COUNTY AGENDA REQUEST

Department:	Water System	Presenter(s):	Water System Director Lee Pope
Meeting Date:	Tuesday, October 7, 2014	Type of Request:	New Business

Wording for the Agenda:

Consideration of the Water Committee's recommendation of the Georgia Military College waterline agreement, and authorization for the County to pay a $438,530.00 variance cost, utilizing the Water System's Renewal & Extension Fund, should the County determine that a larger diameter water line be installed for future county purposes.

Background/History/Details:

Staff is seeking approval for Fayette County and Georgia Military College (represented by Halbert Development, Inc-- the duly appointed authority for Georgia Military College) to enter into the Georgia Military College Water Line Agreement. The proposed agreement calls for an 8" diameter waterline to be placed in County-owned right-of-way along Veterans Parkway to provide potable water to the location. Georgia Military College and water staff have determined that an 8" diameter water line is sufficient for its needs.

Fayette County has future plans for water distribution in the area of Georgia Military College thereby causing the County to upgrade the 8" diameter to a 16" diameter water line. The County has determined that a larger diameter water line needs to be installed to meet future capacity, enhanced infrastructure and provide Piedmont Hospital a secondary loop line.

The Georgia Military College will install the 16" diameter water line along the right of way as detailed in the agreement with certain responsibilities being met by the County. Georgia Military College agrees to reimburse the County for the cost of the county's responsibility. The Water System would pay $438,530 towards this project which is the difference between the 16” line and the 8” line.

What action are you seeking from the Board of Commissioners?

Approval of the Water Committee's recommendation of the Georgia Military College waterline agreement, and authorization for the County to pay a $438,530.00 variance cost, utilizing the Water System's Renewal & Extension Fund, should the County determine that a larger diameter water line be installed for future county purposes.

If this item requires funding, please describe:

Funding for this project will be provided from a transfer of $438,530 from the Water System Renewal & Extension Fund for this project.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance	Yes	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

This agreement provides a long-term solution for the expected development bordering Pinewood Studios; water access for Georgia Military College and a redundant water line loop for Piedmont Hospital.

COUNTY OF FAYETTE

STATE OF GEORGIA

GEORGIA MILITARY COLLEGE WATER LINE AGREEMENT

THIS AGREEMENT entered into this ____ day of _____, 2014 by and between Fayette County, Georgia, a political subdivision of the State of Georgia, acting by and through its Board of Commissioners, hereinafter referred to as the "COUNTY", and Georgia Military College, a not for profit corporation duly organized in the State of Georgia, acting by and through Halbert Development, Inc, hereinafter referred to as "GMC", for the purpose of installing a waterline within the right-of-way owned by the COUNTY, hereinafter referred to as the "AGREEMENT".

W I T N E S S E T H:

WHEREAS, the Board of Commissioners is the governing authority of the COUNTY; and

WHEREAS, the Halbert Development, Inc. is the duly appointed authority for GMC; and

WHEREAS, COUNTY and GMC desire to enter into an agreement for the purpose of causing a waterline to be installed thereby connecting GMC with potable water from the COUNTY; and

WHEREAS, the Board of Commissioners of the COUNTY and Halbert Development, Inc. of GMC are each clothed with sufficient authority to enter into this AGREEMENT.

NOW, THEREFORE, for and in consideration of the mutual premises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the COUNTY and GMC, the COUNTY and GMC hereby agree as follows:

1.

GMC has determined that it requires the installation of an eight (8)-inch water line in order to receive an adequate quantity of potable water for its campus located on Veterans' Parkway. The COUNTY owns sufficient right-of-way along Veterans' Parkway to allow for the installation of the aforementioned eight (8)-inch water line.

2.

The COUNTY has future plans for water distribution in the area of GMC thereby causing the COUNTY to determine whether a water line of greater than eight (8) inches should be installed to GMC. Should the COUNTY determine a larger diameter water line needs to be installed for its purposes, the COUNTY agrees to pay for the difference for the installation of the larger diameter water line. A list of costs for the installation of an eight (8)-inch water line and a sixteen (16)-inch water line is attached as Exhibit "A" to this Agreement, with said exhibit incorporated herein by this reference. Exhibit "A" also contains the route of the water line.

3.

GMC agrees it will install the agreed-upon diameter water line along the right-of-way of Veterans' Parkway in the following manner:

a. GMC shall employ a licensed contractor in the State of Georgia to install the water line;

b. Installation of the water line shall comply with Fayette County Water System standards, a copy of which is available through the Fayette County Water System;

c. The COUNTY will be responsible for inspection and general oversight of the water line installation, hereinafter the "COUNTY RESPONSIBILITIES"; and

d. All modifications made to COUNTY-approved plans must be approved by the COUNTY's Engineer of Record for the Fayette County Water System.

4.

GMC has had an opportunity to review the area identified for the installation of the water line. GMC understands that, during the installation process, GMC may encounter unsuitable soils. For the purposes of this Agreement, "unsuitable soils" shall mean those soils that cannot be compacted in an embankment or backfill or those soils that, where excavated to finished grade, result in unstable material. GMC agrees it will take all necessary action to remove unsuitable soils and replace said soils with sufficient soils which will provide for a stabilized finished grade.

5.

The COUNTY shall determine the cost of the expenses borne through the COUNTY RESPONSBILITIES. GMC agrees to reimburse the COUNTY for the cost of the COUNTY RESPONSIBILITIES. The COUNTY shall provide adequate documentation to GMC justifying the amount requested for the COUNTY RESPONSIBILITIES.

6.

This AGREEMENT represents the entire agreement between the COUNTY and GMC. This AGREEMENT supersedes all other agreements, verbal or written, between the COUNTY and GMC.

7.

Time is of the essence for this AGREEMENT.

8.

This AGREEMENT shall be construed under the laws of the State of Georgia with venue for any dispute to occur in a court of competent jurisdiction in Fayette County, Georgia.

WHEREFORE the COUNTY and GMC have hereunto set their hands and their seals on the date first above written.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

(SEAL)

By:_____
STEVE BROWN, Chairman

ATTEST:

_____
Floyd Jones, County Clerk

GEORGIA MILITARY COLLEGE

(SEAL)

By:_____

Georgia Military College Waterline Agreement

Exhibit A

	Waterline Size		
Org. Point	**6,600' of 8"DIP**	**6,600' of 16"DIP**	**Variance[1]**
Intersection of Sandy Creek Road and Veteran's Parkway.	$291,660	$730,190	$438,530

[1]*County contribution of $438,530 will be paid as a percent of completion*

SANDY CREEK RD
Sandy Creek Road at Veterans Parkway.
Proposed tie in point with 16" DIP Main.
HOOD RD
VETERANS PKY
SOUTH SANDY CREEK RD
Georgia Military College Site.
End of main.