the construction of the French Broad River Greenway West Bank; and

WHEREAS, the amount of the bid is $3,252,544, and funding for the project is allocated within the Capital Improvement Program Fund;

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

The City Manager is hereby authorized to execute a contract with IPC Paving, LLC dba IPC Structures, LLC, in the amount of $3,252,544, for the French Broad River Greenway West construction project; and further authorized to execute any change orders that may arise during the project up to the contingency amount of 10% ($325,254).

Read, approved, and adopted this the 9th day of March 2021.

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney