

RESOLUTION

AUTHORIZING ACCEPTANCE OF A CONDITIONAL SETTLEMENT AGREEMENT AND

CONTRACT AWARD - COLONIAL HERITAGE FORCE MAIN RELOCATION - \$274,100

WHEREAS, the James City Service Authority (JCSA) owns a twenty (20)-foot easement within Colonial Heritage, more particularly described on Instrument Number 050020150 recorded in the Williamsburg-James City County Circuit Court land records (the "Easement"); and

WHEREAS, the Easement contains a sixteen (16)-inch sanitary sewer force main that connects to the regional wastewater system (the "Facilities"); and

WHEREAS, the developer of Colonial Heritage constructed a retaining wall that encroaches on the Easement and endangers the Facilities; and

WHEREAS, JCSA staff engineered a solution to the hazards caused by the retaining wall's encroachment by relocating the Facilities, the general scope of work being identified in RFP 20-14561 (the "Project"); and

WHEREAS, the Project was put out to bid and the proposal received from Henry S. Branscome, LLC was determined to be the lowest cost responsive and responsible bid; and

WHEREAS, JCSA, the developer, and the Homeowners Association for Colonial Heritage desire to reach a mutually agreeable resolution to the retaining wall's interference with the Easement and the Facilities by cooperatively participating in the Project; and

WHEREAS, the Board of Directors is of the opinion that it is in the interest of JCSA to enter into a conditional settlement agreement with the relevant parties and award a contract for completion of the Project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby authorizes the General Manager to execute a Conditional Settlement Agreement with Colonial Heritage, LLC and the Colonial Heritage Homeowners Association, Inc. that is substantially consistent with the terms presented to the Board.

BE IT FURTHER RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby awards the Colonial Heritage Force Main Relocation (RFP 20-14561) contract to Henry S. Branscome, LLC in the amount of \$274,100, subject to the funding terms contained in the Conditional Settlement Agreement approved herein.

Ruth M. Larson

Ruth M. Larson
Vice Chair, Board of Directors

ATTEST:

Teresa J. Fellows

Teresa J. Fellows
Deputy Secretary to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 23rd day of June, 2020.

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