

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER  
TO REIMBURSEMENT AGREEMENT 2015-5194 WITH CIP CONSTRUCTION  
COMPANY IN AN AMOUNT NOT TO EXCEED \$61,620.13 TO UPGRADE AN EXISTING  
UNDERSIZED STORM SEWER AND WATER LINE ALONG LINDSAY STREET AND  
EUGENE STREET

WHEREAS, CIP Construction Company is a developer that has received City approval to construct Bellemeade Village, a \$50 million mixed-use development that includes six-story buildings with brick, stucco and cast concrete facades along Bellemeade and North Eugene Streets in the downtown business district;

WHEREAS, this development will include approximately 300 apartments and possibly 20,000 square feet of retail space;

WHEREAS, the City has requested CIP Construction Company to upgrade the existing 30" RCP public storm sewer system that runs along Lindsay Street. This storm sewer system is currently severely undersized for existing conditions and its upgrade to a 42" RCP and 54" RCP further downstream is necessary to alleviate existing drainage issues onsite;

WHEREAS, this upgrade is not required by the City's Land Development Ordinance for Bellemeade Village, but the City has asked CIP to make these improvements on its behalf, because the City believes that CIP can make these improvements at a lesser cost;

WHEREAS, the City has also asked CIP to upgrade the existing 6" cast iron (CI) water line (installed in early 1900's) starting north on Eugene Street to Battleground Avenue to a 12" DIP including the associated water connections and the abandonment of the existing 6" CI water line;

WHEREAS, the water line improvements are needed to improve fire flow and capacity available for the downtown area, and they are not required by the City's LDO for Bellemeade Village;

WHEREAS, Water Resources has reviewed the cost estimates from CIP Construction Company for these requested public enterprise improvements and found that the estimated costs do not exceed the City's estimated costs for constructing these improvements with the City's own eligible force account qualified labor or through the City's normal bidding processes;

WHEREAS, N.C.G.S. 160A-320 allows cities to reimburse property owners, developers, or their contractors for the costs associated with the design and construction of public enterprise improvements for the City that (i) are in addition to the improvements required by the city's land development regulations; (2) are adjacent or ancillary to the private land development project, and (3) will not exceed the estimated cost of providing for those improvements;

WHEREAS, the Greensboro City Council finds that the costs to design and construct the upgraded storm sewer system and water line will not exceed the estimated cost of providing for those improvements through the City's eligible force account qualified labor or through the City's normal bidding processes;

WHEREAS, unforeseen underground utilities were found to be in conflict with the proposed utility layout, and changes to the original storm water and water line improvements for the site were needed, thereby necessitating a change order to the contract in the amount of \$61,620.13.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

The City Manager is authorized to execute a change order to reimbursement agreement 2015-5194 with CIP Construction Company in an amount not to exceed 2015-5194 to upgrade the existing undersized storm sewer and water line along Lindsay Street and Eugene Street as stated hereinabove. Funding for the stormwater improvements is budgeted in the Stormwater Capital Improvement Fund Account Number 506-7014-01.6018 A16047 in the amount of \$52,667.85. Funding for the water improvements is budgeted in the Water Resources Capital Improvement Fund Account Number 503-7024-03.6019 A15041 in the amount of \$8,952.28.