

TOWN COUNCIL
Special Meeting
Town Hall
2 Plum Street
January 24, 2013
6:00 PM

1. Call to Order: Roll Call
2. Public Comments – Agenda items only
3. Order of Business
 - *A. South Port Request for Waiver of Monthly Utilities
 - *B. Harbor Redevelopment Protection Options
 - *C. FY14 Transportation Alternatives Program Grant Application for the Cape Charles Multi-Use Trail Project
 - *D. Cape Charles Fishing Pier Repairs
4. Motion to Adjourn

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: South Port Investors Utility Account		AGENDA DATE: January 24, 2013
	SUBJECT/PROPOSAL/REQUEST: Request to waive utility charges.		ITEM NUMBER: 3. A
	ATTACHMENTS:		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Heather Arcos	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

South Port Investors is underway with phase 1 construction of a Yacht Center in Cape Charles. A Conditional Use Permit was granted for a boat and marine engine repair, boatel of 33 boats, dwelling unit, and a 6' chain link security fence to be constructed on Town leased Parcel 82A3-A-12 formerly known as the "Edgerton fish house" at the corner of Marina Road and on Town leased Parcel 82A3-A-17 formerly known as the "old wastewater treatment plant".

Also, Phase 1 includes the construction of floating docks, piers, wave attenuators, and installation of lift facilities. An investment of \$8.7M has been made by South Port Investors; with the potential of \$15M and creation of jobs upon the completion of all phases.

DISCUSSION:

As of November 30, 2007; the building located on parcel 82A3-A-12 was demolished and the utilities were inactivated (no usage) by Southport. Per the Town Code any connection to our system shall be liable for the minimum charges.

The Town Code "Section 72-9 – Liability for minimum charges"

- a. The owner of any house, building or property which is used for commercial, industrial and/or residential purposes and is connected to the system shall be liable for the minimum water and sewer charges.
- b. The owner of a vacant lot is not required to pay minimum charges. Connection charges shall apply when a house or building is constructed on a qualifying vacant lot, per sections 70-35 and 70-42.
- c. If a connection existed as of June 30, 2007, and the house or building has since been demolished, the owner shall continue to be liable for the minimum charges. Connection charges shall not apply when the vacant lot is rebuilt.

South Port Investors is requesting that Council consider waiving the minimum utility charges from December, 2007 until January 24, 2013. The balance is \$5,366.64 which includes \$431.88 in interest charges.

The utility account will be activated on February 1, 2013 at which time the minimum water and wastewater charges will be billed to South Port Investors.

RECOMMENDATION:

To review and discuss; if applicable, authorize the Town Manager to waive the minimum charges to date of \$5,366.64.

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Harbor Redevelopment Protection Options		AGENDA DATE: January 24, 2013
	SUBJECT/PROPOSAL/REQUEST: Consider options for further protecting the Town Harbor.		ITEM NUMBER: 3. B
	ATTACHMENTS: Diagram		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Bob Panek/Smitty Dize	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The Harbor Redevelopment Plan includes five offshore breakwaters for protection of the harbor from westerly swells and waves. The first two have been built with a combination of Virginia Port Authority (VPA) grant and Town matching funds (bond proceeds) at a cost of about \$1M. The debt service on the bond is carried in the Harbor Enterprise Fund and is funded by harbor revenues instead of Town taxes.

Last year, VPA approved a \$500,000 grant that the Town requested for the third offshore breakwater. The estimated project cost is roughly \$800,000, with the fourth and fifth estimated to be at least another \$1.2 million. The grant requires a minimum match of 25% of the project cost. In this case, the minimum Town match would be about \$167,000, and an additional \$133,000 (private or public funding) would be required to execute the \$800,000 project. Town staff has met with private stakeholders in the harbor, but no commitment of private funds has been made.

South Port is the major private stakeholder with the most immediate interest. South Port has significant concerns about the sequencing of additional breakwaters. The Town's priority is the next breakwater to the south to protect the floating docks from southwesterly seas. South Port's priority is the next breakwater to the north for protection of their assets from northwesterly seas. Even with the north breakwater, they believe they would need to construct a small floating wave attenuator to provide adequate protection. Building both the south and north breakwaters together would cost about \$1.2M.

At the January 10, 2013 meeting, Council authorized the Mayor to send a letter to VPA requesting carry-over of the \$500,000 grant for protection of the harbor while the alternatives are further examined.

DISCUSSION:

As South Port progresses toward starting construction they have become more focused on protecting the harbor. They believe that more protection would be provided to the inner harbor (east of Town floating docks) by construction of floating wave attenuators on both the north and south sides of the harbor, rather than the next section of offshore breakwater. The Harbormaster concurs with this approach. A map showing the location of the proposed wave attenuators will be available in the conference room. A diagram showing the reconfiguration of the Town floating docks with the new attenuator (north side) is attached.

Most of the work on the north side would be done on Town-owned bottom outside the Federal channel but would require a modification of our existing permit. Fifty feet of the north side

attenuator and all of the south side would be in the Federal channel and would require permitting by the Army Corps of Engineers.

Town staff has worked with South Port to develop a preliminary estimate for this project – about \$1 million. While this is more than the estimate for the next section of offshore breakwater, it would provide more protection sooner and likely obviate the need to construct all three remaining breakwaters. South Port has indicated that they are willing to fund the attenuator on the south side of the harbor. This would be about 50% of the total project cost and would be adequate to meet the required 25% match for the VPA grant.

An additional benefit of this project is creation of a “basin” on the north side of the harbor in front of the Shanty restaurant (shown on the attached diagram). Twenty three additional docking spaces could be created in this area by the addition of another section of floating dock. The estimate for this project is about \$100K. This could be funded by a new \$75K VPA grant and a \$25K Town match. The Harbormaster has sufficient demand on the waiting list to fill most of these spaces and estimates minimum annual revenue of \$18K. Thus, the Town’s investment would have a payback of less than two years. The Town would need to request a new VPA grant, in addition to the carry-over request, to build the additional docking spaces at the same time. We would get notification on grant approval in May 2013 and the grant funds would be available in July 2013. The Town match would be included in the FY 2014 budget development process.

RECOMMENDATION:

Consider the alternatives and decide on the approach for protecting the harbor. Staff will draft the letter to VPA accordingly.

REF. DB 55/PG 152

283.94'

N19°15'48"E
200.00'

USACE CHANNEL CENTER

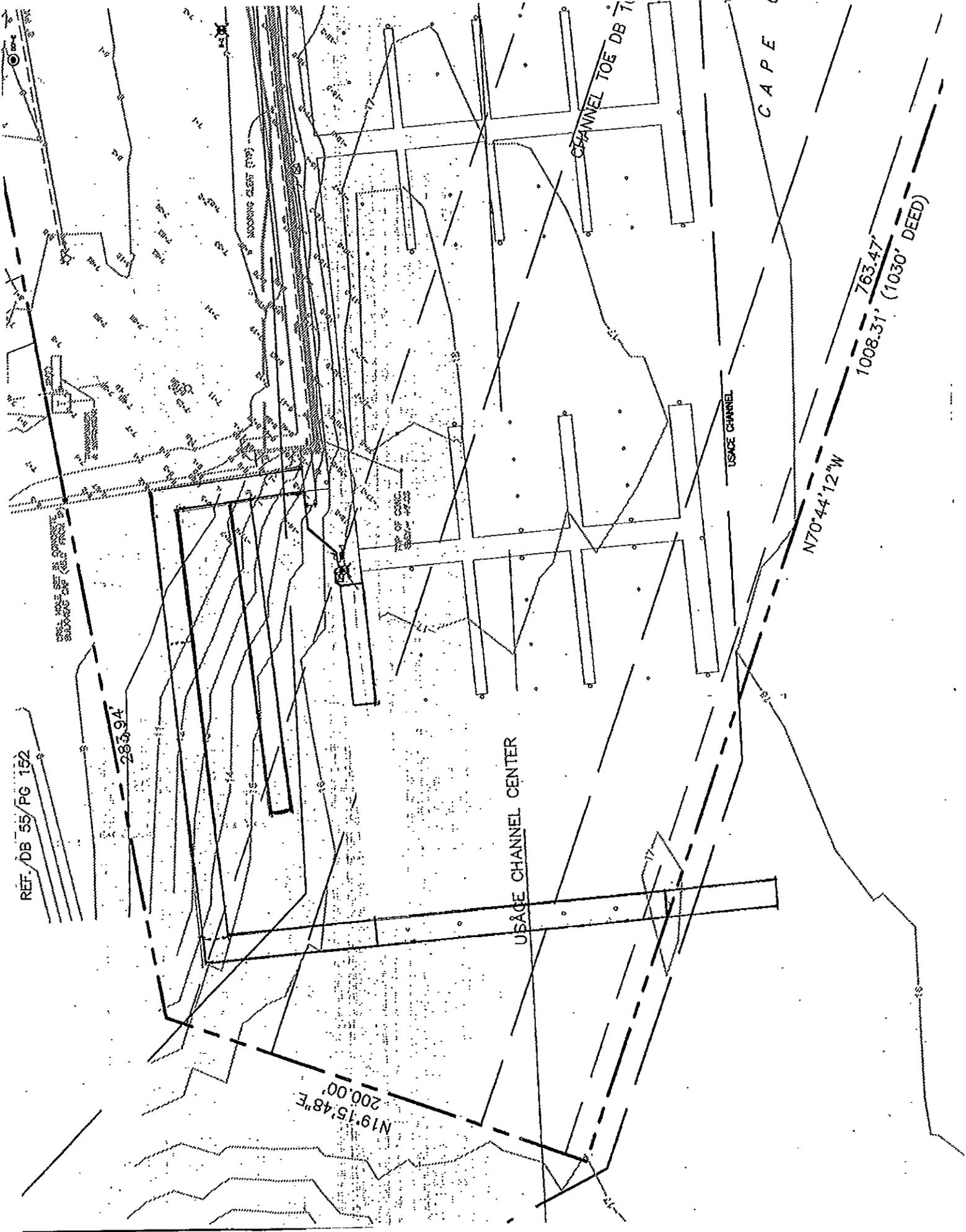
CHANNEL TOE DB 71

USACE CHANNEL

CAPE

N70°44'12"W

1008.31' 763.47'
(1030' DEED)



 TOWN OF CAPE CHARLES	AGENDA TITLE: FY14 Transportation Alternative Program Grant Application Cape Charles Community Trail – Phase 2		AGENDA DATE: January 24, 2013
	SUBJECT/PROPOSAL/REQUEST: Apply for additional grant funds.		ITEM NUMBER: 3. C
	ATTACHMENTS: Grant Application.		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Bob Panek	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

Council adopted the Cape Charles Master Trail Plan on September 11, 2007. This multi-use trail is being constructed in phases as funding is available. Eighty percent of the cost is funded by Federal grants authorized under the Transportation Enhancement Act for the 21st Century (TEA-21), now succeeded by the Transportation Alternatives Program (TAP), and twenty percent by local funds. To date, the Town has been awarded \$2M in grant funding. Of that, about \$1M was utilized for the Master Trail Plan and for design, engineering and construction of Phase 1 in Central Park. About \$1M remains available for Phase 2 – North Peach St. and Washington Ave.

DISCUSSION:

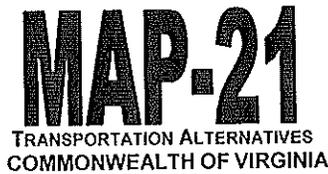
Land Studio completed the preliminary (30%) design stage for Phase 2 on December 18, 2012. The cost estimate for construction of Phase 2 is \$1,737K, with a Federal share of \$1,390K. As \$1,077K is available under the current grant, we would need to apply for another \$313K to complete Phase 2. The TAP grant application is due to the Virginia Department of Transportation (VDOT) by February 1, 2013. The draft grant application is attached. This round of grants is limited to those projects already started under TEA-21, so our chances of success are good.

The Town's share of the project would be \$347K. We are refining the phasing of this over FY 2014 and FY 2015 and would include it in the applicable budget years for Council approval.

If additional grant funding is not obtained we would terminate Phase 2 at some logical point along Washington Avenue. This, in turn, would reduce the requirement for Town matching funds.

RECOMMENDATION:

Consider the above and decide on whether to authorize the Town Manager to apply for additional Federal TAP grant funds to complete North Peach Street and Washington Avenue based on the 30% design estimate.



**FY 2013 – 2014
PROJECT APPLICATION FORM**

****APPLICATION DEADLINE FEBRUARY 1, 2013****

Use TAB KEY to reach each field

1. Project Sponsor	Name and Title:	Heather Arcos, Town Manager
	Organization:	Town of Cape Charles
	Address:	2 Plum Street
	City, State, Zip+4:	Cape Charles, Virginia 23310-
	Telephone/Fax:	(757) 331 - 3259 / (757) 331 - 4820
	E-mail Address:	heatherarcos@capecharles.org

2. Project Manager	Name and Title:	Heather Arcos, Town Manager
	Organization:	Town of Cape Charles
	Address:	2 Plum Street
	City, State, Zip+4:	Cape Charles, Virginia 23310-
	Telephone/Fax:	(757) 331 - 3259 / (757) 331 - 4820
	E-mail Address:	heather.arcos@capecharles.org

3. Sponsor DUNS Number	55881148	4. Project UPC Number	63563
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5. Project Title and Description	<p>Cape Charles Community Trail - A pedestrian and bicycle pathway that provides Cape Charles residents and visitors safe bicycle and pedestrian access to and links the town's many destinations including the harbor, beach, historic district, commercial district and museum. It also links to and incorporates the bicycle and trail recommendations of adjacent localities and planning district commissions, thereby having a regional impact related to bicycle and pedestrian travel.</p> <p>Funding from this application will be used to cover a shortfall for the construction of Phase 2, Washington Avenue. There are currently no pedestrian/bicycle accommodations along this corridor. It will expand the Phase 1B, North Peach Street, improvements (currently funded) safely linking residents on the north side of town to the town's central park, public beachfront, and Marina Village.</p>
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6. Project Location
Is this project located within a Transportation Management Area (TMA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, please indicate which area: <input type="checkbox"/> Northern Virginia <input type="checkbox"/> Richmond <input type="checkbox"/> Roanoke <input type="checkbox"/> Hampton Roads

7. Local Jurisdiction Population (Based on 2010 census data)
<input checked="" type="checkbox"/> Less than 5,000 <input type="checkbox"/> 5,000 to 199,000 <input type="checkbox"/> Greater than 200,000 <input type="checkbox"/> Statewide or Regional Project

8. Primary Category of Eligibility (Select ONLY one)

Select primary category of eligibility even if other categories may apply.

- Construction of Facilities for Bicycles and Pedestrians
- Construction of Safe Routes for Non-Drivers to access daily needs
- Conversion and use of abandoned railroad corridors for bicycle and pedestrian trails
- Construction of turnouts, overlooks, and viewing areas
- Inventory, Control, and Removal of Outdoor Advertising
- Historic Preservation and Rehabilitation of Historic Transportation Facilities
- Vegetation Management Practices in transportation rights of way
- Archeological activities relating to impacts of a transportation project
- Environmental Mitigation

This application is only intended for existing Transportation Enhancement projects eligible under MAP-21. The focus for this application cycle is providing as much funding as possible to projects underway and bringing as many of these projects as possible to completion. Due to the reduction in funding, if this is a multi-phased project, we strongly urge you to consider structuring the next phase to bring the project to a logical completion with the requested amount.

9. Transportation Alternative Funds Requested

9a. Federal Funds Requested	This Application Only	\$312,066.40
9b. Match Required	This Application Only	\$78,016.60
Will this amount complete the project?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If no, will this amount complete an independent / stand-alone phase of the project?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If this request is not fully funded, do you have other funds to complete the project / phase?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

10. Cost to Bring Project to Completion

10a. Estimated Project Cost to Complete	Current Phase	\$1,736,583
10b. Federal Funds Received to Date	Current Phase	\$1,077,201
10c. Other Project Funds	Current Phase	\$269,300
10d. Shortfall	Current Phase	\$390,083

11. Describe how you plan to bring this project to completion with limited funding.

Should additional funds not be awarded, the improvements for this phase will extend as far as possible to a logical termination point and other funding sources will be sought to complete this phase of the project at a future date.

12. Attachment A- Project Budget. Enclose a complete project budget. If the project includes multiple phases, show ALL phases that you expect to fund through the end, including this request. Budget projections should reflect the total project cost, including federal and non-federal costs. Format budget to separate PE, RW and CN costs.

13. Attachment B- Project Status. To be completed by project applicants that have received federal Enhancement funds in the past for this project.

14. Other Attachments- Include pictures, maps, and supportive documentation as attachments to the printed application to help demonstrate the planned improvements, the location, and proposed phases of this project.

15. Sponsor Certification

15a. Public Hearing Held	Date: 10/9/2007	Attached: <input checked="" type="checkbox"/>
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15b. MPO Resolution of Support (if applicable)	Date:	Attached: <input type="checkbox"/>
15c. Local Resolution to Sponsor Project	Date: 10/27/2011	Attached: <input checked="" type="checkbox"/>
<p>15d. Sponsor certifies the following: (Read and check each statement below)</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> We are familiar with Transportation Alternatives eligibility criteria and the Locally Administered Projects Manual <input checked="" type="checkbox"/> We will provide technical guidance and oversight throughout project development <input checked="" type="checkbox"/> Budget accurately reflects cost of proposed project <input checked="" type="checkbox"/> Project development will comply with all state and federal regulations, including ADA requirements <input checked="" type="checkbox"/> We understand these funds must be expended within four (4) years of federal availability <input checked="" type="checkbox"/> We will be responsible for ensuring future maintenance and operating costs of the completed project <p>_____</p> <p>Sponsor Signature (Authorized Local Official) Date</p>		

Submit five (5) copies of the completed application to:

**Ms. Jennifer DeBruhl, Director of Local Assistance Division
Virginia Department of Transportation
1401 E. Broad Street
Richmond, VA 23219**

All applications must be post-marked no later than February 1, 2013.

MAP-21

TRANSPORTATION ALTERNATIVES
COMMONWEALTH OF VIRGINIA

FY 2013 - 2014 ATTACHMENT A PROJECT BUDGET TEMPLATE

PROJECT BUDGET REQUIRED FOR ALL APPLICANTS

This template is an example for creating a detailed project budget – not a form to be completed online. The number of construction phases, number and types of tasks, and budget items will vary by project. However, every budget must include totals for all applicable developmental phases – Preliminary Engineering, Right of Way and/or Construction (highlighted in gray). Also, please note that all projects should have some money budgeted for Preliminary Engineering to cover VDOT environmental and oversight charges.

Include costs for all projects phases even if they have been fully funded/ completed.

Task by Project Development Phase	Construction Phase 1	Construction Phase 2	Construction Phase 3	TOTAL Project Costs
PRELIMINARY ENGINEERING PHASE				
Engineering/Design Fees				
Environmental Document				
Surveying Fees				
Estimated VDOT review charges (we recommend budgeting for 3-5% of total project cost)				
Grant Administrative Costs				
<i>Add rows as needed</i>				
PE Phase TOTAL COSTS				
RIGHT OF WAY PHASE				
Right of Way Purchase				
Utility Relocation				
<i>Add rows as needed</i>				
RW Phase TOTAL COSTS				
CONSTRUCTION PHASE				
<i>*Include construction line items from engineer's estimate, add rows as needed</i>				
Inspection Fees				
Construction Management				
Contingency				
<i>Add rows as needed</i>				
CN Phase TOTAL COSTS				
TOTAL COSTS (PE, RW & CN)				

Identify project status and activities completed to date for the phase that is currently requesting funds. Check all activities that have been completed and provide details of the progress made to date utilizing the text boxes available for each activity.

1. Project Initiation

- Initial Project Agreement fully executed
4/4/2003
- Kick-off meeting with VDOT
12/18/2007 - at the Kick-off meeting VDOT representatives, trail committee members, town staff and the consultant toured the entire trail network and talked about the various phases. A second Kick-off meeting for phase 1B and 2 was held on 9/13/12.

2. Environmental

- Environmental (NEPA) document initiated
1/2/2008
- VDOT performing environmental coordination
1/2/2008 through today to ensure current phase is consistent with environmental documentation
- Preliminary plans have been submitted to DHR for review
4/2/2008
- Environmental document complete and no adverse effect (Or MOA executed)
11/18/2008

3. Preliminary Engineering for current phase in development

- RFP for design services developed
11/13/2006 - the original RFP was advertised to include, at the discription of the town, services for subsequent phases of the trail project.
- Design underway
9/13/2012
- 50% Plans submitted for VDOT review
30% plans have been submitted
- 90/100% Plans submitted for VDOT review
- Final plans and bid document submitted to VDOT

4. Right of Way

- No property or easements required
All property is owned by the town.
- R/W plans/ survey complete
Survey complete.

Appraisal(s) complete

N/A

All required property acquired/secured

All improvements will take place within the existing right of way.

R/W certification complete

5. Project Resources

Additional funding is available to complete phase/project if this request is not fully funded

Due to the extensive nature of the Community Trail, we are and anticipate continuing to utilize a variety of funding sources for it's implementation, including other grant opportunities as well as private development investments and donations. However Phases 1B and 2, currently under design, do not have additional funding sources available other than the 20% town match.

Much of the trail segments in the harbor have been implemented through grants and funding received from the Virginia Port Authority and the Department of Health. We also will be pursuing The Department of Housing and Community Development CDBG funding for assistance with bicycle and pedestrian improvements along Mason Avenue within our historic commercial core.

This request will complete an independent/stand-alone phase of the project

This request will fully fund the proposed project and all its phases

(No additional funds will be requested)

See above.

6. Provide any additional information that might help establish the progress made to date. This may include fundraising, public meetings/charrettes, significant donations or other milestones met.

Through the assistance of the Transportation Enhancement Program (now MAP-21) we have made significant progress on the implemetation of our Commmunity Trail that will eventually link multiple key town destination points.

A number of tasks have been completed on this project since we began. The first task was an extensive public and key stakeholder involvement process as we developed a master plan for the entire trail network. From that stakeholder involement, a trail committee was established that has been meeting as needed to discuss upcoming phases and review design plans for current phases.

Environmental Documents have been completed for the entire trail network.

The construction of Phase 1A was complete at the end of 2011.

The construction of the Harbor trail sections were complete in June of 2012 through other funding sources.

The construction of other sections within the downtown area are anticipated to be included in private development initiatives that are currently on hold due to constrained economic resources at this time.

Phase 1B and 2 design began in September of 2012 - the trail committee met to review the preliminary layout for the trail and a public meeting was held to gather the feedback of adjacent residences and town citizens. The survey for Phase 1B and 2 is complete and 30% plans have been submitted to the town and VDOT for review. With those plans, a cost estimate was prepared and we are more able to accurately project the construction costs. A \$390,083 shortfall was identified. The purpose of this application is to request funding to cover that anticipated shortfall. Phase 1B & 2 will reestablish the historic integrity of Peach Street and provide missing safe pedestrian and bicycle linkages from the northern portion of town to the central park, the public beachfront and the northern Marina Village.

See attached "Cape Charles Community Trail Highlights" for descriptions and images of completed and upcoming phases currently in design.

Attachment A
Cape Charles
Community Trail Improvements

Project Budget

Task by Project Development Phase	Community Trail Master Plan Development	Phase 1A - Park Trail	Phase 1B - North Peach Street	Phase 2 - Washington Avenue	Future Phase - Harbor Connection	Future Phase - Rt. 194 / Fig St Intersection	Future Phase - South Peach Street	Future Phase - Fig Street	Future Phase - Bay Avenue	Future Phase - Mason Avenue	Future Phase - Hump Conversion	Total Project Costs
PRELIMINARY ENGINEERING PHASE												
Engineering / Design Fees	\$30,000	\$23,700	\$38,400	\$57,600	\$28,563	\$71,036	\$52,969	\$37,272	\$196,417	\$107,930	\$69,628	\$712,543
Environmental Documents		\$12,000	Done with previous phase included in above	Done with previous phase included in above	Done with previous phase	Done with previous phase	Done with previous phase	Done with previous phase	Done with previous phase	Done with previous phase	Done with previous phase	\$12,000
Surveying Fees		\$13,000	\$21,140	\$19,880	\$8,578	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$81,000
VDOT Review Fees	\$4,500	\$4,500	\$2,500	\$2,500	\$5,000	\$5,000	\$5,000	\$11,181	\$59,625	\$32,379	\$20,888	\$214,173
Grant Administrative Costs	\$5,500	\$3,300	\$2,500	\$2,500	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$48,800
PE Phase TOTAL COSTS	\$35,500	\$56,500	\$62,040	\$79,780	\$60,171	\$107,346	\$83,869	\$63,453	\$269,042	\$156,308	\$105,516	\$1,068,516
CONSTRUCTION PHASE												
Mobilization / Demolition / General Conditions	\$97,819	\$99,960	\$11,941	\$60,640	\$40,000	\$150,000	\$85,000	\$80,000	\$25,000	\$280,000	\$98,000	\$1,308,519
Earthwork / Construction Fill / E&S	\$65,250	\$11,941	\$11,941	\$11,941	\$5,000	\$10,000	\$5,000	\$10,000	\$20,000	\$10,000	\$20,000	\$170,132
Storm Drainage Improvements	\$30,130	\$85,187	\$36,509	\$373,365	\$25,000	\$26,000	\$15,000	\$5,000	\$40,000	\$10,000	\$50,000	\$301,825
Water Service Upgrades	\$1,650	\$1,650	\$113,584	\$0	\$35,000	\$5,000	\$29,000	\$20,000	\$20,000	\$10,000	\$10,000	\$36,650
Sanitary Sewer Upgrades	\$1,000	\$1,000	\$113,584	\$0	\$35,000	\$5,000	\$29,000	\$20,000	\$20,000	\$10,000	\$10,000	\$36,650
Asphalt Pavement Mill & Overlay				\$62,500		\$62,500		\$102,000	\$14,000	\$12,000	\$5,000	\$343,584
Railroad at Grade Crossing				\$20,000		\$20,000		\$20,000		\$20,000	\$20,000	\$120,000
Concrete C&G	\$25,000	\$25,000	\$25,000	\$4,590	\$4,800	\$32,000	\$33,600	\$6,400	\$148,800	\$51,200	\$32,000	\$40,000
Concrete Walkways / Entr / Ramps	\$98,606	\$248,910	\$248,910	\$373,365	\$25,000	\$26,000	\$15,000	\$5,000	\$40,000	\$10,000	\$50,000	\$338,380
Paver or Brick Walkway	\$132,235	\$132,235	\$132,235	\$35,000	\$35,000	\$18,250	\$18,250	\$6,800	\$2,000	\$2,000	\$16,800	\$985,861
North Plaza Node w/ Restroom & Arch Feature				\$15,000		\$15,000	\$45,000	\$20,000	\$65,000	\$10,000	\$5,000	\$150,000
Monroe Avenue Node								\$75,000	\$100,000	\$100,000		\$75,000
South Node w/ Restroom & Education Display								\$100,000	\$40,000	\$40,000		\$100,000
Minor Node Improvements								\$200,000	\$200,000	\$200,000		\$200,000
Water Taxi Station / Wharf					\$45,000	\$56,000	\$84,000	\$80,000	\$140,000	\$250,000		\$870,739
Pedestrian Lighting	\$95,739	\$40,000	\$0	\$0	\$4,000	\$10,000	\$5,000	\$4,000	\$10,000	\$10,000	\$2,500	\$45,500
Specialty Signage		\$42,712	\$5,388									\$42,712
West Node Amenities (fountain, etc.)	\$441	\$441	\$5,388	\$0	\$0	\$8,000	\$4,250	\$1,250	\$3,500	\$17,500	\$8,250	\$68,878
Pavement Markings	\$2,950	\$5,000	\$5,000	\$0	\$0	\$19,200	\$10,200	\$7,600	\$65,400	\$42,000	\$19,900	\$163,150
Maintenance of Traffic Signals / Trees, Soil Mix, turf, etc	\$102,126	\$31,000	\$31,000	\$55,000	\$27,500	\$59,500	\$28,850	\$10,500	\$55,000	\$83,750	\$31,450	\$475,676
Site Furniture (Bench, Bike Racks, Trash)	\$62,350	\$0	\$0	\$26,000	\$15,000	\$7,200	\$7,200	\$9,600	\$60,000	\$55,000	\$10,000	\$252,350
Utility Relocations	\$26,700	\$45,000	\$45,000	\$5,450	\$15,000	\$26,000	\$50,000	\$30,000	\$85,000	\$50,000	\$15,000	\$297,150
Testing Allowances	\$2,000	\$2,500	\$2,500	\$2,500	\$5,000	\$10,000	\$5,000	\$5,000	\$15,000	\$15,000	\$10,000	\$72,000
Construction Contingency @ 15%	\$15,291	\$105,700	\$105,700	\$98,399	\$24,630	\$62,305	\$46,365	\$32,065	\$174,470	\$95,845	\$61,460	\$777,520
Construction Administration	\$22,900	\$15,000	\$15,000	\$15,000	\$25,000	\$20,000	\$20,000	\$20,000	\$25,000	\$25,000	\$20,000	\$212,900
GN Phase TOTAL COSTS	\$882,099	\$825,370	\$825,370	\$769,394	\$285,930	\$710,355	\$529,685	\$372,715	\$1,954,170	\$1,079,295	\$696,280	\$8,085,292
TOTAL COSTS (PE & CN)	\$35,500	\$918,599	\$837,410	\$849,174	\$336,101	\$817,701	\$613,544	\$436,163	\$2,223,212	\$1,224,603	\$801,796	\$9,153,808
3% / yr Escalation	n/a	n/a	n/a	n/a	\$20,166	\$73,593	\$73,625	\$65,425	\$400,176	\$259,267	\$192,431	\$1,064,666
TOTAL COSTS (PE & CN)	\$35,500	\$918,599	\$837,410	\$849,174	\$356,267	\$891,294	\$687,169	\$501,583	\$2,623,390	\$1,483,870	\$994,228	\$10,238,494
Previous Funding Applied	\$35,500	\$918,599	\$837,410	\$459,091	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,300,600
TOTAL REMAINING COSTS (PE & CN)	\$0	\$0	\$0	\$390,083	\$356,267	\$891,294	\$687,169	\$501,583	\$2,623,390	\$1,483,870	\$994,228	\$7,937,894
TOTAL RECOMMENDED BUDGET	N/A	N/A	N/A	\$390,083	\$356,267	\$891,294	\$687,169	\$501,583	\$2,623,390	\$1,483,870	\$994,228	\$7,937,894
Current Funding Recommended												
Funding Needed												

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Cape Charles Fishing Pier Repairs		AGENDA DATE: January 24, 2013
	SUBJECT/PROPOSAL/REQUEST: Evaluate options to repair the damaged section of the fishing pier.		ITEM NUMBER: 3. D
	ATTACHMENTS: Proposal submitted by Sinclair Pratt & Cameron		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Dave Fauber	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The old section of the fishing pier was constructed in 1993. It is approximately 600 feet long and is 4' wide between the rails. Four scenic overlook platforms are located approximately every 100 feet along its length. The newest section extension was constructed in 2006. .

The 2009 November Nor'easter damaged the old section of the pier and the town received funding from FEMA (Federal Emergency Management Agency) to perform repairs and mitigation to the pier. The mitigation funds were used to add new structural supports to the offset portions of the pier.

The old section of the pier was damaged again during Hurricane Sandy and is closed to the Public until the structure is repaired, inspected, and deemed safe. On December 6, 2012; representatives from FEMA and VDEM (Virginia Department Emergency Management) inspected the damages to the pier caused by Hurricane Sandy. The agencies conclusion after inspecting the damage was that the pier would qualify for a Public Assistance Grant.

The old section of the pier should be considered as a separate project from the new portion, since anything more than 50% damage qualifies for complete replacement of the old section. The damage portion of the old section exceeds this threshold. FEMA recommended the Town hire a structural engineer to inspect the damages and provide recommendations.

The town received proposals to hire a structural engineer to evaluate the condition of the supporting structure. Sinclair Pratt Cameron, P.C. was hired to perform the inspection; the report concluded that "Even if the decking were replaced, the structure is damaged to the extent that it is unsafe for the public." Staff met with Mr. Sinclair to plan for a temporary fix to make the pier safe for public use. The "Temporary" repairs consist of new stringers where necessary and replacement of boards/rails in their current location.

The Town pier is the only free public fishing pier on the Eastern Shore of Virginia, which does not require anglers to obtain a fishing license or pay a nominal fee for use. It offers around the clock fishing opportunities and is utilized by our citizens and visitors alike year around. The economic impact lost from not having the pier open would be tremendous. Since the pier was extended out over the water and became a fully functional fishing pier the Town has become a mecca for families with dreams of taking their kids fishing for a very inexpensive price. The target date for re-opening the pier should be April 1 as the weather normally starts to warm up then, but the absolute latest would be mid-May to catch the busy summer season.

DISCUSSION:

Staff has continued to work with FEMA in order to determine if the repairs will be an eligible project.

FEMA will not replace or repair a damaged structure except in the same footprint as the original. If the town were to move forward with the assistance of FEMA to replace the old section with a new section; it would first need to be torn down and then construct the replacement in the same location. The probability of the pier being closed all summer and fall would most likely be the timeline for the replacement.

According to the FEMA representatives, temporarily repairing the pier for use this summer may jeopardize our eligibility for FEMA funding on the replacement project; however we may qualify for reimbursement for the "temporary repairs" and continue to work with FEMA to provide funding towards the permanent replacement of the old section.

An outline of the two options:

1. Demolish the old section and replace with the new section. A proposal for the design and estimated replacement cost will be submitted by Sinclair Pratt Cameron, P.C.
2. Proceed with "temporary" repairs for the old section which consist of replacement of stringers and deck boards. The cost is estimated to be less than \$10K. The pier will be open for summer the season with no guarantees of funding available from FEMA at the time of replacement of the new section. Continue to work with FEMA on the possibility of re-building after the summer season.

RECOMMENDATION:

Staff recommends Council to review and discuss the options and authorize the Town Manager to move forward on 1 of the 2 options.



January 18, 2013

Ms. Heather M. Arcos
Town Manager
Town of Cape Charles
2 Plum Street
Cape Charles, Virginia

Reference: Pier Replacement Section
Cape Charles, Virginia

Dear Ms. Arcos:

Sinclair Pratt Cameron, P.C. is pleased to provide you with our fee for the referenced project. Our proposal is based on our site visits and your conversations with Carter Sinclair.

Our fee includes the design and contract documents for the replacement of the damaged access pier to the main pier. The access pier is approximately 6' in width and 250' in length. The pier will be built on top of the existing jetty. We will also provide design and details for the connection at each end as it ties into the existing construction.

Our fee for providing the Structural Design and Contract Documents will be \$8,800.00.

Our fee for contract administration and / or inspections if required; will be billed on an hourly basis. Services provided prior to this date are not included in this proposal and are being invoiced separately.

Reimbursable Expenses are in addition to our scope of work and additional services. The expenses incurred by *Sinclair Pratt Cameron, P.C.* that directly relate to the project are identified as follows:

- Transportation in connection with the project.
- Prints and plots
- Overtime work that require higher than regular rates if authorized by the Owner in advance
- Shipping and mailing expenses for plans and shop drawings.

Our markup for these items will be 10%.

Sinclair Pratt Cameron, P.C.
1630 Donna Drive, Suite 103, Virginia Beach, VA 23451
757.417.0565 p 757.417.0568 f
info@spc-eng.com
www.spc-eng.com

Payment is due within 30 days of invoice. Late charges of 1.5% per month (18% per annum) will be assessed on the outstanding balance. Additionally, in the event that a past due balance is referred to an attorney, the undersigned agrees to pay all costs of collection including an attorney's fee of 33% of the outstanding balance.

We appreciate the opportunity to work with you on this project. If this is acceptable, please sign one copy of this proposal and return it to our office for our files. Should you require any additional information, please feel free to contact this office.

Sincerely,

SINCLAIR PRATT CAMERON, P.C.

A handwritten signature in black ink, appearing to read "Daniel B. Cameron, III". The signature is stylized with large, sweeping loops and a horizontal line at the end.

Daniel B. Cameron, III

Accepted By: _____ Date: _____