



Baldwin County Commission

Legislation Text

File #: 19-0137, **Version:** 1

Meeting Type: BCC Regular Meeting

Meeting Date: 11/6/2018

Item Status: New

From: Joey Nunnally, P.E., County Engineer

Seth Peterson, P.E. Permit/Subdivision Manager

Submitted by: Laurie Rumbaugh, Office Administrator

ITEM TITLE

Case No. S-16053a - The Verandas, Phase 2

STAFF RECOMMENDATION

Take the following actions:

1) Approve the following subdivision roads for maintenance and authorize said roads to be added to the County Maintenance Road List:

Street Name	Length	Maint. Area	Asphalt Width	Curbing
Veranda Boulevard	2,477	200	18	Yes
Catana Avenue	48	200	18	Yes
Turin Avenue	165	200	18	Yes
Naples Avenue	634	200	18	Yes
Pillars Street	698	200	18	Yes

2) Approve the Subdivision Roadway and Drainage Improvement Acceptance Agreement and accept the Surety Document from Fidelity and Deposit Company of Maryland on behalf of Ammons and Blackmon Construction, LLC in the amount of \$251,532.40 to guarantee the workmanship and materials as shown on the approved Final and "As-built" Construction Plans.

BACKGROUND INFORMATION

Previous Commission action/date: N/A

Background: On May 31, 2018, the Baldwin County Highway Department, Permit Section approved the Final and "As-built" Construction Drawings for The Veranda, Ph 2 (County Case No. S-16053a) located on State Highway 104 in the Fairhope area.

The Baldwin County Subdivision Regulations, Article §7.4.2 - Maintenance Surety, requires the

following:

- (a) *Acceptance of Maintenance Surety Document.* The surety document must first be reviewed by the County Engineer and Chief Legal Counsel, and then accepted and approved by the County Commission;
- (b) *Value of Maintenance Surety Document.* The maintenance surety document shall be of an amount equal to or greater than 40 percent of the cost (*Itemized Engineer's Cost Estimate*) of the full construction of the required roadway and drainage improvements within the public rights-of-way, including but not limited to, grading, paving of the streets, and installation of stormwater structures. When the County Engineer identifies potential problems, conditions or reasons for further protection of the County and public funds a greater amount may be required by the County Engineer;
- (c) *Term of Maintenance Surety Document.* A maintenance surety document must state that it is "valid for a period of time" as prescribed in the *Subdivision Roadway and Drainage Improvement Acceptance Agreement*. A twenty-four (24) month warranty period will begin to run upon the occurrence of both of the following (a) the County Commission votes in the affirmative to accept for maintenance the roadway and drainage improvements, within the public rights-of-way; and (b) the maintenance surety document in acceptable form is delivered to the Baldwin County Commission.

Notwithstanding the above requirements, this warranty period shall be automatically extended in the event that an invoice has been sent to the Owner and the time of the subject invoice conflicts with, or the necessary repairs extend beyond, the final date of the twenty-four (24) month warranty period. In such event, said maintenance surety document shall remain in full effect until the Baldwin County Commission releases said surety document following the fulfillment of all obligations to the Baldwin County Commission as required by the *Subdivision Roadway and Drainage Improvement Acceptance Agreement*.

The value and terms of the surety have been reviewed by Highway Department Staff and are consistent with the requirements of the *Baldwin County Subdivision Regulations (see attached cost estimate)*.

FINANCIAL IMPACT

Total cost of recommendation: N/A

Budget line item(s) to be used: N/A

If this is not a budgeted expenditure, does the recommendation create a need for funding?
N/A

LEGAL IMPACT

Is legal review necessary for this staff recommendation and related documents?

N/A

Reviewed/approved by: Standard form used as previously approved by the County Attorney.

Additional comments: N/A

ADVERTISING REQUIREMENTS

Is advertising required for this recommendation? N/A

If the proof of publication affidavit is not attached, list the reason: N/A

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: N/A

Individual(s) responsible for follow up: Administration Staff; Permit Division

Action required (list contact persons/addresses if documents are to be mailed or emailed):
Administration Staff to have Commission Chairman and County Administrator execute Subdivision Roadway Acceptance Agreement and return the signed document to the Permit Division. Permit Division will notify all appropriate County Highway personnel to begin maintenance.

Additional instructions/notes: N/A