

Town of Windsor

Memorandum

September 12, 2017

TO: The Honorable Mayor and Town Council
FROM: Michael Stallings, Town Manager *MS*
SUBJECT: Shiloh Drive Sidewalks MOU

As I have indicated, I have been working with Isle of Wight County to develop a Memorandum of Understanding that will allow us to proceed with the Shiloh Drive sidewalk project.

As we discussed before, the MOU indicates that the Town of Windsor agrees to provide the funding for the project. We will transfer the funding to Isle of Wight based off the 90% design documents construction estimate. Isle of Wight County will administer the project and will apply for Revenue Sharing funds from VDOT. If our Revenue Sharing application is successful, it could provide up to 50% of the funds for construction of the sidewalks.

The MOU states that at completion of the project, any unused funds will be transferred back to the Town.

If Council is comfortable with the attached MOU, I recommend that Council consider approval of the MOU so that we may forward it on to the Board of Supervisors for adoption and then on to VDOT so that the project can proceed.

Recommended Motion

Move that Council approve the enclosed Memorandum of Understanding with Isle of Wight County regarding the Shiloh Drive sidewalk project.

MEMORANDUM OF UNDERSTANDING

WHEREAS, the Town of Windsor wishes to construct sidewalks along Church Street and Shiloh Drive in the Town of Windsor to facilitate community connectivity and growth objectives; and

WHEREAS, the Town of Windsor and Isle of Wight County agree to jointly administer the Preliminary Engineering (PE) phase of the project with the Town of Windsor providing funding and oversight of PE and Isle of Wight County providing collaborative input, VDOT coordination, and oversight of PE phase activities; and

WHEREAS, the Town of Windsor and Isle of Wight County agree to jointly administer any required Right-of-Way and/or Utility (RW/Utl) Phase, with the Town of Windsor providing funding and oversight of any required acquisition and relocation and Isle of Wight County providing collaborative input, VDOT coordination, and oversight of RW/Utl phase activities; and

WHEREAS, the Town of Windsor agrees to provide funding necessary for the Construction Phase (CON) directly to Isle of Wight County prior to public advertisement for construction bids to complete this project, and such funding shall be the total Engineer's Opinion of Probable Cost for construction at 90% design approval, including construction, construction inspection and engineering services, VDOT oversight fees, and no less than 10% contingency; and

WHEREAS, Isle of Wight County will directly administer the Construction Phase (CON); and

WHEREAS, the current estimated cost of the project is \$575,000.

WHEREAS, Isle of Wight County agrees to apply for Revenue Sharing grant funding for the project, with the agreement that, if grant funds are received, Isle of Wight County will provide front-funding of the grant allocation and the Town of Windsor will provide the required matching funds directly to Isle of Wight County prior to construction advertisement along with any other

funding necessary to realize the full value of the Engineer's Opinion of Probable Cost for construction at 90% design approval; and

WHEREAS, the Town of Windsor agrees to provide direct funding to Isle of Wight County for any project cost increases which may develop after the 90% design approval, including but not limited to bid overruns, administrative overruns, and/or contingency overruns, provided that such cost increases are approved by VDOT; and

WHEREAS, Isle of Wight County agrees to return any unused funds to the Town of Windsor upon the completion of the project; and

NOW, THEREFORE, the Town of Windsor and Isle of Wight County both agree that they will work together in the manner stated above for the engineering, construction, and funding of sidewalks on Church Street and Shiloh Drive in the Town of Windsor.

WITNESS the following signatures.

TESTE:

Clerk, Board of Supervisors

APPROVED AS TO FORM:

County Attorney

ATTEST:

Clerk of Council

APPROVED AS TO FORM:

Town Attorney

ISLE OF WIGHT COUNTY

By: _____
Chairman
Board of Supervisors

Date

TOWN OF WINDSOR

By: _____
Mayor

Date