

AGENDA

Meeting Type:	BUSINESS
Date:	09/09/1996

City of Charlotte, City Clerk's Office

Mayor Patrick McCrory Mayor Pro Tem Al Rousso

<i>Charles Baker</i>	<i>Don Reid</i>
<i>Patrick Cannon</i>	<i>Ella Butler Scarborough</i>
<i>Malachi Greene</i>	<i>Tim Sellers</i>
<i>Mike Jackson</i>	<i>Sara Spencer</i>
<i>Nasif Rashad Majeed</i>	<i>Lynn Wheeler</i>

Council Agenda

CITY COUNCIL MEETING **Monday September 9, 1996**

5:00 p.m.

Conference Center

**Dinner Briefing
(See Table of Contents)**

6:30 p.m.

Meeting Chamber

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Hearing**

7:00 p.m.

Formal Business Meeting

Item No.

Page No.

Attachment No.

POLICY

6. City Manager's Report 1

BUSINESS

7. Multifamily Refuse and
Recyclables Collection Contract 2 1

CONSENT I

8. Various Bids

- A. Londonberry/Seacroft Drainage
Improvements 6
- B. Street Maintenance Drainage
Repair FY97 7
- C. Storm Water Maintenance FY97D 7
- D. Storm Water Maintenance FY97E 7
- E. Water and Sewer Main Construction
FY97 Contract B 8
- F. Residential Sound Insulation
Construction Contract B 8
- G. Residential Sound Insulation
Construction Contract C 8

9. Refund of Certain Taxes 9 2

Item No.

Page No.

Attachment No.

CONSENT II

<u>10.</u>	Sewer Reimbursable Contract - Randy Humphrey and Associates, Incorporated - Ardry Kell Subdivision	9	
<u>11.</u>	Wastewater Treatment Plant Optimization Study - Professional Services Contract	10	3
<u>12.</u>	City Property Sale - 4308 McKinley Drive	11	
<u>13.</u>	Change Order to High Speed Taxiway Construction Contract	12	
<u>14.</u>	Property Transactions	14	
<u>15.</u>	Meeting Minutes	16	

**5:00 P.M. DINNER BRIEFING
CONFERENCE CENTER**

- 1. Restructuring Government Committee on CMUD Competition Plan; and Multifamily Refuse and Recyclables Collection**
- 2. Status Report on Implementation of False Alarm Ordinance**
- 3. Plans and Process for Third Runway**
- 4. Transit Service for Panther Games**

**6:30 P.M. CITIZENS HEARING
MEETING CHAMBER**

CONSENT

- 5. Consent agenda items 8 through 15 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

Staff Resource: Julie Burch

POLICY

- 6. City Manager's Report**

BUSINESS

7. Multifamily Refuse and Recyclables Collection Contract

Action: Approve award of a five year contract for multifamily refuse and recyclables collection to Container Corporation of Carolina at the rates bid for citywide collection. The contract amount is \$1,492,890.

Staff Resource: Wayman Pearson

Policy: Competition

Explanation of Request On February 12, 1996, Council approved the recommendation of the Restructuring Government Committee to rebid the existing contracts for collection of refuse and recyclables materials from multifamily complexes. The bid process has been completed. Container Corporation of Carolina submitted the low bid for providing service to multifamily complexes in the whole city.

Background:

- The City currently contracts with five private haulers to provide solid waste collection services at multifamily complexes. The contracts, which have not been rebid since 1979, expire on September 30, 1996.
- The Request For Proposal approved by Council on May 13, 1996, was structured to receive three separate bids from each bidder.
 1. District A. Complexes located west of the dividing line of Statesville Avenue, Randolph Road and Sardis Road.
 2. District B. Complexes located east of the dividing line.
 3. Whole City, Districts A&B.

- The Request For Proposal was also structured:
 1. to receive bids for a service level of two refuse collections per week from standard bulk containers for the first year of the contract
 2. with the goal to reduce to one refuse collection per week in the second year of the contract. The City, in partnership with the successful bidder and the Charlotte Apartment Association, will conduct an aggressive campaign to increase recycling by multifamily complex residents. A significant shift in the waste stream (from refuse to recyclables) will justify the reduction to one weekly refuse collection.
- Seven companies were pre-qualified to bid on this contract. Six companies submitted bids. They were:
 1. Waste Management of Carolinas
 2. Waste Industries, Inc.
 3. Container Corporation of Carolina
 4. Chambers/USA Waste
 5. D&L Waste Systems, Inc.
 6. Browning-Ferris Industries of South Atlantic, Inc.
- The bids were opened on August 9, 1996. Container Corporation of Carolina submitted the low bid in all of the three bid options.

Bid Review:

- Bidders were required to submit a collection rate for each type of collection service (refuse and recyclable), together with a total cost for each year. All the bidders met the service requirements; the bid recommendation is based on the Council policy of providing the service at the lowest cost.
- Container Corporation of Carolina was the low bidder in all three options. In review of the bids, Container Corporation of Carolina used a different methodology than the other bidders to calculate the cost of compactor/rolloff service; however, it did not change the total cost for providing the service. A compactor/rolloff is a large container which has to be detached from its location in a multifamily complex and connected to a truck tractor in order to be hauled to a disposal site. The compactor is pulled back and repositioned at the complex after the contents have been dumped at the landfill.
- Container Corporation of Carolina used the standardized formula of one eight yard compactor picked up twice a week to service 90 units. In using this formula for larger compactors, Container Corporation of Carolina inserted an incorrect per unit cost for the service. Solid Waste Services reviewed the bid and had established a per unit cost that does not impact the total cost quoted. This award has been reviewed and approved by the City Attorney.
- Container Corporation of Carolina's bid for Combined Districts A&B of \$ 1,492,890 is within the FY97 budget of \$1,496,653 for this collection program. The next low bid of \$2,202,309 exceeds the FY97 budget by \$705,656.
- The FY97 budget anticipated savings of \$409,500 from the rebidding of this contract. The low bid is actually \$3,763 less than the FY97 budget.

Other Issues:

On August 26, several citizens spoke to City Council about garbage collection from apartment complexes. The Restructuring Government Committee reviewed these issues at its meeting on September 3 and will report to Council at the September 9 dinner briefing.

Attachment 1

Copies of bid sheets from all six bidders for:

- a) District A
- b) District B
- c) Combined Districts A & B
- d) Maps of Districts

**E. Water and Sewer Main Construction -
FY 97 Contract B - Street Main Extensions**

CMUD

Recommendation: Charlotte-Mecklenburg Utility Director recommends the low bid of \$778,237.20 by McDaniel Construction Contractors, Inc. of Bostic, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	%	2%
WBE	\$778,237.20	100%	3%

Compliance: Yes. The Contractor has met the requirements of the MWBD Program by performing 100% of the work with their current work force. McDaniel Construction Contractors has submitted documentation regarding their firm's capacity to do so. The WBE goal has been exceeded.

**F. Residential Sound Insulation
Construction Contract B**

Aviation

Recommendation: The Aviation Director recommends the low bid of \$199,451 by Bass & Jones of Winston-Salem.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$199,451	100%	10%

Compliance: Yes.

**G. Residential Sound Insulation
Construction Contract C**

Aviation

Recommendation: The Aviation Director recommends the low bid of \$128,674 by Bass & Jones of Winston-Salem.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$128,674	100%	10%

Compliance: Yes.

9. Refund Certain Taxes

Action: Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of \$75,360.27.

Attachment 2

CONSENT II

10. Sewer Reimbursable Contract - Randy Humphrey and Associates, Incorporated - Ardry Kell Subdivision

Action: Approve a sewer contract between the City and Randy Humphrey and Associates, Incorporated.

Explanation of Request:

- The Applicant, Randy Humphrey and Associates, Incorporated, has requested a contract for the design and construction of 5,600 linear feet of sanitary sewer trunk main to serve the proposed Ardry Kell Subdivision at Ardry Kell Road off Providence Road West. The estimated cost of this project is \$400,000.

Background:

- The applicant has deposited 15% of the estimated project cost with the remaining 85% to be deposited by letter of credit prior to construction.
- The CMUD extension policy contains a five year reimbursement program. This project was approved in the FY95 Capital Investment Plan and is eligible for the reimbursement program.

- This strategy has been reviewed by the Restructuring Government Committee and reviewed and approved by the Privatization/Competition Advisory Committee and the CMUD Advisory Committee.
- HDR was selected to perform this work based on:
 - experience and work on the recent plant operation bids; and
 - in-depth knowledge of several plants.

Attachment 3

12. City Property Sale - 4308 McKinley Drive

Action: Approve the sale of City owned property located at 4308 McKinley Drive.

Explanation of Request: Council is requested to approve the sale of City owned property subject to compliance with the provisions of the North Carolina Statutes and pursuant to the terms of the following offer:

Property Address: 4308 McKinley Drive
 Tax Code 061-102-09
 Buyer's Name: Leon Ray Brown
 Offer: \$51,000

Background:

- In accordance with the Part 150 Plan, the Airport acquired 23 homes in the Wandawood community, near Harding High School, because they were located in the highest noise zone. Noise levels have subsequently decreased to a level where noise insulation is an acceptable remedy under the Part 150 Plan.
- The Airport provided noise insulation to 4308 McKinley Drive and listed the property in Multiple Listing Service for sale to the public. The sales price was determined by an appraisal.

- The airport received an offer. The offer is \$51,000 with the Airport paying for:
 - Realty fee of 3%;
 - \$5,600 for repairs
- The offer is contingent on Buyer obtaining NC Bond loan.
- The offer was advertised for 10 days in accordance with North Carolina General Statute 160A-269 for upset bid. No other offers were received.

13. Change Order to High Speed Taxiway Construction Contract

Action: Approve Change Order #1 in the amount of \$130,297.86 to the contract of APAC-Georgia, Inc. increasing the contract amount to \$2,863,774.40 for the construction of high speed taxiways.

Explanation of Request:

- Payment of this contract is on the basis of estimated unit costs. An existing taxiway required a greater than anticipated amount of reconstruction effort. The change order provides payment for final, measured quantities.
- The change order will also include a bonus payment for additional concrete strength. The Federal Aviation Administration (FAA) has established a method to reward contractors if the concrete pavement is over and above the minimum strength that the specifications require. In this contract, the contractor qualified for a \$60,000 bonus.
- The FAA is obligated by a previously approved grant agreement to reimburse any additional project costs up to 15% of the original grant amount.

Funding: Airport Fund Balance and Federal Aviation Administration Grant

Background:

- This project is identified in the 1987 Airport Master Plan. The 1991 Capacity Enhancement Study identified an annual operating savings of \$300,000 if the taxiways were built.
- On September 1994, Council accepted a \$10,023,116 FAA Grant and awarded a contract to APAC-Georgia, Inc. totaling \$2,733,476.54 for high speed taxiway construction.

14. Property Transactions

Action: Approve the following property acquisitions (A-C) and adopt the condemnation resolution (D-E)

Acquisitions:

For property acquisitions A-C, the purchase was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific condition and size of the house. The tax value is determined on a more generic basis and will be higher or lower for houses with certain features. Residential property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. The owners are eligible for relocation benefits. Acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement.

- A. **Project:** F.A.R. Part 150 Land Acquisition
Owner(s): Mr. and Mrs. Joe Howard Savage
Property Address: 8502 Todd Road
Property to be acquired: .439 acres
Improvements: Split Level Residence
Tax Value: \$84,330
Purchase Price: \$87,000
- B. **Project:** F.A.R. Part 150 Land Acquisition
Owner(s): Mr. and Mrs. Thomas Thompson
Property Address: 4518 Denver Avenue
Property to be acquired: 4.396 acres
Improvements: Frame Ranch Residence
Tax Value: \$96,330
Purchase Price: \$180,000
- C. **Project:** Master Plan Acquisition
Owner(s): Grubb Investment Co. Inc.
Property Address: 3800 Harlee Ave
Property to be acquired: 3.146 acres
Improvements: Warehouse
Tax Value: \$173,740
Purchase Price: \$231,833

Condemnation:

D. **Project:** Sanitary Sewer to Stoney Creek Tributary to Mallard Creek Road, Parcel #12.
Owner(s): Charles E. Moon & Rosemary S. Moon and any other parties of interest.
Property Address: 1825 Galloway Road.
Property to be acquired: 6,496.35 sq.ft.
Improvements: None
Purchase Price: \$ 1,100
Remarks: Mr. Moon maintains that this sewer line is being constructed at the request and benefit of one particular property owner. Staff explained to Mr. Moon how proposed projects enter the system and that the project was included in the Capital Improvements Program years prior to approval for construction. Condemnation is requested to avoid delay of the project. Compensation was determined by an independent appraiser.

Zoned: R-3 **Use:** Residential
1991 Tax Value: \$ 133,260
Tax Code: 029-021-29

E. **Project:** Mint Hill Sanitary Sewer Trunk - 1995, Parcel #45
Owner(s): Jerry G. Hilton & wf., Glenda K. Hilton & any other party of interest.
Property Address: 4300 Walter Nelson Road.
Property to be acquired: 5,443.25 sq.ft. (.13 ac.).
Improvements: Trees
Purchase Price: \$ 1,700
Remarks: A 15' permanent sanitary sewer easement and temporary construction easement is needed across the owner's backyard near his well. Owner claims the proposed line will affect his water supply. City staff provided a letter from Department of Environmental Health and Natural Resources stating proposed line is within guidelines for constructing near wells and also will provide alternate water service if problems occur from sewer construction. Condemnation is requested to avoid delay of the project. Compensation was determined by an independent appraiser.

**Zoned: R Use: Single Family
1991 Tax Value: \$178,750
Tax Code: 135-291-20**

15. Minutes

Action:

Approve minutes as follows:

- **August 14, Charter Commission Special Meeting**
- **August 20, Joint City/County/ School Board Meeting**