

NOT APPROVED



**Agenda Packet - DRAFT
Village of Clemmons Council
Regular Meeting**

September 14, 2020

AGENDA
REGULAR MEETING OF THE
VILLAGE OF CLEMMONS COUNCIL
SEPTEMBER 14, 2020 at 4:00 p.m.

- I. Call to Order – Mayor Wait
- II. Business – Special Meeting – Stormwater Discussion
- III. Recess/Reconvene Regular Meeting
- IV. Pledge of Allegiance
- V. Public Comments
- VI. Minutes - Approval of Minutes – August 24, 2020 Regular Meeting
- VII. Changes and/or Approval of the Agenda
- VIII. Announcements
- IX. **Business – Information**
 - A. Marketing & Communications Director's Report
 - 1. Events Update
 - a. Fall Medicine Drop – November 7, 2020 (9am-noon at Public Works Facility)
 - Business – Action Items**
 - B. Stormwater Project Culvert Replacement Bid Proposals
 - 1. Greenbrook
 - a. Budget Amendment 21-S-2 for contingency
 - 2. Mendelssohn
 - a. Budget Amendment 21-S-3 for contingency
 - Business – Review and Items for Future Action**
 - C. Manager's Report
 - 1. Ordinance 2020-08 Enacting and Adopting Supplement 23 to the Code of Ordinances
 - 2. Budget Amendment 21-S-4
 - a. Tanglebrook CIP Scope of Work (SOW #3)
 - b. Doublegate CIP Scope of Work (SOW #4)
 - D. Attorney's Report
 - E. Planner's Report
 - F. Council Comments
- X. Adjournment



DRAFT

**REGULAR MEETING OF
THE VILLAGE OF CLEMMONS COUNCIL
August 24, 2020**

The Village of Clemmons Council met on Monday, August 24, 2020, at 6 p.m. The meeting was held at the Village Hall, Clemmons, North Carolina. The following members were present: Mayor Wait, Council Members Barson, Binkley, Cameron, Rogers and Wrights. Attorney Elliot Fus was also present.

Call to Order & Pledge of Allegiance

Mayor Wait called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

Public Comments

There was one citizen in attendance. There were no individuals that spoke during public comments.

Approval of the Minutes

Council Member Rogers moved to approve the minutes of the August 10, 2020 regular meeting as presented. The motion was seconded by Council Member Cameron and unanimously approved.

Approval of the Agenda

Mayor Wait requested the addition of Item H. Closed Session for Discussion Under Attorney-Client Privilege in accordance with NCGS 143-318.11(a)(3).

Council Member Cameron moved to approve the agenda as amended. The motion was seconded by Council Member Barson and unanimously approved.

Announcements

Mayor Wait announced the 100th anniversary of the 19th Amendment to the US Constitution and thanked Old North State Daughters of the American Revolution (Vivian Orrell) for their letter. He advised August 26 is the commemoration of Women's Equality Day (since 1973).

Mayor Wait announced the Village of Clemmons will be closed for Labor Day on Monday, September 7, 2020 - trash pickup will be delayed 1 day – pickups will be Tuesday – Saturday.

Business – Information/Review Items for Future Action

- A. *Marketing and Communications Director's Report.*
 1. *Events Update* – Clerk Shortt advised that the Farmers Market is held every Saturday at Jerry Long YMCA from 8:30am – 11:30am and the Movie Night that was scheduled for September 12, 2020 has been cancelled. The Village of Clemmons is looking forward to Movie Nights in the Village in 2021.

Business – Action Items

- B. Site Plan Amendment for TMP of Clemmons, LLC (Animal Ark Veterinary Services) - Zoning Docket C-SPA-20-001 – Planner Rahimzadeh advised of Planning Board’s recommendation for approval. He stated this is an addition to the rear of the current structure which will add 1,840 square feet and is currently in compliance with all UDO requirements. They are proposing a dumpster enclosure which will be made of the same material. They will be adding three additional parking spaces in the front on the left side as well as adjustments to planting of the streetyard. Luke Dickey (Stimmel Associates, 601 N. Trade Street, Winston-Salem) spoke briefly to Council and advised that the site across the street (which is also owned by Animal Ark) is currently being used as a temporary processing unit for check-in during COVID-19 and owner is aware that it will need to be in compliance (as is currently zoned residential) with all ordinances and is temporary at this time but they are working to resolve this.

Council Member Rogers made a motion to approve Site Plan Amendment for TMP of Clemmons (Animal Ark Veterinary Services) - Zoning Docket C-SPA-20-001. The motion was seconded by Council Member Barson and unanimously approved.

- C. Facility Upgrade Quote.
1. Audio System - Director of Operations Gearren provided Council with three quotes (Strategic Connections) for the audio system upgrade options for the meeting room in Village Hall (attached hereto as Exhibit A and incorporated as a part of the minutes).

Council Member Cameron moved to approve the upgrade to the audio system quote from Strategic Connections for the meeting room in Village Hall in the amount of \$25,249.93. The motion was seconded by Council Member Rogers and unanimously approved.

- D. Coronavirus Relief Fund – Manager Buffkin advised Council of the deadline (end of August 2020) and need to agree to accept CRF along with adopting a plan to utilize the funds.
1. Interlocal Agreement with Forsyth County – agreement was presented (attached hereto as Exhibit B and incorporated as a part of the minutes).

Council Member Barson moved to approve the Interlocal Agreement with Forsyth County regarding the Coronavirus Relief Fund in the amount of \$221,664.00. The motion was seconded by Council Member Cameron and unanimously approved.

2. Clemmons CRF Plan - plan was presented (attached hereto as Exhibit C and incorporated as a part of the minutes).

Council Member Rogers moved to approve the Clemmons CRF Plan as presented. The motion was seconded by Council Member Wrights and unanimously approved.

3. *2020-07 Coronavirus Relief Funds Special Revenue Ordinance* – ordinance was presented (attached hereto as Exhibit D and incorporated as a part of the minutes).

Council Member Rogers moved to approve the 2020-07 Coronavirus Relief Funds Special Revenue Ordinance as presented. The motion was seconded by Council Member Wrights and unanimously approved.

Business – Review and Items for Future Action

- E. *Manager's Report.*
 1. *Financial Report for July 2020* – report was presented.
 2. *FCSO Report for July 2020* – report was presented.
- F. *Attorney's Report* – Attorney Fus reported that he has been working on litigation matters and responded to the auditor's request letter summarizing any pending claims. He has also been preparing construction and drainage easements for Greenbrook and Mendelssohn. He advised that clarification is needed on the state of easements on the former Kmart property as it states "future right-of-way" and would not be an encumbrance or make any type of claim against their property in the future.
- G. *Planner's Report.*
 1. *August 18, 2020 Draft Planning Board Minutes* – draft minutes were presented. Planner Rahimzadeh briefed Council on the cases recently heard and approved by Planning Board.
- H. *Closed Session for Discussion Under Attorney-Client Privilege in Accordance with NCGS 143-318.11(a)(3)* - Council Member Rogers moved to go into closed session for Discussion Under Attorney-Client Privilege (relates to Visible Properties and Allegro Properties) in accordance with NCGS 143-318.11(a)(3) at 6:42 p.m. The motion was seconded by Council Member Cameron and unanimously approved.

At 7:16 p.m., Mayor Wait stated that by unanimous vote Council chose to reconvene the open session with no action taken.
- I. *Council Comments* – Mayor Wait assured that stormwater issues are being heard and addressed.

Adjournment

Council Member Barson moved to adjourn the meeting at 7:17 p.m. The motion was seconded by Council Member Rogers and unanimously approved.

John Wait
Mayor

ATTEST:

Lisa Shortt, NCCMC
Village Clerk

DRAFT

Greenbrook Drainage Project

Bid Opening - Friday, August 21, 2020 @ 10:00am

| Company Name/ Address | Received Date/Time | Representative Name & Contact Info. | TOTAL BID |
|--|---------------------|---|---------------------|
| North State Water and Sewer, Inc. 3195 Maplewood Ave Winston-Salem, NC 27103 | 8/21/2020 8:14am | Rodney Latham 336-575-3052 | \$252,524.00 |
| Triangle Grading & Paving, Inc. PO Drawer 2570 Burlington, NC 27215 | 8/21/2020 9:00am | Bryan Coley 336-584-1745 | \$298,678.70 |
| Dane Construction, Inc. PO Box 800 Mooresville, NC 28115 | 8/21/2020 9:37am | Pete Weber 704-614-3493 | \$1,068,800.00 |
| Smith-Rowe, LLC 639 Old US 52 S Mount Airy, NC 27030 | 8/21/2020 9:42am | Cody Collins 336-757-6035 | \$568,946.72 |
| Eastern Structures, LLC 1629 US Hwy 158 Mocksville, NC 27028 | 8/21/2020 9:45am | Brandon Shore 336-751-0315 | \$369,000.00 |
| SIMCON Company, LLC 2057 S. McKinney Road Mount Airy, NC 27030 | 8/21/2020 9:47am | Jarod Simmons 336-789-4909 | \$392,400.00 |
| Hennings Construction Company LLC 9154 Hwy 67 East Bend, NC 27018 | 8/21/2020 9:50am | Rodney Smitherman 336-354-2013 336-699-2444 | \$334,100.00 |

Lowest qualified bid



Certified Bid Tabulation


Village of Clemmons

Greenbrook Culvert Replacement - Village Project Number 20-03

Date Bid Opened: August 21, 2020 at 10:00 AM

| | Contractor | Addenda Acknowledged | Additional Unit Prices Provided | Lump Sum Bid Amount |
|---|---------------------------------|----------------------|---------------------------------|---------------------|
| 1 | Triangle Grading & Paving, Inc. | YES | YES | \$ 298,678.70 |
| 2 | North State Water & Sewer, Inc. | YES | YES | \$ 252,524.00 |
| 3 | Dane Construction, Inc. | YES | YES | \$ 1,068,800.00 |
| 4 | Smith-Rowe, LLC | YES | YES | \$ 568,946.72 |
| 5 | Eastern Structures, LLC | YES | YES | \$ 369,000.00 |
| 6 | Simcon Company, LLC | YES | YES | \$ 392,400.00 |
| 7 | Hennings Construction | YES | YES | \$ 334,100.00 |

This certifies that all bids were received and opened on August 21, 2020, and that this bid tabulation is an accurate account of the Bids.



 Amy Black, P.E.



VILLAGE OF CLEMMONS
BUDGET AMENDMENT
FOR THE FISCAL YEAR ENDING JUNE 30, 2021

BE IT ORDAINED by the Village Council of the Village of Clemmons, North Carolina at a regular meeting on September 14, 2020 to amend the budget for Greenbrook CIP project.

| | Original | Increase | Decrease | Amended |
|------------------------------|---------------------|----------------------|-------------|---------------------|
| Revenues | | | | |
| Fund Balance Appropriated | 829,080 | <u>25,260</u> | - | 854,340 |
| Total Revenues | | <u><u>25,260</u></u> | | |
| Expenditures | | | | |
| Capital Improvement Plan | 902,870 | <u>25,250</u> | | 928,120 |
| Total Expenditures | | <u><u>25,250</u></u> | | |
| For Information Total Budget | | | | |
| Total Revenues | \$ 1,654,955 | \$ 25,250 | \$ - | \$ 1,680,205 |
| Total Expenditures | <u>\$ 1,654,955</u> | <u>\$ 25,250</u> | <u>\$ -</u> | <u>\$ 1,680,205</u> |

Attest:

Adopted 14th day of September

Lisa M. Shortt, NCCMC

John L. Wait, Village Mayor

Mendelssohn Drainage Project

Bid Opening - Friday, August 21, 2020 @ 10:00am

| Company Name/ Address | Received Date/Time | Representative Name & Contact Info. | TOTAL BID |
|--|---------------------|---|----------------|
| North State Water and Sewer, Inc. 3195 Maplewood Ave Winston-Salem, NC 27103 | 8/21/2020 8:14am | Rodney Latham 336-575-3052 | \$243,075.00 |
| Triangle Grading & Paving, Inc. PO Drawer 2570 Burlington, NC 27215 | 8/21/2020 9:00am | Bryan Coley 336-584-1745 | \$259,604.42 |
| Dane Construction, Inc. PO Box 800 Mooresville, NC 28115 | 8/21/2020 9:37am | Pete Weber 704-614-3493 | \$1,195,245.00 |
| Smith-Rowe, LLC 639 Old US 52 S Mount Airy, NC 27030 | 8/21/2020 9:42am | Cody Collins 336-757-6035 | \$498,931.56 |
| Eastern Structures, LLC 1629 US Hwy 158 Mocksville, NC 27028 | 8/21/2020 9:45am | Brandon Shore 336-751-0315 | \$274,000.00 |
| SIMCON Company, LLC 2057 S. McKinney Road Mount Airy, NC 27030 | 8/21/2020 9:47am | Jarod Simmons 336-789-4909 | \$429,000.00 |
| Hennings Construction Company LLC 9154 Hwy 67 East Bend, NC 27018 | 8/21/2020 9:50am | Rodney Smitherman 336-354-2013 336-699-2444 | \$353,432.00 |

Lowest qualified bid



Certified Bid Tabulation


Village of Clemmons

Mendelssohn Culvert Replacement - Village Project Number 20-04

Date Bid Opened: August 21, 2020 at 10:15 AM

| | Contractor | Addenda Acknowledged | Additional Unit Prices Provided | Lump Sum Bid Amount |
|---|---------------------------------|----------------------|---------------------------------|---------------------|
| 1 | Triangle Grading & Paving, Inc. | YES | YES | \$ 259,604.42 |
| 2 | North State Water & Sewer, Inc. | YES | YES | \$ 243,075.00 |
| 3 | Dane Construction, Inc. | YES | YES | \$ 1,195,245.00 |
| 4 | Smith-Rowe, LLC | YES | YES | \$ 498,931.56 |
| 5 | Eastern Structures, LLC | YES | YES | \$ 274,000.00 |
| 6 | Simcon Company, LLC | YES | YES | \$ 429,000.00 |
| 7 | Hennings Construction | YES | YES | \$ 353,432.00 |

This certifies that all bids were received and opened on August 21, 2020, and that this bid tabulation is an accurate account of the Bids.



 Amy Black, P.E.



VILLAGE OF CLEMMONS
BUDGET AMENDMENT
FOR THE FISCAL YEAR ENDING JUNE 30, 2021

BE IT ORDAINED by the Village Council of the Village of Clemmons, North Carolina at a regular meeting on September 14, 2020 to amend the budget for Mendelssohn CIP project.

| | Budget | Increase | Decrease | Amended |
|------------------------------|---------------------|----------------------|-------------|---------------------|
| Revenues | | | | |
| Fund Balance Appropriated | 854,340 | <u>24,310</u> | - | 878,650 |
| Total Revenues | | <u><u>24,310</u></u> | | |
| Expenditures | | | | |
| Capital Improvement Plan | 928,120 | <u>24,310</u> | | 952,430 |
| Total Expenditures | | <u><u>24,310</u></u> | | |
| For Information Total Budget | | | | |
| Total Revenues | \$ 1,680,205 | \$ 24,310 | \$ - | \$ 1,704,515 |
| Total Expenditures | <u>\$ 1,680,205</u> | <u>\$ 24,310</u> | <u>\$ -</u> | <u>\$ 1,704,515</u> |

Attest:

Adopted 14th day of September

Lisa M. Shortt, NCCMC

John L. Wait, Village Mayor

ORDINANCE NUMBER 2020-08

AN ORDINANCE ENACTING AND ADOPTING SUPPLEMENTS TO THE
CODE OF ORDINANCES FOR THE VILLAGE OF CLEMMONS,
AND DECLARING AN EMERGENCY

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 23rd Supplement to the Code of Ordinances of the Village of Clemmons, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Village of Clemmons; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the North Carolina code; and

WHEREAS, it is the intent of the Village Council to accept these updated sections in accordance with the changes of the law of the State of North Carolina; and

WHEREAS, it is necessary to provide for the daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE
VILLAGE OF CLEMMONS:

Section 1. That the 23rd Supplement to the Code of Ordinances of the Village of Clemmons as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

Section 2. Such supplements shall be deemed published as of the day of its adoption and approval by the Village Council and the Clerk of the Village of Clemmons is hereby authorized and ordered to insert such supplements into the copy of the Code of Ordinances kept on file in the Office of the Clerk.

Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Village Council of the Village of Clemmons this
_____ day of September 2020.

John L. Wait, Mayor

ATTEST:

Lisa M. Shortt, Village Clerk

VILLAGE OF CLEMMONS
BUDGET AMENDMENT
FOR THE FISCAL YEAR ENDING JUNE 30, 2021

BE IT ORDAINED by the Village Council of the Village of Clemmons, North Carolina at a regular meeting on September 28, 2020 to amend the budget for Doublegate & Tanglewood CIP.

| | Budget | Increase | Decrease | Amended |
|------------------------------|----------------------------|-------------------------|--------------------|----------------------------|
| Revenues | | | | |
| Fund Balance Appropriated | 878,650 | <u>93,000</u> | - | 971,650 |
| Total Revenues | | <u><u>93,000</u></u> | | |
| Expenditures | | | | |
| Capital Improvement Plan | 952,430 | <u>93,000</u> | | 1,045,430 |
| Total Expenditures | | <u><u>93,000</u></u> | | |
| For Information Total Budget | | | | |
| Total Revenues | \$ 1,704,515 | \$ 93,000 | \$ - | \$ 1,797,515 |
| Total Expenditures | <u><u>\$ 1,704,515</u></u> | <u><u>\$ 93,000</u></u> | <u><u>\$ -</u></u> | <u><u>\$ 1,797,515</u></u> |

Attest:

Adopted 28th day of September

 Lisa M. Shortt, NCCMC

 John L. Wait, Village Mayor



STATEMENT OF WORK #3

This Statement of Work is incorporated and governed by the Master Agreement dated February 25, 2020 between LJB Inc. (“JEWELL-LJB”) and the Village of Clemmons (“Client”).

PROJECT BACKGROUND

JEWELL - LJB is pleased to offer our professional engineering services to develop construction plans for culvert replacement at Tanglebrook Trail. Preliminary hydrologic and hydraulic analyses, and conceptual plans, have been previously developed by JEWELL-LJB as part of the Capital Improvement Project (CIP) planning effort for the Village of Clemmons in 2008-2009, and recently were further refined for compliance with newer U.S. Army Corps of Engineers (Corps) and North Carolina Department of Environmental Quality (DEQ) culvert design requirements. Survey of the Clemmons West culvert replacement locations was completed by MLA Design in 2019 and the base CAD drawings have been developed.

SOW #3 includes the following tasks for completion of the culvert design efforts and preparation of construction plans:

PROPOSED SCOPE OF SERVICES

JEWELL - LJB will provide the following services:

1. Develop 60% design plans for review and comment by Village staff. The plans will include a plan/profile for the culvert crossing and the proposed grading and improvement plans for upstream and downstream transition and energy dissipation areas. No traffic control or erosion control plans will be included in the 60% design.
2. Submit a Pre-Construction Notification to the Corps and NCDEQ for approval, if required, based on the 60% plans, modified to address input from Village staff.
3. Prepare and submit a No-Rise Certification to the Winston-Salem/Forsyth County Floodplain Administrator demonstrating that the proposed culvert replacements will not increase the Base Flood Elevations along Johnson Creek. We anticipate that a No-Rise Certification can be developed and will advise the Village if circumstances will instead require submittal to NCFMP/FEMA for a request for a Conditional Letter of Map Revision (CLOMR).
4. Develop 90% design plans, inclusive of traffic control, erosion control, and all details required for the construction of the culvert replacement. Submit plans to Village staff for review and comment.
5. Submit erosion and sediment control plan to NC DEQ regional office for securing an Erosion Control Permit, if required.
6. Develop technical specifications and an engineer’s opinion of probable cost.
7. Finalize construction plans per review comments from regulatory agencies and Village staff.
8. Assist the Village as requested in preparation of bid documents and bid tabulations. Attend a pre-bid meeting. Verify and submit as-built drawings, from surveyor contracted by Village, for drainage and utility pipes and structures.

PROJECT ASSUMPTIONS/LIMITATIONS

1. All permit fees associated with any applications will be paid by the Village of Clemmons or reimbursed to JEWELL - LJB as a project expense with 15% added.

LJB INC. INITIALS _____

CLIENT'S INITIALS _____



2. We will use FEMA’s flows for the hydraulic analyses for a No-Rise Certification, though these flows likely differ from the hydrologic analyses developed by JEWELL - LJB in CIP planning, which are more specifically based on watershed conditions.
3. We do not expect that there will be any wetland impacts associated with this project and do not propose to have a jurisdictional determination submitted to the Corps/DEQ unless we have indications they will require it.
4. As stated in the scope, we do not expect that a CLOMR submittal will be required, but if so, this would require a budget adjustment for the additional documentation and more extensive review and permitting process.
5. This scope does not include any effort for a post-project LOMR. For projects where a CLOMR is required or where a No-Rise Certification shows a decrease in the BFEs greater than 0.1 foot, a post-project LOMR submittal will be required by NCFMP. The LOMR review fee is \$8,250 and JEWELL-LJB’s services for a LOMR are typically \$8,000 to \$12,000 depending on the project size and complexity.

BUDGET

We propose to perform this work on a **Time and Expenses** basis in accordance with our billing rate schedule in effect at the time services are performed. Our current billing rate schedule is attached. Our Terms and Conditions of Service document (attached) spells out details under which we will perform these services. We estimate that a budget of **\$44,000** will be appropriate for this work and we will not exceed this budget without Village approval. This proposal is valid for a period of 30 days from the date above.

AUTHORIZATION

This Statement of Work is dated and made effective as of: August 25 , 2020 .

The parties have executed this Statement of Work below by signature of their authorized representatives.

CLIENT

LJB

LJB Inc. _____

By: _____

By:  _____

Name: _____

Name: Roberto Canales, P.E. _____

Title: _____

Title: Vice-President, Southeast Operations _____

Date: _____

Date: 08-25-2020 _____

The person signing on behalf of their respective party represents that he or she is legally authorized to sign on behalf of said party.

LJB INC. INITIALS 

CLIENT'S INITIALS _____



Additional Terms and Conditions Per NC General Statute
Statement of Work #3 – Tanglebrook Culvert Replacement Project

E-VERIFY:

Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if the Contractor utilizes a subcontractor, the Contractor shall require the subcontractor to comply with the requirement of Article 2 of Chapter 64 of the North Carolina General Statutes.

IRAN DIVESTMENT ACT:

Contractor hereby certifies that it is not on the North Carolina State Treasurer's list of persons engaging in business activities in Iran, prepared pursuant to NCGS §G.S. 147-86.55-69, nor will contractor utilize on this agreement any subcontractor on such list. This list, along with additional information about the Iran Divestment Act, is available on the Treasurer's Office site: <https://www.nctreasurer.com/inside-the-department/OpenGovernment/Pages/Iran-Divestment-Act-Resources.aspx>

DIVESTMENT FROM COMPANIES THAT BOYCOTT ISRAEL

Contractor hereby certifies that it is not on the North Carolina State Treasurer's list of companies engaged in a boycott of Israel in violation of NCGS §147-86.80 et.seq., and that it will not utilize on this agreement any subcontractor on said list.

Signature 

Name Roberto Canales, P.E.

Date 08-25-2020

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.



STATEMENT OF WORK #4

This Statement of Work is incorporated and governed by the Master Agreement dated February 25, 2020 between LJB Inc. (“JEWELL-LJB”) and the Village of Clemmons (“Client”).

PROJECT BACKGROUND

JEWELL - LJB is pleased to offer our professional engineering services to develop construction plans for culvert improvements at Doublegate Drive. Preliminary hydrologic and hydraulic analyses, and conceptual plans, have been previously developed by JEWELL-LJB as part of the Capital Improvement Project (CIP) planning effort for the Village of Clemmons in 2008-2009, and recently were further reviewed for compliance with newer U.S. Army Corps of Engineers (Corps) and North Carolina Department of Environmental Quality (DEQ) culvert design requirements. Survey of the Clemmons West culvert replacement locations was completed by MLA Design in 2019 and the base CAD drawings have been developed.

SOW #4 includes the following tasks for completion of the culvert design efforts and preparation of construction plans:

PROPOSED SCOPE OF SERVICES

JEWELL - LJB will provide the following services:

1. Develop 60% design plans for review and comment by Village staff. The plans will include a plan/profile for the culvert improvements and the proposed grading and improvement plans for upstream and downstream transition and energy dissipation areas. No traffic control or erosion control plans will be included in the 60% design.
2. Submit a Pre-Construction Notification to the Corps and NCDEQ for approval, if required, based on the 60% plans, modified to address input from Village staff.
3. Prepare and submit a No-Rise Certification to the Winston-Salem/Forsyth County Floodplain Administrator demonstrating that the proposed culvert replacements will not increase the Base Flood Elevations along Johnson Creek Tributary 2. We anticipate that a No-Rise Certification can be developed and will advise the Village if circumstances will instead require submittal to NCFMP/FEMA for a request for a Conditional Letter of Map Revision (CLOMR).
4. Develop 90% design plans, inclusive of traffic control, erosion control, and all details required for the construction of the culvert replacement. Submit plans to Village staff for review and comment.
5. Submit erosion and sediment control plan to NC DEQ regional office for securing an Erosion Control Permit, if required.
6. Develop technical specifications and an engineer’s opinion of probable cost.
7. Finalize construction plans per review comments from regulatory agencies and Village staff.
8. Assist the Village as requested in preparation of bid documents and bid tabulations. Attend a pre-bid meeting. Verify and submit as-built drawings, from surveyor contracted by Village, for drainage and utility pipes and structures.
9. Provide a post-project LOMR at the completion of the Clemmons West Drainage Improvements, including Greenbrook, Mendelssohn, Tanglebrook Trail, and Doublegate Culvert replacements.

PROJECT ASSUMPTIONS/LIMITATIONS

1. All permit fees associated with any applications will be paid by the Village of Clemmons or reimbursed to JEWELL - LJB as a project expense with 15% added.

LJB INC. INITIALS _____

CLIENT'S INITIALS _____



2. We will use FEMA’s flows for the hydraulic analyses for a No-Rise Certification, though these flows likely differ from the hydrologic analyses developed by JEWELL - LJB in CIP planning, which are more specifically based on watershed conditions.
3. We do not expect that there will be any wetland impacts associated with this project and do not propose to have a jurisdictional determination submitted to the Corps/DEQ unless we have indications they will require it.
4. As stated in the scope, we do not expect that a CLOMR submittal will be required, but if so, this would require a budget adjustment for the additional documentation and more extensive review and permitting process.
5. This scope does not include review fees for a post-project LOMR. The LOMR review fee is expected to be \$8,250 and will be paid by the Village directly to NCFMP.

BUDGET

We propose to perform this work on a **Time and Expenses** basis in accordance with our billing rate schedule in effect at the time services are performed. Our current billing rate schedule is attached. Our Terms and Conditions of Service document (attached) spells out details under which we will perform these services. We estimate that a budget of **\$49,000** will be appropriate for this work and we will not exceed this budget without Village approval. This proposal is valid for a period of 30 days from the date above.

AUTHORIZATION

This Statement of Work is dated and made effective as of: August 31 , 2020 .

The parties have executed this Statement of Work below by signature of their authorized representatives.

CLIENT

LJB

LJB Inc. _____

By: _____

By:  _____

Name: _____

Name: Roberto Canales, P.E. _____

Title: _____

Title: Vice-President, Southeast Operations _____

Date: _____

Date: 08-31-2020 _____

The person signing on behalf of their respective party represents that he or she is legally authorized to sign on behalf of said party.

LJB INC. INITIALS 

CLIENT'S INITIALS _____



Additional Terms and Conditions Per NC General Statute
Statement of Work #4 – Doublegate Culvert Replacement Project

E-VERIFY:

Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if the Contractor utilizes a subcontractor, the Contractor shall require the subcontractor to comply with the requirement of Article 2 of Chapter 64 of the North Carolina General Statutes.

IRAN DIVESTMENT ACT:

Contractor hereby certifies that it is no on the North Carolina State Treasurer’s list of persons engaging in business activities in Iran, prepared pursuant to NCGS §G.S. 147-86.55-69, nor will contractor utilize on this agreement any subcontractor on such list. This list, along with additional information about the Iran Divestment Act, is available on the Treasurer’s Office site: <https://www.nctreasurer.com/inside-the-department/OpenGovernment/Pages/Iran-Divestment-Act-Resources.aspx>

DIVESTMENT FROM COMPANIES THAT BOYCOTT ISRAEL

Contractor hereby certifies that it is not on the North Carolina State Treasure’s list of companies engaged in a boycott of Israel in violation of NCGS §147-86.80 et.seq., and that it will not utilize on this agreement any subcontractor on said list.

Signature 

Name Roberto Canales, P.E.

Date 08-31-2020

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.