

**ATTACHMENT A**

**A RESOLUTION ALLOWING A BOND TO BE RECEIVED BY THE TOWN IN EXCESS OF  
\$100,000 FOR THE MORRIS GROVE ELEMENTARY SCHOOL PROJECT ON EUBANKS ROAD  
Resolution No. 182/2007-08**

WHEREAS, Section 15-60 of the LUO recommends that Carrboro Board of Aldermen approval is required for bonds in excess of \$100,000 for public projects;

WHEREAS, a request has been received for a such a bond to allow occupancy of the school prior to completion;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen approve this resolution allowing the Town to receive a bond in excess of \$100,000 for the Morris Grove Elementary School so as to allow occupancy and use of the facility prior to completion of the project.



June 6, 2008

Mr. Jeff Kleaveland  
Planning Department  
Town of Carrboro  
301 West Main Street  
Carrboro, NC 27510

Dear Jeff,

Construction of Morris Grove Elementary School is on schedule. Over the next few weeks, we will request approval to deliver furniture and equipment into the building. The request will be subject to Carrboro's Building and Fire Departments concurrence. In July, authorization will be requested for the school's administrative staff to occupy their offices. This again is subject to agreement by the inspections departments. The school system and community are very excited about opening the new school for students in August.

While the construction is on schedule, we are taking the precautionary measure of requesting Town acceptance of a performance bond in the event some site related activities are not completed when occupancy is requested. This request follows the successful process established during the opening of Carrboro High School. Please know that accepting the performance bond does not diminish our commitment to complete all work. It is our expectation that the work listed in the performance bond will be completed prior to occupancy. Needless to say, all safety related issues will be completed prior to the school system's request for a Certificate of Occupancy.

Please let us know if you need any additional information or have any questions.

Once again, thanks to everyone at Carrboro for the help and assistance in completing this project.

Sincerely yours,

William J. Mullin  
Director of Facilities Management

**Section 15-60 Authorizing Use, Occupancy, or Sale Before Completion of Development Under Special Use or Conditional Use Permits (AMENDED 10/08/96; 10/24/06)**

(a) In cases when, because of weather conditions or other factors beyond the control of the special use or conditional use permit recipient (exclusive of financial hardship), it would be unreasonable to require the permit recipient to comply with all of the requirements of this chapter before commencing the intended use of the property or occupying any buildings or selling lots in a subdivision, the board may authorize the commencement of the intended use or the occupancy of buildings or the sale of subdivision lots (insofar as the requirements of this chapter are concerned) if the permit recipient provides a surety bond, letter of credit or other security satisfactory to the manager to ensure that all these requirements up to \$100,000 in value will be fulfilled within a reasonable period (not to exceed ten months). The manager may approve such security for incomplete items up to \$100,000 in value, or may refer such approval to the board. The board may approve security for items referred by the manager as well as security for items that exceed \$100,000 in value. **(AMENDED 10/10/00; 10/24/06)**

(b) When the board imposes additional requirements upon the permit recipient in accordance with Section 15-59 or when the developer proposes in the plans submitted to install amenities beyond those required by this chapter, the board may authorize the permittee to commence the intended use of the property or to occupy any building or to sell any subdivision lots before the additional requirements are fulfilled or the amenities installed if the board specifies a certain date by which or a schedule according to which such requirements must be met or each amenity installed and if the board concludes that compliance will be ensured as the result of any one or more of the following:

- (1) At the election of the developer, a surety bond, letter of credit or other security satisfactory to the town manager is furnished;
- (2) A condition is imposed establishing an automatic expiration date on the permit, thereby ensuring the permit recipient's compliance will be reviewed when application for renewal is made; or **(AMENDED 10/24/06)**
- (3) The nature of the requirements or amenities is such that sufficient assurance of compliances given by Section 15-114 (Penalties and Remedies For Violations) and Section 15-115 (Permit Revocation).

If a request for approval under this subsection is submitted at a time when no regular meeting of the board is scheduled for a period of more than 21 days following the submission of the request, then the manager may approve the request.

(c) With respect to residential and non-residential subdivisions in which the developer is selling only undeveloped lots and with respect to residential subdivisions in which the developer is selling developed lots, the town manager may authorize final plat approval and the sale of lots before all the requirements of this chapter are fulfilled if the subdivider provides a surety bond, letter credit or other security satisfactory to the town manager to ensure that all of these requirements will be fulfilled within not more than ten months after final plat approval. The developer shall choose which of the above listed performance guarantees to use. In the case of subdivisions where the developer is an entity in which all of the initial purchasers of lots within that subdivision have an interest, the manager may extend the ten-month deadline (upon the posting of satisfactory security) for two additional successive periods of up to twelve months each with respect to required improvements other than streets and utilities. **(AMENDED 07/26/83; 06/27/89; 08/22/95; 06/11/96; 10/24/06)**



# Sungate Design Group, P.A.

ENGINEERING • LANDSCAPE ARCHITECTURE • ENVIRONMENTAL

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May 29, 2008

Mr. Marty Roupe  
Zoning Division  
Town of Carrboro  
301 West Main Street  
Carrboro, NC 27510

Re: Cost Estimate – Eubanks Road Elementary School

Mr. Roupe,

We have reviewed the cost estimate that was submitted to Sungate Design Group on May 27, 2008 for the remainder of the Eubanks Road Elementary School. According to the information from Corley Redfoot Zack (CRZ), the total proposed bond is \$587,860.00. Based on the information submitted by the CRZ and from a site visit on May 26, 2008, Sungate Design has calculated its own cost estimate of the remaining portion of the subject project. Sungate Design Group's cost estimate for the completion of the Elementary School, including mobilization, contingencies, engineering, and contract administration, is \$1,338,047.07. Therefore, the proposed bond from CRZ does not appear to be adequate, and if the bond were approved, we would recommend at a minimum requiring a bond of \$1,338,000.00.

If you have any questions or need further information, please contact Will Hines at 859-2243.

Sincerely,

W. Henry Wells, Jr., PE



Eubanks Elementary School

5/29/2008

Sungate Design Bonding Estimate - For Carrboro Zoning information only

Sheet 1/2

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
<b>Site Work</b>				
Erosion Control Removal	1	LS	\$3,000.00	\$3,000.00
Stone Base	930	TONS	\$43.95	\$40,873.50
Asphalt	1730	TONS	\$36.12	\$62,487.60
Curb & Gutter	700	LF	\$15.00	\$10,500.00
Sidewalks	14000	SF	\$5.00	\$70,000.00
HC Ramps	11	EA	\$1,000.00	\$11,000.00
Fine Grading	1	LS	\$5,000.00	\$5,000.00
Earthwork	3846	CY	\$10.00	\$38,460.00
Stream Relocation	1	LS	\$10,000.00	\$10,000.00
Seeding	2	AC	\$1,900.00	\$3,800.00
Pavement Stripping	1	LS	\$3,000.00	\$3,000.00
Crosswalks	3	EA	\$250.00	\$750.00
Wheel Stops	102	EA	\$65.00	\$6,630.00
			SubTotal	\$265,501.10
<b>Storm Drainage &amp; Stormwater Quality:</b>				
Bio-retention Basin 1	1435	SF	\$15.00	\$21,525.00
Bio-retention Basin 2	1005	SF	\$15.00	\$15,075.00
Bio-retention Basin 3	670	SF	\$15.00	\$10,050.00
Bio-retention Basin 4	1960	SF	\$15.00	\$29,400.00
Bio-retention Basin 5	8500	SF	\$15.00	\$97,500.00
Bio-retention Basin 6	2770	SF	\$15.00	\$41,550.00
Bio-retention Basin 7	3130	SF	\$15.00	\$46,950.00
Bio-retention Basin 8	1340	SF	\$15.00	\$20,100.00
Bio-retention Basin 9	2970	SF	\$15.00	\$44,550.00
Bio-retention Basin 10	2370	SF	\$15.00	\$35,550.00
Bio-retention Basin 11	830	SF	\$15.00	\$12,450.00
Bio-retention Basin 12	1115	SF	\$15.00	\$16,725.00
			SubTotal	\$391,425.00

Eubanks Elementary School

5/29/2008

Sungate Design Bonding Estimate - For Carrboro Zoning information only

Sheet 2/2

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
<b>Landscaping:</b>				
Landscaping - Trees	82	EA	\$300.00	\$24,600.00
Stream - Large Trees	62	EA	\$300.00	\$18,600.00
Stream - Bushes	476	EA	\$60.00	\$28,560.00
Stream - Seed	1.5	AC	\$1,900.00	\$2,850.00
Playfield	1	LS	\$10,000.00	\$10,000.00
Play Equipment	1	LS	\$92,850.00	\$92,850.00
Basketball Court	1	LS	\$35,000.00	\$35,000.00
Bicycle Racks	1	LS	\$6,850.00	\$6,850.00
Chainlink fencing	1700	LF	\$20.00	\$34,000.00
			<b>SubTotal</b>	<b>\$253,310.00</b>

**Summary:**

Site Work	\$265,501.10
Storm Drainage & Stormwater Quality	\$391,425.00
Landscaping	\$253,310.00
Mobilization (5%)	\$45,511.81
<b>Subtotal</b>	<b>\$955,747.91</b>

Add Contingency (25%)	\$238,936.98	\$1,194,684.88
Add Construction Admin. And Engineering (12%)	\$143,362.19	\$1,338,047.07

<b>Total</b>	<b>\$1,338,047.07</b>
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Notes: