

RESOLUTION # R-10-XX

**RESOLUTION OF THE BOARD OF ALDERMEN
ACCEPTING CONTRACTOR BID OFFER AND
AUTHORIZING THE TOWN MANAGER TO EXECUTE AN ARRA CONTRACT
ON BEHALF OF THE TOWN OF BLACK MOUNTAIN,
FOR THE
LAKE TOMAHAWK STORMWATER TREATMENT & FLOOD MITIGATION PROJECT**

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WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects; and

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WHEREAS, the North Carolina Department of Environment and Natural Resources has offered an American Recovery and Reinvestment Act of 2009 loan assistance grant from the Clean Water State Revolving Fund in the amount of \$412,840.00 for the construction of the Lake Tomahawk Stormwater Treatment & Flood Mitigation project; and

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WHEREAS, the Town of Black Mountain intends to construct said project in accordance with the approved plans and specifications; and

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WHEREAS, the Town of Black Mountain did advertise and receive bids from qualified contractors to perform the construction activity outlined in the approved documents for the Lake Tomahawk Stormwater Treatment project; and

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WHEREAS, the Town of Black Mountain did determine Blue Ridge Grading of Old Fort, NC, and their bid of \$195,890, to be the low responsive and responsible bid;

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF ALDERMAN OF THE TOWN OF BLACK MOUNTAIN:

That the Town Manager is hereby authorized to enter into contract on behalf of the Town of Black Mountain with Blue Ridge Grading for the Lake Tomahawk Stormwater Treatment & Flood Mitigation project for the bid amount of at least \$195,890 plus any design alternates to an amount not to exceed \$290,000.

That the Town of Black Mountain does hereby give assurance to the North Carolina Department of Environment and Natural Resources that all items specified in the loan/grant offer, Section II – Assurances will be adhered to in the construction of this project by the Contractor.

That the Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

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READ, APPROVED AND ADOPTED, this 11th day of January, 2010.

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ATTEST: Carl Bartlett, Mayor

Rosa B. Hilbert, Deputy Town Clerk Marcia D. Onieal, Town Manager

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting clerk of the Town of Black Mountain does hereby certify:
That the above/attached resolution is a true and correct copy of the resolution authorizing the Town
Manager to enter the town into a contract, as regularly adopted at a legally convened meeting of the Town
of Black Mountain duly held on the 11th day of January, 2010; and, further, that such resolution has been
fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have
hereunto set my hand this day of January, 2010.

(Signature of Recording Officer)

(Title of Recording Officer)

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WHEREAS, the Town of Black Mountain ("The Town") has been awarded funding allocated to the North Carolina Department of Transportation (NCDOT) via the American Recovery and Reinvestment Act (ARRA) to construct sidewalk along US70 from Blue Ridge Road to Grovestone Road; and¶
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WHEREAS, the Town has undergone a competitive bidding process to secure the lowest responsible bidder in compliance with all State and Federal guidelines; and¶
¶
WHEREAS, the NCDOT must approve all contracts and issue a notice to proceed to the Town;¶
¶
NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen for The Town of Black Mountain that the Town Manager is hereby authorized to execute on behalf of the Town the attached contract with Alison Landscaping in the amount of \$198,105.00 and any change orders within the budgeted amount for the purpose of sidewalk construction along US70 from Blue Ridge Road to Grovestone Road, contingent upon contract approval by NCDOT. ¶
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I move the adoption of the foregoing resolution¶
¶

Alderman¶
¶
READ, APPROVED AND ADOPTED, this 14th day of December, 2009.¶
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ATTEST: Carl Bartlett, Mayor¶
¶

Town Clerk Marcy Onieal, Town Manager

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