

City Council Policy/Business/Consent Agenda Q&A's
June 24, 2024

Updated as of 4:20

<u>Submitted By:</u>	<u>Agenda Item # and Questions</u>	<u>Answers/Considerations</u>
Consent Items		
Mayfield	<p>19. Cooperative Purchasing Contracts for Vehicles and Equipment</p> <p>How do we verify the creation/acceptance of Minority Owned dealerships to be a part of the selection/bid process?</p>	<p>There are no city certified MWSBE dealerships or Original Equipment Manufacturers (OEM) available to procure the vehicles and equipment requested. North Carolina Sheriff's Association and Sourcewell Cooperative Purchasing Group competitively solicited these contracts to provide cost savings through volume purchasing.</p> <p>As a practice, cooperatives are utilized when there are limited suppliers available to provide the required volume of goods or OEM equipment needed.</p> <p>To encourage Minority participation, the solicitation documents for both purchasing groups contain the statements.</p> <p>NCSA's Invitation to Bid (ITB) states the following regarding MBE participation: 1.30 MINORITY BUSINESS ENTERPRISE (MBE) <i>The NCSA policy is that MBEs shall have the opportunity to participate in competitive Bids. Such process would be for supplying goods and services to the Customers.</i></p> <p>Sourcewell Cooperative Purchasing Group's Request for Proposal (RFP) states the following regarding diversity participation: <i>Describe any Women or Minority Business Entity (WMBE), Small Business Entity (SBE), or veteran owned business certifications that your company or hub partners have obtained. Upload documentation of certification (as applicable) in the document upload section of your response.</i></p>
Mayfield	<p>21. Cost Estimating and Analysis Services</p> <p>What is the total number of current related consultants that Charlotte Water currently contracts with?</p>	<p>Charlotte Water currently has one contract for cost estimating services. This action would add a second contract and provide support for alternative project delivery methods.</p>
Mayfield	<p>26. Construct Storm Drainage Improvement Projects</p> <p>Where are the MWSBE partners for the Grading?</p> <p>Are there no additional opportunities in the work on an over \$2M project?</p>	<p>This is an Invitation to Bid (ITB) for construction and awarded to the lowest responsive, responsible bidder. The MBE and WBE goals were established using the goal-setting formula based on available resources.</p> <p>At the time of bid, GreenWater Development complied with the CBI Program by listing the subcontracting opportunities and meeting the 8% MBE and exceeding 4% WBE subcontracting goals. Staff cannot dictate which part of the work must be subcontracted. The goal is based on the entire project and it is up to the contractor to determine how to meet the goal.</p>

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Mayfield	27. Construct Storm Water Repair and Improvements Are there no additional MWSBE opportunities in this \$5M contract?	<p>This is an Invitation to Bid (ITB) for construction and awarded to the lowest responsive, responsible bidder. The MBE and WBE goals were established using the goal-setting formula based on available resources.</p> <p>At the time of bid, Onsite Development complied with the CBI Program by listing the subcontracting opportunities and meeting the 7% MBE and 4% WBE subcontracting goals. The contractor is encouraged to continue seeking opportunities to subcontract portions of the work to MWBEs.</p>
Mayfield	28. Engineering Services for Hastings/Princeton Storm Drainage Improvement Project Doesn't Charlotte Water already have approved contracts with vendors doing similar storm drainage work? If so, why are we not bundling contracts to reduce costs?	<p>Charlotte Water and Storm Water Services contract with multiple consultants to provide engineering and design services for capital projects. For smaller projects, Storm Water Services bundles projects and assigns multiple projects to one consultant. For larger and more complex projects such as this one, a consultant is selected based upon the specific needs of the project and the expertise of the consultant.</p>
Mayfield	30. South Boulevard Light Rail Facility Roof Recovery and Replacement Why is \$75k noted when only \$45k can be counted towards DBE participation? Out of an almost \$900k project is this saying ONLY \$75k is for materials? If so what do the other costs entail?	<p>According to federal DBE rules materials only count 60% as opposed to labor which is counted at 100%. $\\$75k \times 0.60 = \\$45k$</p> <p>Although only \$45,000 counts towards the goal, the \$75,000 was included to show the actual commitment amount with the vendor.</p> <p>No specific amount for materials. On this project bids do not break out the amount into categories such as labor separately from materials.</p>
Mayfield	31. South End Station Pre-Construction Services Why were the additional bidders and quotes not included in our work? What is the actual scope of the work for \$1M+ if the scopes have not yet identified?	<p>The procurement method for the South End Station Construction Manager at Risk (CMAR) was a Request for Proposal, with selection based on competence, cost, and related experience. The city received two proposals. The other proposer was Mass Electric Construction Company.</p> <p>The scope of work for Pre-Construction Services includes Project Management, Cost Estimating, Quality Plan, Constructability Review, Schedule Services, Construction Planning, developing the Guaranteed Maximum Price for Construction, and Subcontractor and Supplier outreach, including DBE firms.</p> <p>CMAR DBE goals, commitments, and acceptances are typically set through collaboration between the CMAR contractor and owner (the city) after contract award. The CMAR is acting as the city's agent performing all functions the city would to administer and manage the project.</p> <p>Each proposer was required to submit a DBE utilization plan including a narrative of past DBE program</p>

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		<p>performance, company names/scopes of potential DBE firms, and a detailed description of the process they will engage in to set DBE goals and to establish commitments. Each proposal plan was reviewed and had to be approved by CATS Civil Rights Officer acting as the federal DBE Liaison Officer.</p> <p>Industry representatives recommend establishing the DBE goal for a CMAR project after completing the design and determining a guaranteed maximum price. This federal DBE goal is typically set through collaboration between the contractor and owner. The CMAR is acting in the place of the city for goal setting.</p>
Mayfield	<p>32. Aircraft Deicing Facilities Management Services If this anticipated to be completed by the end of this year why is there a request to extend 2-years with an estimated \$3M expenditures for management services?</p>	<p>The completion of the deice pad this year is the first part of a multi-part airfield construction project (scheduled to be complete in winter of 2025). Additionally, the airlines need sufficient time to establish the necessary business relationships to assume responsibility of the deicing operation in calendar year 2026. The 2-year renewal will allow for the completion of the airfield project and required administrative actions if an airline consortium is established. The cost of this contract is fully recovered each year by the airlines that use the aircraft deicing services.</p>
Mayfield	<p>34. Airport Fourth Parallel Runway Roadway Relocation Construction Action A: Why are they able to be credited for breaking out hauling through multiple vendors/using the same vendor multiple times? Action B: What exactly is the scope for the additional \$4m request?</p>	<p>Action A: The contractor did not meet the DBE goal at the time of bid. After the bid opening, the contractor found additional DBEs for work such as pavement markings and fencing. They also shifted hauling work from non-DBE firms to the DBE firms in the original bid in order to meet the DBE goal for the project.</p> <p>Action B: Construction Administration (CA) services are a required element of project delivery to ensure the work is executed per the plans and specifications. The amount of work needed in the CA phase is not fully known until the design is near completion, which is why it is typically done as a change order to the design contract after the project is bid.</p>
Mayfield	<p>35. Airport Fourth Parallel Runway Taxiway V and Connectors Construction Action B: <i>The new value of the contract is \$50,967,719.</i> Why was the scope of Amendment 2 not included in the original over \$25M contract expectations?</p>	<p>Action B: Construction Administration (CA) services are a required element of project delivery to ensure the work is executed per the plans and specifications. The amount of work needed in the CA phase is not fully known until the design is near completion, which is why it is typically done as a change order to the design contract after the project is bid. In this case, the runway project will have multiple contracts, but the design is far enough along that we can determine the amount of effort needed for CA services for all the construction packages being designed by RS&H.</p>

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Mayfield	<p>38. Airport Ramp Cleaning and Pressure Washing Services</p> <p>What exactly are the services provided by Sunshine Cleaning Services at the contract amount of over \$1M if the actual labor is done by Alexander Cleaning Services?</p>	<p>Sunshine Cleaning Services will provide the cleaning materials and the management services for this contract.</p>
Mayfield	<p>42. Bond Issuance Approval for Linden Village Apartments & 43. Bond Issuance Approval for The Vue at Honeywood</p> <p>Prior to issuing this bond I would like updated language in regards to Section 147(f) and the City's obligations when Inlivan formerly known as the Charlotte Housing Authority mandate is the following and they appear to be moving from their mandate and have not kept up their financial commitments to current assets such as Little Rock Apartments?</p> <p><i>The Charlotte Housing Authority (CHA) has used its MTW authority to develop collaborative relationships for affordable housing solutions; maximize the economic, physical, and social value of its real estate portfolio; ensure long-term financial viability; provide high quality, cost-effective real estate management services, streamline and enhance features of the agency's Housing Choice Voucher program to meet the demands of local housing providers, and launch standards that encourage the development of client families to reach their highest potential.</i></p> <p><i>Currently, CHA administers approximately 100 public housing units, 8,650 Housing Choice Voucher units, and 1,050 local, non-traditional units.</i></p>	<p>This project will not be owned nor operated by Inlivan. Inlivan is the bond issuance authority. These projects have been approved by the NC Housing Finance Agency, and the city has no legal obligation, however city approval is required for the proposed financing to proceed for these Affordable Housing projects.</p> <p>Specific to the legal requirements, Section 147 of the Internal Revenue Code (IRC) outlines the requirements applicable to private activity bonds, including the public approval of tax-exempt bond financing for the construction and rehabilitation of affordable rental housing.</p> <p>The applicable regulation is 147(f), copied below and full text of Section 147 can be found online here: https://uscode.house.gov/view.xhtml?req=(title:26%20section:147%20edition:prelim)%20OR%20(granuleid:USC-prelim-title26-section147)&f=treesort&edition=prelim&num=0&jumpTo=true</p> <p>This action is a requirement of the IRC and does not obligate the city financially. The bond allocation and tax credit has been approved by the North Carolina Housing Finance Agency (NCHFA) and is subject to federal income limits, set-aside rules, and includes deed restrictions. These requirements are monitored over the life of the tax credit by NCHFA.</p> <p>(f) Public approval required for private activity bonds</p> <p>(1) In general</p> <p>A private activity bond shall not be a qualified bond unless such bond satisfies the requirements of paragraph (2).</p> <p>(2) Public approval requirement</p> <p>(A) In general</p> <p>A bond shall satisfy the requirements of this paragraph if such bond is issued as a part of an issue which has been approved by-</p> <ul style="list-style-type: none"> (i) the governmental unit- <ul style="list-style-type: none"> (I) which issued such bond, or (II) on behalf of which such bond was issued, and (ii) each governmental unit having jurisdiction over the area in which any facility, with respect to which financing is to be provided from the net proceeds of such issue, is located (except that if more than 1

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		governmental unit within a State has jurisdiction over the entire area within such State in which such facility is located, only 1 such unit need approve such issue).
	47. Resolution of Intent to Abandon a Portion of Alleyway off Kensington Avenue Will this lead to a future “orphaned road” discussion?	<p>The proposed abandonment of the alleyway off Kensington Avenue will not create any conditions for an orphaned road for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed abandonment is within City limits. The orphaned road issue is related to streets that fall outside the City limits which prevents the City from accepting or conducting maintenance. 2. Maintenance of the alleyway is currently the responsibility of the adjacent property owners. 3. The alleyway will cease to exist after the conclusion of the abandonment process. The public right of way that currently makes up the alleyway will become the private property of the adjacent owners.
	48. Refund of Property Taxes The breakdown seems to be majority Corporate entities, it is noted the County error overtaxed these businesses (with a number of them noted in multiple line items) is there a way to ensure these businesses have paid their correct share of taxes to the City?	<p>The majority of these refunds are related to property value appeals. Following property valuations, property owners can request their values be reviewed. Property owners must first pay the taxes due at the time. The Board of Equalization and Review (BER) then reviews documentation and makes a determination. If approved, the County notifies the city of the amount of city property tax to be refunded to the taxpayer. When multiple line items are noted, it is generally related to multiple parcels.</p>