

FORSYTH COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: DECEMBER 21, 2015 AGENDA ITEM NUMBER: 4

SUBJECT: RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT WITH WEXFORD WINSTON-SALEM BAILEY, LLC TO FUND CONSTRUCTION, MAINTENANCE OF, AND EASEMENT TO MUNICIPAL INFRASTRUCTURE IMPROVEMENTS AT BAILEY POWER PLANT IN WAKE FOREST INNOVATION QUARTER

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:

SUMMARY OF INFORMATION: See Attached

ATTACHMENTS: YES NO

SIGNATURE: _____ DATE: _____
COUNTY MANAGER

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT WITH WEXFORD WINSTON-SALEM BAILEY, LLC TO FUND THE CONSTRUCTION, MAINTENANCE OF, AND EASEMENT TO MUNICIPAL INFRASTRUCTURE IMPROVEMENTS AT BAILEY POWER PLANT IN WAKE FOREST INNOVATION QUARTER

WHEREAS, Wexford Winston-Salem Bailey, LLC (“Wexford”) is a private developer which is considering renovating the Bailey Power Plant located in the Wake Forest Innovation Quarter, which has been designated a historic site; and

WHEREAS, as part of the renovation project, Wexford proposes to update Bailey Power Plant’s municipal infrastructure to aid and encourage future commercial development in the area and for the purpose of marketing the site for future development and serving the Wake Forest Innovation Quarter; and

WHEREAS, Wexford has requested that Forsyth County enter into a Reimbursement Agreement with Wexford, as private developer, pursuant to the provisions of N.C.G.S. 153A-451 and N.C.G.S. 153A-149(c)(14), to fund the construction of municipal infrastructure improvements which will be made in connection with Wexford’s renovation project at Bailey Power Plant (such categories of expenses being identified on the attached Exhibit A consisting of three pages) in an amount up to \$2,000,000 for expenses which are not being reimbursed by any other source; and

WHEREAS, the infrastructure improvements identified in Exhibit A will be included on the County’s Capital Improvement Plan, as required by N.C.G.S. 153A-451; and

WHEREAS, it is proposed by County staff that in addition to reimbursing Wexford for the construction of municipal infrastructure improvements, which are not reimbursed by any other source, the County will also reimburse Wexford for future maintenance of all reimbursed municipal infrastructure at a rate of 37.5% of the cost of the improvements in an amount up to \$750,000, and the County will purchase from Wexford an easement over the municipal infrastructure improvements to be constructed on the site, for permanent access by the public over the municipal infrastructure improvements (“Public Access Easement”) at a cost of \$250,000; and

WHEREAS, Wexford will be authorized to purchase the Public Access Easement back from the County at the original purchase price (\$250,000) after a 25 year period; and

WHEREAS, Wexford is willing to comply with the bidding laws as required by N.C.G.S. 153A-451 and to be responsible for maintaining the municipal infrastructure improvements and to sell the Public Access Easement to the site to the County for permanent public access to municipal improvements to be constructed on the site as described herein; and

WHEREAS, it is proposed that, upon authorization by the Forsyth County Board of Commissioners, County funding for the requested Reimbursement Agreement would come from the County's Reserved General Fund Fund Balance in an amount up to \$3,000,000 for the combined cost of the construction, maintenance of, and easement to the municipal infrastructure improvements as described herein;

WHEREAS, the Forsyth County Board of Commissioners has analyzed the request and determined that it complies with the provisions of the County's Ordinance Establishing Procedures, Criteria, and Terms Under Which Reimbursement Agreements May Be Authorized Pursuant to the Provisions of N.C.G.S. 153A-451;

NOW, THEREFORE, BE IT RESOLVED that the Forsyth County Board of Commissioners hereby authorizes the Chairman or County Manager and Clerk to the Board to execute, on behalf of Forsyth County, a Reimbursement Agreement with Wexford Winston-Salem Bailey, LLC to fund the construction and maintenance of municipal infrastructure improvements at the Bailey Power Plant and the acquisition of the permanent Public Access Easement over the municipal infrastructure improvements to be constructed on the site, all in an amount up to \$3,000,000 in a manner consistent with the provisions set forth herein, subject to a pre-audit certificate thereon by the County Chief Financial Officer and approval as to form and legality by the County Attorney.

BE IT FURTHER RESOLVED that the infrastructure improvements identified in Exhibit A are hereby included on the County's Capital Improvement Plan as required by the provisions of N.C.G.S. 153A-451.

BE IT FURTHER RESOLVED, pursuant to the provisions of N.C.G.S. 153A-451, that Wexford as a party to the proposed Reimbursement Agreement, and its designees shall comply with the provisions of Article 8 of Chapter 143 of the North Carolina General Statutes when awarding contracts for work for the municipal infrastructure improvements that are subject to competitive bidding under North Carolina law.

BE IT FURTHER RESOLVED that the County Manager and Chief Financial Officer are hereby directed to reserve \$3,000,000 of General Fund Fund Balance for the requested Reimbursement Agreement authorized herein.

Adopted this 21st day of December 2015.

Exhibit A: Bailey Power Plant County Support Items

Structural Site Demo	\$ 215,000.00
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Silo demolition	
Train Rails (demo walkways, salvage rails)	
Demo Concrete Stand Alone "ruins"	
Demo Stairs at south end of rail line	
Cut & remove 2 sections of concrete piers	
Demo northwest retaining wall	
Strip shed down to structure	
Remove tank cradles & pits	
Demo brick wall on 5th St	
Site Concrete	\$ 350,000.00
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Concrete Deck on Tressel	
Scored concrete paving	
Concrete Bands Around Pavers	
Caulk for sidewalk	
Concrete low spot infills	
Curb & gutter - East/North Side	
Site stairs at 5th/Patterson entrance	
Site stairs at Patterson	
Site Concrete Walls - @ 4th St wall	
Site Metal	\$ 100,000.00
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Remove, refurbish & re-install South rail entry gate	
New steel & repairs for existing south silo platform	
New metal stair from 5th down to Backyard	
New metal stair from Trestle/covered patio area down to Backyard	
Bollards	
Electrical - Site	\$ 115,000.00
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North Electrical ductbank	
Manhole in 5th Street for Primary	
Site lighting	\$ 300,000.00
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Tressel lighting	
Safety Lighting	
Security Lights	
Bollard Lights	
Tele/Data	\$ 30,000.00
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Tele-Data Ductbank 23-2	
Layout	\$ 35,000.00
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Locate service
Layout/staking

Site Demo \$ 85,000.00

Asphalt paving demo
Concrete paving demo
Site fence demo note
Curb & gutter demo
Cut & Cap existing private water line and remove manhole
Saw cutting for concrete and asphalt demo

Earthwork and Paving \$ 200,000.00

Cut to fill - export
Unsuitable Soils Allowance
Backfill retaining walls/ramps
Fine grade paving/sidewalks
Backfill curb & gutter
Backfill edge of sidewalks
Stone under pavers
Street cleaning
Gravel paving at utility areas
Asphalt Paving
Striping
Wheel stops

Pavers \$ 40,000.00

Cobble stone boarder at sidewalk
East Side
Misc repair cobble stone surrounding sidewalks
Concrete pavers

Water, Sanitary Sewer, and Storm Sewer \$ 350,000.00

Terminate existing connections
Demo existing water line
Demo existing water meter & backflow
6" waterline
Connect to existing services
Connect fire to existing services
Connect Sanitary Sewer to existing services
Sanitary Sewer Lines on Site
Manholes
Cleanouts and concrete
Core existing manholes
New Storm Sewer Pipes
Drains and Trenches for Storm Sewer
Tie in to existing manholes

Street Work	\$ 15,000.00
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Cut & Patch asphalt (for utilities)	
Traffic control	
Road plates	

Total \$ 1,835,000.00

Estimate w/ GC's, etc. \$ 2,071,164.50