

AGENDA

Catawba County Board of Commissioners Meeting
Tuesday, September 8, 2015, 9:30 a.m.
Robert E. Hibbitts Meeting Room, 1924 Courthouse
30 North College Avenue, Newton, NC

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Invocation.
4. [Approval of the Minutes from the Board's Regular Meeting of August 17, 2015.](#)
5. Recognition of Special Guests.
6. Public Comments.
7. Presentations:
 - a. Distinguished Public Service Award to Leroy Lail for service on the UNC Board of Governors.
 - b. [2014 Sustained Professional Purchasing Award. Presented to Purchasing Manager Debbie Anderson, Facilities Coordinator Tammy Austin and Purchasing Specialists Beatrice Abernathy and David Adams.](#)
 - c. [Recognition of Graduates of County's Leadership Academy. Presented by Human Resource Director Cynthia Eades to April Green \(Library\), Dawn Hughey \(Social Services\), Jennifer McCracken \(Public Health\), Amy McDonald \(Human Resources\), Jodi Stewart \(County Manager's Office\), Christina Triplett \(Social Services\) and Karyn Yaussy \(Emergency Services\).](#)
8. [Appointments.](#)
9. Consent Agenda:
 - a. [Transfer of Funds from the Universal Power Supply \(UPS\) Cooling Project Account to the Technology Infrastructure Account.](#)
 - b. [Interlocal Contract for Cooperative Purchasing.](#)
 - c. [Map Review Officer Designation.](#)
10. Departmental Reports:
 - A. Library.
[Catawba County Library System Meeting Room Use Policy. Presented by Library Director Suzanne White.](#)
 - B. Utilities and Engineering.
[Landfill Gas Equipment Station Replacement to Meet Air Quality Permit Requirement 40 CFR 60.752 and Upgrade/Replacement of the Integrated Landfill Gas to Energy Engine Control System with a Fuel Blending Package. Presented by Utilities and Engineering Director Barry Edwards and Assistant Utilities and Engineering Director Jack Chandler.](#)
11. Other Items of Business.

12. Attorneys' Report.
13. Manager's Report.
14. Adjournment.

PERSONS WITH DISABILITIES: Individuals needing assistance should contact the County Clerk at 828-465-8990 within a reasonable time prior to the meeting. Access to the 1924 Courthouse for individuals with disabilities is at the south side ("A" Street). The elevator is located at the north end of the building. Participation in public meetings is without regard to race, creed, religion, national origin, sex, age, color, or disability.

INFOTALK/INTERNET: The Catawba County Telephone Information System will allow you to use your touch tone telephone to obtain current information on Catawba County 24 hours a day. Information is updated on a regular basis. Dial 465-8468 and INFOTALK will direct your questions with easy to understand instructions. Reach Catawba County on the Internet at <http://www.catawbacountync.gov>.

CALENDAR: The next Board of Commissioners Meeting will take place on Monday, September 21, 2015 at 7:00 p.m.



**PREVIEW OF BOARD OF COMMISSIONERS AGENDA
TUESDAY, SEPTEMBER 8, 2015, 9:30 A.M.
ROBERT E. HIBBITTS MEETING ROOM
1924 COURTHOUSE, NEWTON, N.C.**



The Catawba County Board of Commissioners will consider awarding a bid for Landfill Gas Equipment Station replacement and an upgrade and replacement of Landfill Gas to Energy Controls, all of which are used to convert methane gas found naturally at the Blackburn Landfill into electricity for sale, when the Board meets at 9:30 a.m. on Tuesday, September 8, 2014, at the 1924 Courthouse at 30 North College Avenue in Newton. The new equipment would replace engines and controls that have been almost constantly in use since their purchase 17 years ago, and will insure the County can continue to meet Federal Air Quality Permit Requirements.

The Board will consider a proposed Catawba County Library System Meeting Room Policy to increase community access to meeting room spaces open to the public at the Sherrills Ford-Terrell, St. Stephens and Southwest Branch Libraries for nonprofit, educational, civic and community meetings. The Board will consider the transfer of unspent funds from a Universal Power Supply (UPS) Cooling Infrastructure Project to a Technology Infrastructure Account that is used to upgrade major areas of the County's computer network infrastructure.

The Board will consider approving a proposed Interlocal Contract with the Houston Galveston Area Council for its cooperative purchasing program named HGAC Buy. This is similar to other cooperative purchasing programs already used by the County to obtain more competitive pricing, such as US Communities and the Charlotte Cooperative Purchasing Alliance. And the Board will consider a change in the list of designated Map Review Officers in the county.

The Board will present a Distinguished Public Service Award to Mr. Leroy Lail in recognition of twelve years of service on the UNC Board of Governors. The Board will recognize the County Purchasing Department, which recently won the Sustained Professional Purchasing Award from the Carolinas Association of Governmental Purchasing for the fourteenth year in a row. And the Board will recognize County employees who completed this year's Leadership Academy, working to develop their skills by expanding their understanding of leadership and management responsibilities through participation in professional development opportunities.

Please note the change from the Board's normal first Monday of the month meeting date because the first Monday in September is Labor Day and County offices will be closed.

PRESENTATIONS

A. The Board will present Mr. Leroy Lail with a Distinguished Public Service Award for his twelve years of service on the UNC Board of Governors, where his efforts helped expand and extol the best qualities of higher education.

B. The Board will present the Catawba County Purchasing Department with the 2014 Sustained Professional Purchasing Award. This award is presented annually by the Carolinas Association of Governmental Purchasing to member agencies that have demonstrated excellence in purchasing standards. This is the fourteenth year in which this award has been received by the department.

C. The Board will recognize seven County employees who are graduating from the County's Leadership Academy. These employees were identified to have leadership potential and over the last year have developed their skills by expanding their understanding of leadership and management responsibilities through participation in professional development opportunities, book studies, networking and team-building opportunities, development and completion of a team project, a Reading Garden at the main County Library in Newton, and the successful completion of six County-sponsored academic modules.

CONSENT AGENDA

A. The Board will consider a request to transfer \$127,000 in unspent funds located in the UPS Cooling Infrastructure Project account to the Technology Infrastructure account. This would cover ongoing enterprise-wide infrastructure replacement and upgrade needs. The Universal Power Supply (UPS) Cooling Infrastructure Project was created two years ago in order to update the cooling system for the County's data center. A specific capital project account was established for this purpose. When the work was done, however, the funding was taken from Technology Infrastructure, which has an on-

going annual allocation of \$200,000. Because the UPS Cooling Infrastructure Project was completed using funds from the other technology capital project account, \$127,000 from the UPS Cooling Infrastructure Project was left unspent and it is requested that these funds replenish the Infrastructure account.

Over the last several years, the Technology Department has been working to upgrade major areas of the County's computer network infrastructure, including switches, servers, storage area and wide area networks, firewalls and related hardware. These devices manage the County's most critical data and ensure 24/7 connectivity to citizens, County departments and the municipalities with whom the County partners. Keeping this infrastructure up to date requires adherence to a systematic multi-year replacement schedule. Transfer of the unspent UPS Cooling project funds to the Technology Infrastructure fund will allow the County to remain on that schedule. Without the transfer of funds, the Technology Infrastructure account will not fully support the necessary expenditures currently needed. The Board's Finance and Personnel Subcommittee recommends the transfer of these funds.

B. The Board will consider entering into an Interlocal Contract with the Houston Galveston Area Council for its cooperative purchasing program named HGAC Buy. North Carolina General Statute 143-129 authorizes an exemption from bidding for purchases made through a competitive bidding group purchasing program, which are formally organized programs that offer competitively bid products and services at discount prices to two or more public agencies.

In 1972, the Texas Legislature passed the Interlocal Cooperation Act to promote activities among local governments in Texas. HGAC Buy was established and products offered through it have been subjected to either the competitive bid or competitive proposal format. The program has been open to all governmental agencies for several years. HGAC Buy offers a multitude of products such as: general purpose and emergency vehicles; infrastructure equipment and services; communications equipment and services; grounds facilities and park equipment; public works equipment; emergency equipment and supplies; emergency preparedness and disaster recovery, and cooperative energy purchasing.

The County's Purchasing Department would like to participate in this cooperative purchasing program for the Justice Center/Public Safety Project. The new E-911 Center will require new workstation consoles and the project team have selected Evans Consoles based on quality, warranty and design features. Evans Consoles can be procured via the HGAC Buy purchasing contract. Once HGAC pricing is received from Evans, staff will compare cost with what other agencies have been charged for Evans Consoles to ensure a fair proposal has been received. The E-911 console workstations are 911 fundable.

HGAC Buy requires Catawba County to execute a interlocal contract to participate in the program. Catawba County has purchased items through other cooperative purchasing programs such as US Communities and the Charlotte Cooperative Purchasing Alliance. Neither of these require an interlocal agreement. The Board's Finance and Personnel Subcommittee recommends entering into this interlocal agreement.

C. The Board will consider approval of a request made by the City of Claremont and the Town of Catawba to amend the list of Map Review Officers. On July 17, 1997, the General Assembly ratified SB 875 - Maps and Plats Law. This law required all counties to appoint Review Officers who would review each plat or map before it is recorded and certify that it meets the statutory requirements for mapping. The law states that individuals have to be appointed by name, not by job title, so that any time a change occurs in staffing, a new Review Officer has to be appointed and approved by resolution of the Board of Commissioners and subsequently recorded in the Register of Deed's Office.

The City of Claremont and the Town of Catawba have requested that Ms. Elinor Hiltz be added to their list of approved Map Review Officers and that Ms. Shelley Stevens be removed due to her leaving her position.

With approval of a resolution incorporating the changes noted above, the active list of Review Officers will be:

Catawba County:	Jacky M. Eubanks, Susan Ballbach, Chris Timberlake and Lashana Marshburn
City of Hickory:	Brian Frazier, Cal Overby, John Furmage, David Leonetti and Shamaury Myrick
City of Newton:	Alex S. Fulbright
City of Conover:	Q. Lance Hight, and Cara C. (Chris) Reed
City of Claremont:	Laurie Locicero and Elinor Hiltz
Town of Long View:	David Epley, and Charles T. Mullis

Town of Maiden: Travis Ramsey
Town of Catawba: Elinor Hiltz
Town of Brookford: Marshall Eckard

DEPARTMENTAL REPORTS

A. LIBRARY

The Board will consider adopting a revised Catawba County Library Meeting Room Use Policy to allow the community access to meeting room spaces for nonprofit educational, civic, and community meetings that are open to the public. North Carolina Public Library Standards include a benchmark that library facilities are designed to maximize opportunities for community collaboration and provide meeting rooms and other spaces for community programs and events. An excerpt from the recently adopted Library Strategic Plan aligns with this benchmark:

Goal: As a community center of excellence, fuel citizens' passion for reading personal growth and learning

Objective: Create welcoming, vibrant, comfortable, and secure library spaces.

Tactic: Enhance community access to library spaces by aligning applicable policies around facility use.

After reviewing options for increasing the community's access to library meeting room space, staff developed a policy that offers after-hours facility use at Sherrills Ford-Terrell, St. Stephens, and Southwest Branch Libraries, based on the feasibility of securing the interior of the library while still allowing access to the meeting room.

The revised policy also clarifies the type of gatherings that are permitted, allowing for nonprofit educational, civic, and community use that is open to the public, includes provisions to ensure fair and equitable use that does not interfere with others' ability to enjoy library facilities and services, and limits eligible uses to activities that are not commercial, political, religious, or social in nature.

Every effort was made to strike an appropriate balance between promoting community access and exercising responsible stewardship of public resources by maintaining the security of the facility. If the policy is adopted, staff will track facility use reservations, recording the names of individuals and groups that use the rooms and the estimated number of people who have benefited, and will report this back to the Board three months after implementation with discussion of any issues that have arisen.

Staff engaged the Library Board of Trustees in the development of the proposed policy, taking their concerns into consideration and integrating their input. The Board's Policy and Public Works Subcommittee recommends this revised policy.

B. UTILITIES AND ENGINEERING

The Board will consider approval of a bid award for a Landfill Gas Equipment Station to SCS Field Services of Reston, Virginia in the amount of \$1,068,500; authorization of the sole source exemption and purchase of a DIA.NE XT3 Engine Control System Upgrade and Fuel Blending Package from Nixon Energy Solutions in the amount of \$489,498; approval of an agreement with the project design engineer, CDMSmith, for construction administration, inspection, and start-up, commissioning, and certification services for \$49,300; and approval of a budget revision in the amount of \$950,148 for a project total of \$1,714,148, which includes an additional \$106,850 for a 10% construction contingency.

In August 1998, Catawba County chose to purchase GE Jenbacher methane gas powered engine-generator sets (gensets) to destroy the methane gas generated within the landfill by converting the captured methane gas into electricity and selling the electricity to Duke Energy. Currently, there are three methane gas powered gensets located at the Blackburn Resource Recovery Facility. The 1998 Jenbacher gensets came equipped with DIA.NE Engine Control Systems. Along with the GE Jenbacher gensets, a landfill gas collection system was also installed. This system included the current landfill gas compression skid and flare. The current DIA.NE Engine Control Systems are antiquated and the landfill gas compression skid has been operating 24 hours a day every day since its installation, with only minimal downtime. Both the 1998 DIA.NE Engine Control Systems and existing skid and flare have reached the end of their useful lives after nearly 17 years of change in technology and time of use.

The replacement of both the landfill gas compression skid and flare and the DIA.NE Engine Control System were planned Solidwaste Capital Improvement Projects. Initially, staff planned to replace the landfill gas compression skid and flare and

the DIA.NE Engine Control System as separate projects. However, updating the equipment together increases the efficiency and operability of the new landfill gas compression skid and flare. Staff believes it is in the County's best interest to accelerate the replacement of the DIA.NE Engine Control System in order to fully optimize the overall landfill gas to energy system and ensure adherence to applicable environmental permits.

On May 21, 2015, bids were received on the Landfill Gas Equipment Station Replacement. The project includes the manufacture, delivery, installation and commissioning of a Gas Compression and Conditioning System along with the supporting civil and electrical work. The key reasons associated with replacing the system include improvements in system operations, establishment of a landfill gas treatment system, and air quality compliance monitoring. Below is an abbreviated bid tabulation from the May 21, 2015 bid opening:

Contractor	Bid
SCS Field Services	\$1,068,500
CB&I	\$1,087,147
Advance One Development	\$1,191,500
Methuen Construction	\$1,232,387

Based upon a recommendation letter from CDM-Smith, staff recommends awarding the bid to SCS Field Services of Reston, Virginia in the amount of \$1,068,500.

In accordance with Federal Regulations 40 CFR 60.752, the active gas collection and control system shall be designed to "handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment". The average gas flow rate at the Blackburn Landfill ranges between 1,100 scfm (standard cubic feet per minute) and 1,400 scfm. The current gas collection and control system has a capacity of 1,400 scfm but the current flare has a rated capacity of only 1,200 scfm. In the event that all three engines were not operational, the current flare would not be capable of fully controlling the landfill gas in compliance with 40 CFR 60.752. Any uncontrolled emissions would be considered a violation of the County's Title V Air Quality permit and potentially subject the County to fines and other penalties. Increasing the flare capacity will minimize fugitive emissions in the event that all three engines are not operational.

Accurate readings of landfill gas flow rate, cumulative landfill gas flow, temperature, and methane content for the engines and the flare are critical to meeting the air quality compliance monitoring requirements associated with the County's Title V Air Quality permit and the Greenhouse Gas Mandatory Reporting Rule requirements. The current gas collection and control system was installed in 1998, is undersized to meet the current Air Quality Permit Requirements, and does not have modern monitoring equipment that will allow more accurate, automated data collection and reporting.

The new system will not only meet the Air Quality permit requirements, it will allow for infinite adjustment capability of the flare, which will allow landfill gas flow to be split between the engines and flared during conditions where the landfill gas flow rate is above the capacity of the operating engines. Additional flow will be handled by the flare without causing unstable flare operation, venting of uncontrolled landfill gas to the atmosphere, or the engines shutting down due to large pressure drops associated with sudden diversion of flow away from the engines to the flare. The upgraded gas collection and control system will improve control of the well field vacuum and engine pressure requirements for more consistent operations. Automatic vacuum control of the well field will require fewer manual adjustments to the well field resulting in less documentation and reporting. The upgraded gas collection and control system is designed to meet EPA's presumptive definition of a treatment system as a system that filters the landfill gas to an absolute rating of 10 microns, dewateres the landfill gas to provide a 20 degree Fahrenheit reduction in dew point temperature, and compresses the landfill. Having the landfill gas conditioned through such a treatment system will eliminate the need to consider the engines as landfill gas control devices and reduce much of the Air Quality testing, monitoring, recordkeeping, and reporting associated with the use of the engines themselves. The upgraded gas compression and conditioning system is anticipated to meet the County's needs for the next 15 years.

Computer technology has a major role in the monitoring and fine tuning of the methane gas fired gensets. Each genset has a computer control system (DIA.NE system) that monitors multiple parameters within the gensets (i.e. exhaust, water, and oil system temperatures) to ensure the gensets are operating efficiently, safely and within guidelines. Additionally, the

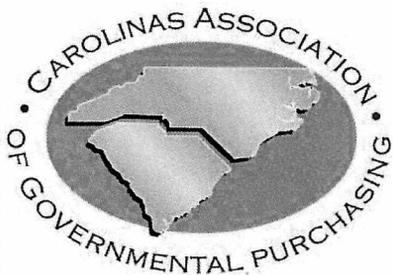
DIA.NE system regulates the fuel to air mixture of the gensets, which is critical in meeting Federal and State Title V Air Quality regulations by insuring the methane gas is completely destroyed. Computer technology is also used on the site to constantly measure and calculate the amount of energy sent to the power grid. This information, coupled with computer diagnosis, enables the operator to trouble shoot and correct problems before they escalate and damage the engines and/or cause or create EPA violations. Therefore, replacement of the DIA.NE system is planned to occur in 15-year intervals.

The current DIA.NE system, hardware and software, is now over 15 years old, is obsolete and cannot be updated to accommodate current computer operating systems that are needed to meet the strict monitoring and recording requirements of the County's Title V Air Quality Permit. The County's technicians are currently relying upon a rudimentary paging system to alert them to problems with the gensets. With the new Landfill Gas Equipment Station, County technicians will no longer be able to rely on a paging system for addressing problems; they will need full remote access to the Gensets and Landfill Gas Equipment Station to diagnose alerts and determine the level of response that is needed to avoid or abate permit violations. Full remote access will reduce operational cost through reduced overtime wages due to the technicians having the ability to address problems remotely when diagnosing alerts/alarms.

GE Jenbacher and Nixon Energy Solutions have submitted a proposal to address upgrading the engine control system. This upgrade will allow for installation and operations of GE's most up to date proven engine control system (DIA.NE XT3), providing maximum visibility to current operating conditions, operational trend data, and improved ease of use. Access to this control data will allow site personnel to diagnose current or potential engine issues more efficiently, minimizing down time. In addition, the new engine control system components and fuel blending package will drastically mitigate current parts supply challenges of the existing obsolete system. Total cost per engine will be \$163,166 or \$489,498 for all three engines. Nixon Energy Solutions is the exclusive distributor for GE Jenbacher renewable energy generators including all control systems, operation systems, and parts for generators powered by natural gas, landfill gas, biogas and other site-specific gases.

North Carolina General Statute 143-129 allows an exemption from bidding for purchase contracts when performance or price competition for a product are not available; when a needed product is available from only one source of supply; or when standardization or compatibility is the overriding consideration. This exemption requires governing body approval. A record must be maintained of purchases made under this exemption. In this instance, the engine control system and fuel blending package are only available from Nixon Energy Solutions. No ad valorem tax proceeds go into the Solid Waste Management Enterprise Fund. The Board's Policy and Public Works Subcommittee recommends the Board actions listed above.

CONTACT: DAVE HARDIN, PUBLIC INFORMATION OFFICER 465-8464



January 21, 2015

Mr. Rodney N. Miller, Finance Director
Catawba County
PO Box 389
Newton, NC 28658

Dear Mr. Miller:

I am pleased to report that Catawba County Purchasing Division has met the requirements to receive the 2014 Sustained Professional Purchasing Award (SPPA). The SPPA is presented annually by the Carolinas Association of Governmental Purchasing (CAGP) to member agencies that have demonstrated excellence in purchasing standards during the calendar year.

The criteria for the award include the use of technology, minority outreach, staff certification, customer training, vendor training and the use of recycled products.

The award will be presented at the CAGP Spring Conference Banquet on February 24, 2015 in Hickory, NC. If you or any of your staff would like to be present to see the award presentation, please let me know via e-mail gcarothers@charlottenc.gov.

Catawba County Purchasing Division is one of eleven agencies throughout the association to receive this award; congratulations!

Sincerely,

Genetta Carothers, A.P.P.; CLGPO
Future Directions and Evaluations Chairperson
Carolinas Association of Governmental Purchasing



January 21, 2015

Ms. Debbie Anderson, Purchasing Manager
Catawba County Purchasing Division
PO Box 389
Newton, NC 28658

Dear Ms. Anderson:

I am pleased to report that Catawba County Purchasing Division has met the requirements to receive the 2014 Sustained Professional Purchasing Award (SPPA). The SPPA is presented annually by the Carolinas Association of Governmental Purchasing (CAGP) to member agencies that have demonstrated excellence in purchasing standards during the calendar year.

The criteria for the award include the use of technology, minority outreach, staff certification, customer training, vendor training and the use of recycled products.

The award will be presented at the CAGP Spring Conference Banquet on February 24, 2015 in Hickory, NC. If you or any of your staff would like to be present to see the award presentation, please let me know via e-mail gcarothers@charlottenc.gov. Please provide your purchasing department's group picture in .jpg (high resolution) format via email gcarothers@charlottenc.gov by 4 pm on Monday, February 2, 2015.

Catawba County Purchasing Division is one of eleven agencies throughout the association to receive this award; congratulations!

Sincerely,

Genetta Carothers, A.P.P.; CLGPO
Future Directions and Evaluations Chairperson
Carolinas Association of Governmental Purchasing



PO Box 389
100 A Southwest Boulevard
Newton, NC 28658
Telephone: 828-465-8383
Fax: 828-465-8472

Memorandum

To: Catawba County Board of Commissioners
From: Cynthia Eades, Human Resources Director
Date: September 8, 2015
Subject: **Recognition of Graduates, Catawba County Leadership Academy**

Below is a list of Catawba County's seven 2015 Leadership Academy graduates. I am pleased to present this list of employees who have met the requirements of this program.

The Leadership Academy began last October and was designed to a) identify County employees who have leadership potential and interest; and b) develop their skills by expanding their understanding of leadership and management responsibilities through participation in professional development opportunities, books studies, networking and team-building opportunities, a team project assignment and successful completion of six County-sponsored academic modules.

Participants were nominated by their immediate supervisor, approved by their department head and were required to submit an in-depth application to a three-person Selection Committee. This committee, comprised of Dewey Harris, Assistant County Manager, Ronne Grantham, Regional Operations Director with the NC Department of Commerce, and Nancy Rockett, Asst. HR Director, screened applications, selected final candidates and provided oversight and accountability for participants for the duration of the program.

One component of the Leadership Academy requires members to identify and complete a team project. In 2014, a community garden was established on a lot next to the Newton Library. To tie gardening and literacy together, Leadership Academy members decided to build a reading garden on the adjacent property that would serve the community and especially benefit children. They worked successfully with community partners to acquire donations for a variety of items, including a poured concrete pathway, plants, trees, park benches, planters, decorations and reading huts to store books along the path. This group of seven, along with volunteers, worked tirelessly to clear the lot, plant, mulch, lay sod and decorate the area with whimsical items appealing to children. After completion of these components, the team successfully orchestrated a ribbon cutting ceremony on July 22nd to recognize community partners and volunteers.

Leadership Academy graduates will be recognized at the September 8th Board of Commissioners meeting. On Thursday, October 1, 2015 at the Catawba Country Club, they will make a



presentation describing their leadership journey and what they have learned from their experience, and they will be honored at a luncheon following the presentation. I hope you are able to join us as we honor these graduates.

2015 Leadership Academy Graduates

April Green, Library

Dawn Hughey, Social Services

Jennifer McCracken, Public Health

Amy McDonald, Human Resources

Jodi Stewart, County Manager's Office

Christina Triplett, Social Services

Karyn Yaussy, Emergency Services



LEADERSHIP ACADEMY

FY 2014-15

TEAM BUILDING

Outdoor Education Center
Iredell County

October 28, 2014













Reading Garden Project

Newton Library

















Reading Garden

Ribbon Cutting Ceremony

July 22, 2015





Jennifer McCracken
Catawba County
Leadership Academy

CATAWBA
COUNTY
North Carolina











APPOINTMENTS

SHERRY BUTLER (Due) CVCC Board of Trustees

Commissioner Butler recommends the appointment of Vance Dalton, Jr. for an unexpired term on the CVCC Board of Trustees to succeed Mike Erdt. This term will expire June 30, 2017.

MEMORANDUM

TO: Catawba County Board of Commissioners
FROM: Finance and Personnel Subcommittee
DATE: September 8, 2015
SUBJECT: Transfer of Funds from the Universal Power Supply (UPS) Cooling project Account to the Technology Infrastructure Account

Request:

The Finance and Personnel Subcommittee requests the transfer of \$127,000 in unspent funds located in the UPS Cooling Infrastructure Project account to the Technology Infrastructure account. This will be to cover ongoing enterprise-wide infrastructure replacement/upgrade needs.

Background:

The UPS Cooling Infrastructure Project was created two years ago in order to update the cooling system for the County's data center. A specific capital project account was established for this purpose. When the work was done, however, the funding was taken from Technology Infrastructure, which has an ongoing annual allocation of \$200,000. Because the UPS Cooling Infrastructure Project was completed using funds from the other technology capital project account, \$127,000 from the UPS Cooling Infrastructure Project was left unspent and we would like to replenish the Infrastructure account.

Over the last several years, the Technology Department has been working to upgrade major areas of the County's computer network infrastructure, including switches, servers, storage area and wide area networks, firewalls, and related hardware. These devices manage the County's most critical data and ensure 24/7 connectivity to citizens, County departments, and the municipalities with whom the County partners. Keeping this infrastructure up to date requires adherence to a systematic multi-year replacement schedule. Transfer of the unspent UPS Cooling project funds to the Technology Infrastructure fund will accommodate adherence to that schedule. Further, without the transfer of funds, the Technology Infrastructure account will not fully support the necessary expenditures currently needed.

Recommendation:

The Finance and Personnel Subcommittee recommends to the Board of Commissioners a transfer of \$127,000 from the UPS Cooling Infrastructure account to the Technology Infrastructure account.

Transfer of Appropriation:

Transfer From:

410 - 460100 - 985000 - 11204	UPS Cooling Infrastructure	(\$127,000)
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Transfer To:

410 - 460100 - 982000 - 11202	Infrastructure Upgrades (ITC)	\$127,000
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MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Finance and Personnel Subcommittee

DATE: September 8, 2015

RE: Interlocal Contract for Cooperative Purchasing

Requested

The Finance and Personnel Subcommittee recommends approval of an Interlocal Contract with the Houston Galveston Area Council for their cooperative purchasing program named HGAC Buy.

Background

North Carolina General Statute 143-129 authorizes an exemption from bidding for purchases made through a competitive bidding group purchasing program. A group purchasing program is a formally organized program that offers competitively bid products and services at discount prices to two or more public agencies.

In 1972, the Texas Legislature passed the Interlocal Cooperation Act to promote activities among local governments in Texas. HGAC Buy was established and products offered through HGAC Buy have been subjected to either the competitive bid or competitive proposal format. The program has been open to all governmental agencies for several years. HGAC Buy offers a multitude of products such as:

- general purpose and emergency vehicles
- infrastructure equipment and services
- communications equipment and services
- grounds facilities and park equipment
- public works equipment
- emergency equipment and supplies
- emergency preparedness and disaster recovery
- cooperative energy purchasing

Staff would like to participate in this cooperative purchasing program for the Justice Center/Public Safety Project. The new E-911 Center will require new workstation consoles and the project team have selected Evans Consoles based on the quality, warranty and design features. Evans Consoles can be procured via the HGAC Buy purchasing contract. Once we receive HGAC pricing from Evans, staff will compare cost with what other agencies have been

charged for Evans Consoles to ensure we receive a fair proposal. The E-911 console workstations are 911 fundable.

HGAC Buy requires Catawba County to execute the attached interlocal contract to participate in the program. Catawba County has purchased items through other cooperative purchasing programs such as US Communities and the Charlotte Cooperative Purchasing Alliance; neither of these required an interlocal agreement.

Recommendation

The Finance and Personnel Subcommittee recommends executing the HGAC Buy Interlocal Contract for Cooperative Purchasing.



**INTERLOCAL CONTRACT
FOR COOPERATIVE PURCHASING**

ILC
No.: _____
Permanent Number assigned by H-GAC

THIS INTERLOCAL CONTRACT ("Contract"), made and entered into pursuant to the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code (the "Act"), by and between the Houston-Galveston Area Council, hereinafter referred to as "H-GAC," having its principal place of business at 3555 Timmons Lane, Suite 120, Houston, Texas 77027, and *Catawba County, a local government, a state agency, or a non-profit corporation created and operated to provide one or more governmental functions and services, hereinafter referred to as "End User," having its principal place of business at *Newton, North Carolina

WITNESSETH

WHEREAS, H-GAC is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, pursuant to the Act, H-GAC is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

WHEREAS, in reliance on such authority, H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities under the Act; and

WHEREAS, End User has represented that it is an eligible entity under the Act, that its governing body has authorized this Contract on *09/07/2015 (Date), and that it desires to contract with H-GAC on the terms set forth below;

NOW, THEREFORE, H-GAC and the End User do hereby agree as follows:

ARTICLE 1: LEGAL AUTHORITY

The End User represents and warrants to H-GAC that (1) it is eligible to contract with H-GAC under the Act because it is one of the following: a local government, as defined in the Act (a county, a municipality, a special district, or other political subdivision of the State of Texas or any other state), or a combination of two or more of those entities, a state agency (an agency of the State of Texas as defined in Section 771.002 of the Texas Government Code, or a similar agency of another state), or a non-profit corporation created and operated to provide one or more governmental functions and services, and (2) it possesses adequate legal authority to enter into this Contract.

ARTICLE 2: APPLICABLE LAWS

H-GAC and the End User agree to conduct all activities under this Contract in accordance with all applicable rules, regulations, and ordinances and laws in effect or promulgated during the term of this Contract.

ARTICLE 3: WHOLE AGREEMENT

This Contract and any attachments, as provided herein, constitute the complete contract between the parties hereto, and supersede any and all oral and written agreements between the parties relating to matters herein.

ARTICLE 4: PERFORMANCE PERIOD

The period of this Contract shall be for the balance of the fiscal year of the End User, which began *07/01/2015 and ends *06/30/2016. This Contract shall thereafter automatically be renewed annually for each succeeding fiscal year, provided that such renewal shall not have the effect of extending the period in which the End User may make any payment due an H-GAC contractor beyond the fiscal year in which such obligation was incurred under this Contract.

ARTICLE 5: SCOPE OF SERVICES

The End User appoints H-GAC its true and lawful purchasing agent for the purchase of certain products and services through the H-GAC Cooperative Purchasing Program. End User will access the Program through HGACBuy.com and by submission of any duly executed purchase order, in the form prescribed by H-GAC to a contractor having a valid contract with H-GAC. All purchases hereunder shall be in accordance with specifications and contract terms and pricing established by H-GAC. Ownership (title) to products purchased through H-GAC shall transfer directly from the contractor to the End User.

(over)

ARTICLE 6: PAYMENTS

H-GAC will confirm each order and issue notice to contractor to proceed. Upon delivery of goods or services purchased, and presentation of a properly documented invoice, the End User shall promptly, and in any case within thirty (30) days, pay H-GAC's contractor the full amount of the invoice. All payments for goods or services will be made from current revenues available to the paying party. In no event shall H-GAC have any financial liability to the End User for any goods or services End User procures from an H-GAC contractor.

ARTICLE 7: CHANGES AND AMENDMENTS

This Contract may be amended only by a written amendment executed by both parties, except that any alterations, additions, or deletions to the terms of this Contract which are required by changes in Federal and State law or regulations are automatically incorporated into this Contract without written amendment hereto and shall become effective on the date designated by such law or regulation.

H-GAC reserves the right to make changes in the scope of products and services offered through the H-GAC Cooperative Purchasing Program to be performed hereunder.

ARTICLE 8: TERMINATION PROCEDURES

H-GAC or the End User may cancel this Contract at any time upon thirty (30) days written notice by certified mail to the other party to this Contract. The obligations of the End User, including its obligation to pay H-GAC's contractor for all costs incurred under this Contract prior to such notice shall survive such cancellation, as well as any other obligation incurred under this Contract, until performed or discharged by the End User.

ARTICLE 9: SEVERABILITY

All parties agree that should any provision of this Contract be determined to be invalid or unenforceable, such determination shall not affect any other term of this Contract, which shall continue in full force and effect.

ARTICLE 10: FORCE MAJEURE

To the extent that either party to this Contract shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, order of any court, act of God, or specific cause reasonably beyond the party's control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until such disability to perform is removed; provided, however, force majeure shall not excuse an obligation solely to pay funds. Determination of force majeure shall rest solely with H-GAC.

ARTICLE 11: VENUE

Disputes between procuring party and Vendor are to be resolved in accord with the law and venue rules of the State of purchase.

THIS INSTRUMENT HAS BEEN EXECUTED IN TWO ORIGINALS BY THE PARTIES HERETO AS FOLLOWS:

*** Catawba County**

Name of End User *(local government, agency, or non-profit corporation)*

*** PO Box 389**

Mailing Address

* Newton N.C. 28658
City State ZIP Code

*By: _____
Signature of chief elected or appointed official

*** C. Randall Isenhower, Chair 09/07/2015**

Typed Name & Title of Signatory Date

Houston-Galveston Area Council

3555 Timmons Lane, Suite 120, Houston, TX 77027

By: _____
Executive Director

Attest: _____
Manager

Date: _____

**Denotes required fields*

*Request for Information

To expedite service, please complete the following blanks relevant to your agency's administrative/elective personnel and return the completed to **H-GAC, Cooperative Purchasing Program, P.O. Box 22777, Houston, TX 77227-2777.**

Name of End User Agency: Catawba County County Name: Catawba
(Municipality/County/District/etc.)

Mailing Address: PO Box 389 Newton N.C. 28658
(Street Address/P.O. Box) (City) (State) (ZIP Code)

Main Telephone Number: (828) 465-8224 **FAX Number:** (828) 465-8477

Physical Address: 100A South West Boulevard Newton N.C. 28658
(Street Address, if different from mailing address) (City) (State) (ZIP Code)

Web Site Address: _____

Official Contact: Debbie Anderson Title: Purchasing Manager
(Point of Contact for HGACBuy Interlocal Contract)

Mailing Address: PO Box 389 **Ph No.:** (828) 465-8224 - _____
(Street Address/P.O. Box) **Fx No.:** (828) 465-8477 - _____

Newton NC 28658 **E-Mail Address:** danderson@catawbacountync.gov
(City) (State) (ZIP Code)

Authorized Official: C. Randall Isenhower Title: Chair, Catawba County Board of Commissioners
(Mayor/City Manager/Executive Director etc.)

Mailing Address: PO Box 389 **Ph No.:** (828) 465-8201 - _____
(Street Address/O.O. Box) **Fx No.:** (828) 465-8477 - _____

Newton NC 28658 **E-Mail Address:** risenhower@catawbacountync.gov
(City) (State) (ZIP Code)

Official Contact: Debbie Anderson Title: Purchasing Manager
(Purchasing Agent/Auditor etc.)

Mailing Address: PO Box 389 **Ph No.:** (828) 465-8224 - _____
(Street Address/O.O. Box) **Fx No.:** (828) 465-8477 - _____

Newton NC 28658 **E-Mail Address:** danderson@catawbacountync.gov
(City) (State) (ZIP Code)

Official Contact: Barry Edwards Title: Utilities & Engineering Director
(Public Works Director/Police Chief etc.)

Mailing Address: PO Box 389 **Ph No.:** (828) 465-8973 - _____
(Street Address/O.O. Box) **Fx No.:** (828) 465-8477 - _____

Newton NC 28658 **E-Mail Address:** barrye@catawbacountync.gov
(City) (State) (ZIP Code)

Official Contact: Bryan Blanton Title: Emergency Services Director
(EMS Director/Fire Chief etc.)

Mailing Address: PO Box 389 **Ph No.:** (828) 465-8330 - _____
(Street Address/O.O. Box) **Fx No.:** (828) 465-8477 - _____

Newton NC 28658 **E-Mail Address:** _____
(City) (State) (ZIP Code)

* denotes required fields

MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Jacky Eubanks, Planning Director

DATE: September 8, 2015

IN RE: Map Review Officer Designation

REQUEST

Request is hereby made by the City of Claremont and the Town of Catawba for the Board of Commissioners to amend the list of Map Review Officers by adoption of the attached resolution.

BACKGROUND

On July 17, 1997, the General Assembly ratified SB 875 - Maps and Plats Law. This law required all counties to appoint Review Officers who would review each plat or map before it is recorded and certify that it meets the statutory requirements for mapping. The law states that individuals have to be appointed by name, not by job title, so that any time a change occurs in staffing, a new Review Officer has to be appointed and approved by resolution of the Board of Commissioners and subsequently recorded in the Register of Deed's Office.

The City of Claremont and the Town of Catawba has requested that Elinor Hiltz be added to their list of approved Map Review Officers. The City of Claremont and the Town of Catawba also requested that Shelley Stevens be removed due to her leaving her position.

With approval of the attached resolution incorporating the changes noted above, the active list of Review Officers will be:

Catawba County: Jacky M. Eubanks, Susan Ballbach, Chris Timberlake and Lashana Marshburn

City of Hickory: Brian Frazier, Cal Overby, John Furmage, David Leonetti and Shamaury Myrick

City of Newton: Alex S. Fulbright

City of Conover: Q. Lance Hight, and Cara C. (Chris) Reed

City of Claremont: Laurie Locicero and Elinor Hiltz

Town of Long View: David Epley, and Charles T. Mullis

Town of Maiden: Travis Ramsey

Town of Catawba: Elinor Hiltz

Town of Brookford: Marshall Eckard

RECOMMENDATION

Staff recommends that the Board of Commissioners adopt the attached resolution which amends the Map Review Officers for the City of Claremont and the Town of Catawba.

RESOLUTION #2015-_____
APPOINTMENT OF MAP REVIEW OFFICERS

WHEREAS, S.L. 1997-309 (SB875) made a number of significant changes in the procedures for recording maps and plats; and

WHEREAS, the main purpose of the law was to transfer the responsibility for reviewing plats to determine whether they meet recording requirements from the Register of Deeds to a Review Officer; and

WHEREAS, G.S. 47-30.2 requires the Board of County Commissioners in each County, by resolution, to appoint a person or persons to serve as Review Officer to review each plat or map before it is recorded and certify that it meets the statutory requirements for recording; and

WHEREAS, it is the desire of the Catawba County Board of Commissioners to insure an expeditious review of all maps and plats as required by G.S. 47-30.2 before they are presented to the Register of Deeds for recording.

WHEREAS, the Catawba County Board of Commissioners on January 20, 2015 adopted Resolution #2015-02 which included names of individuals who were appointed as Review Officers for representative jurisdictions in Catawba County; and

WHEREAS, said Resolution was recorded in the Office of the Register of Deeds in Book 3274 Pages 0413-0415; and

WHEREAS, staffing changes have occurred in the City of Claremont and the Town of Catawba, which necessitate an amendment to the approved list of Map Review Officers.

NOW THEREFORE, BE IT RESOLVED, that Elinor Hiltz is hereby appointed to perform the responsibilities as required for Map Review Officer for the City of Claremont and the Town of Catawba as indicated in accordance with the appropriate General Statutes; and

FURTHERMORE BE IT RESOLVED, that Shelley Stevens is hereby removed from the list of appointed Review Officers for the City of Claremont and the Town of Catawba.

With the above changes, the comprehensive list of Map Review Officers is as follows:

Catawba County: Jacky M. Eubanks, Susan Ballbach, Chris Timberlake and Lashana Marshburn
City of Hickory: Brian Frazier, Cal Overby, John Furmage, David Leonetti and Shamaury Myrick
City of Newton: Alex S. Fulbright
City of Conover: Q. Lance Hight, and Cara C. (Chris) Reed
City of Claremont: Laurie Locicero and Elinor Hiltz
Town of Long View: David Epley, and Charles T. Mullis
Town of Maiden: Travis Ramsey
Town of Catawba: Elinor Hiltz
Town of Brookford: Marshall Eckard

AND BE IT FURTHER RESOLVED that a copy of this Resolution designating the Review Officer be recorded in the Catawba County Register of Deed's Office and indexed in the names of the Review Officers.

Adopted this the _____ day of _____, 20_____.

Attested

Catawba County Board of Commissioners

Barbara Morris, County Clerk

C. Randall Isenhower, Chair

MEMORANDUM

TO: Catawba County Board of Commissioners
FROM: Policy and Public Works Subcommittee
DATE: September 8, 2015
IN RE: Adoption of Catawba County Library Meeting Room Use Policy

REQUEST

The Policy & Public Works Subcommittee recommends the Board of Commissioners adopt the Catawba County Library Meeting Room Use Policy to allow the community access to meeting room spaces for nonprofit educational, civic, and community meetings that are open to the public.

BACKGROUND

North Carolina Public Library Standards include a benchmark that library facilities are designed to maximize opportunities for community collaboration and provide meeting rooms and other spaces for community programs and events. An excerpt from the recently adopted Library Strategic Plan aligns with this benchmark:

Goal: *As a community center of excellence, fuel citizens' passion for reading personal growth and learning*

Objective: *Create welcoming, vibrant, comfortable, and secure library spaces.*

Tactic: *Enhance community access to library spaces by aligning applicable policies around facility use.*

After reviewing options for increasing the community's access to library meeting room space, staff developed a policy that offers after-hours facility use at Sherrills Ford-Terrell, St. Stephens, and Southwest Branch Libraries, based on the feasibility of securing the interior of the library while still allowing access to the meeting room.

The revised policy also clarifies the type of gatherings that are permitted, allowing for nonprofit educational, civic, and community use that is open to the public, includes provisions to ensure fair and equitable use that does not interfere with others' ability to enjoy library facilities and services, and limits eligible uses to activities that are not commercial, political, religious, or social in nature.

Every effort was made to strike an appropriate balance between promoting community access and exercising responsible stewardship of public resources by maintaining the security of the facility. If the policy is adopted, staff will track facility use reservations, recording the names of individuals and groups that use the rooms and the estimated number of people who have benefited, and will report this back to the Board 3 months after implementation with discussion of any issues that have arisen.

Staff engaged the Library Board of Trustees in the development of this proposed policy, taking their concerns into consideration and integrating their input.

RECOMMENDATION

The Policy & Public Works Subcommittee recommends the Board of Commissioners adopt the Catawba County Library Meeting Room Use Policy to govern and enhance the use of library meeting room spaces.

Catawba County Library System

Meeting Room Use Policy

As a service to the community, the library provides meeting spaces for educational, civic, and community meetings that are open to the public.

Meeting Room Use by the Public:

For all library branches, meeting rooms are available during regular library operating hours. After-hours use is available at the Sherrills Ford-Terrell, St. Stephens, and Southwest Branches. Use must not disrupt or interfere with the use of the library by others.

Meeting rooms are available for non-profit educational, civic, cultural and other charitable community uses open to the public. Rooms are not available for social functions of any kind, for religious or political activities, for any activity that would tend to incite or produce imminent lawless or disruptive action, or any activity that is obscene or defamatory, promotes false or misleading information, or is commercial in nature. Catawba County staff reserves the right to make this determination.

Meeting room users shall not charge admission, or promote, advertise, or sell products, services or memberships, or conduct any for-profit activity at meetings, with the exception of recovering meeting expenses such as meals, learning materials, or club dues.

Permission to use library meeting space does not constitute an endorsement by the library of that user's or group's activities or beliefs. Any advertisement for activities held in the library must clearly identify the sponsor by name, provide a contact phone number, and include the following statement: "This program is neither sponsored nor endorsed by the Catawba County Library or Catawba County Government." No signs, banners, or flyers may be affixed to library property except the community message board / bulletin board, if available.

Meeting room users are responsible for room setup and for any supplies or equipment needed for their meeting purposes, including technology or audiovisual equipment.

The applicant is responsible for ensuring the meeting room is cleared prior to library closing time and is left in a clean and orderly condition, and for all costs incurred by the County for cleaning or repair of damages.

Smoking or use of tobacco products and/or electronic cigarettes is prohibited in all Catawba County facilities and grounds. With the exception of service animals, no animals are to be brought into library meeting rooms, and no hazardous materials or open flames are allowed.

Light refreshments, excluding alcohol (which is prohibited), may be served in meeting rooms.

The library may need to cancel meetings due to library-sponsored programs, or unforeseen circumstances or emergencies, and reserves the right to do so.

Reservations and Application Process:

When meeting rooms are not in use by the Library or by Catawba County Government, they are available on a first-come, first-serve basis to individuals, groups, and organizations as specified in this document, and with a completed application.

Reservations must be requested at least three days in advance of the meeting date in order to ensure time for confirmation. Reservations can be requested by residents of Catawba County who are 18 or over. The person

making the reservation must be in attendance at the meeting or event and is responsible for ensuring adherence to meeting room policy and that the room is left in a clean and orderly condition.

Reservations can generally be made up to 90 days (three months) in advance of a meeting or event. One reservation per month may be made for recurring meetings, in order to allow for equal access and availability.

Room requests must be accompanied by a completed application. A reservation with application can be made in person or online.

Upon accepting the policy and signing the Catawba County Library System Application for Meeting Room Use, the person making the reservation assumes personal responsibility for: the conduct and behavior of persons attending the meeting, and payment for any damage to library property resulting from the meeting.

After-hours meeting room access at Sherrills Ford-Terrell, St. Stephens, and Southwest Branch Libraries:

Meeting room may be used after normal library hours, between 9 am – 10 pm, Monday-Saturday and 1-10 pm on Sunday.

The applicant will receive instructions for accessing and securing the space and must ensure the space is secured after use as instructed.

A deposit of \$100 in the form of cash, check or credit card is required for after-hours use. Deposits will be refunded on the next business day with confirmation of secured, clean and orderly space without damages. (Deposits paid using credit cards will include applicable credit card transaction fees in addition to the deposit amount. The transaction fees will not be refunded.)

Meeting Room Capacity by Branch

Main Library, Newton	120
Sherrills Ford – Terrell	80
St. Stephens	89
Southwest	80

Catawba County Library Application for Meeting Room Use

(application must be turned in at least 3 days - and preferably 14 days - before the event)

Library Location: ___ Main Library, Newton ___ St. Stephens ___ Southwest ___ Sherrills Ford-Terrell

Applicant: _____ Position in Group (if applicable): _____

Name of Group: _____

Telephone: Primary: _____ Secondary: _____

Email: _____

Mailing Address: _____

Requested Reservation Date(s) and Times _____

Purpose of Activity: _____ Estimated Attendance: _____

As the person making the meeting room reservation, I acknowledge and accept responsibility for ensuring compliance with the following criteria, as indicated by my signature below.

- I have read the Library Meeting Room Use Policy, had any questions I may have had answered, and agree to abide by everything in the policy. I understand that failure to abide by the policy may result in denial of future requests for meeting room reservations.
- I certify that the proposed meeting is for a non-profit educational, civic, cultural or other charitable community purpose and is open to the public. It is not a social function, and is not for religious or political activities, or for activity that would tend to incite or produce imminent lawless or disruptive action, and is not activity that is obscene or defamatory, and does not promote false or misleading information, and is not commercial in nature.
- I will not charge admission or fees, or promote, advertise, or sell products, services, or memberships, or conduct any for-profit activity or information distribution at the meeting.
- Any advertisement for activities held in the library will clearly identify the meeting sponsor by name, provide a contact phone number, and include the following statement: "This program is neither sponsored nor endorsed by the Catawba County Library or Catawba County Government."
- I will ensure that no one associated with this meeting or event will affix any signs, banners, or flyers to library property except the community message / bulletin board, if available.
- I will ensure the meeting room is cleared prior to library closing time, will leave the room secure and in clean and orderly condition, and will be responsible for all costs incurred by the County for cleaning or repair of damages.
- I will not serve or allow alcohol, or allow smoking or use of tobacco products or electronic cigarettes; or allow animals (except service animals), hazardous materials, or open flames.
- I understand library and county use takes priority, and the library reserves the right to cancel meetings in order to conduct library and county business.
- I agree to be responsible for any and all damages, including costs of cleaning over and above ordinary use, and to hold the County harmless and indemnify it for any injury or damage to persons or property.
- **FOR SHERRILLS FORD-TERRELL, ST. STEPHENS, AND SOUTHWEST AFTER-HOURS USE:** In the absence of county staff, I agree to be responsible for the space, ensuring that fixtures, furnishings, equipment, and appliances are safe and secure during and at the conclusion of use, and that the facility is secured according to instructions provided. *Deposit Received* _____ (*staff initial*) *Form of Payment:* cash credit card
 check (#____)

Signature of Applicant _____ Date _____

MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Policy and Public Works Subcommittee

DATE: September 8, 2015

IN RE: Landfill Gas Equipment Station Replacement to meet Air Quality Permit Requirement 40 CFR 60.752 and Upgrade/Replacement of the integrated Landfill Gas to Energy Engine Control System with a Fuel Blending Package

DEFINITIONS

- **Landfill Gas** is a gas that is created when solid waste in landfills decomposes. Landfill gas consists of approximately 50% methane, 42% carbon dioxide, 7% nitrogen and 1% oxygen compounds.
- **40 CFR 60.752** is a Federal Requirement for the protection of air quality within the Code of Federal Regulations. The Code establishes national emission standards and control criteria for hazardous air pollutants within landfill gas for existing and new municipal solid waste (MSW) landfills.
- **Landfill Gas Equipment Station** includes a condensate removal vessel and pumping system, electrical powered gas movers (gas displacement blower), Landfill Gas (LFG) piping, valves, gas flow metering station, thermocouples, and a flare. The system places a vacuum on the Landfill Gas Collection System in order to remove the LFG from the Landfill and transport it to the GE-Jenbacher Landfill Gas to Energy System.
- **Landfill Gas to Energy Engine Control System with a Fuel Blending Package** is an engine management system for providing full engine control and fuel blending to improve, enhance and maintain operational efficiency and subsequent electrical generation.

REQUEST

The Policy and Public Works Subcommittee recommends the Board of Commissioners:

1. Approve the bid award of the Landfill Gas Equipment Station to SCS Field Services of Reston Virginia in the amount of \$1,068,500.00;
2. In accordance with General Statute 143-129, authorize the sole source exemption and purchase of the DIA.NE XT3 Engine Control System Upgrade and Fuel Blending Package from Nixon Energy Solutions in the amount of \$489,498.00;

3. Approve an agreement with the project design engineer, CDMSmith, for construction administration, inspection, and start-up, commissioning, and certification services for \$49,300; and
4. Approve a budget revision in the amount of \$950,148 for a project total of \$1,714,148.00 which includes \$1,068,500.00 for the Landfill Gas Equipment Station, \$489,498.00 for the Engine Control System Upgrade, \$49,300 for construction administration, and \$106,850.00 for a 10% construction contingency.

BACKGROUND:

In August 1998, Catawba County chose to purchase GE Jenbacher methane gas powered engine-generator sets (gensets) to destroy the methane gas generated within the landfill by converting the captured methane gas into electricity and selling the electricity to Duke Energy. Currently, there are three methane gas powered gensets located at the Blackburn Resource Recovery Facility.

The 1998 Jenbacher gensets came equipped with DIA.NE Engine Control Systems. Along with the GE Jenbacher gensets, a landfill gas collection system was also installed. This system included the current landfill gas compression skid and flare. The current DIA.NE Engine Control Systems are antiquated and the landfill gas compression skid has been operating 24 hours a day every day since its installation with only minimal downtime. Both the 1998 DIA.NE Engine Control Systems and existing skid and flare have reached the end of their useful lives after nearly 17 years of change in technology and time of use.

The replacement of both the landfill gas compression skid and flare and the DIA.NE Engine Control System were planned Solidwaste Capital Improvement Projects. Initially, staff planned to replace the landfill gas compression skid and flare and the DIA.NE Engine Control System as separate projects. However, updating the equipment together increases the efficiency and operability of the new landfill gas compression skid and flare. Thus, it is the County's best interest to accelerate the replacement of the DIA.NE Engine Control System in order to fully optimize the overall landfill gas to energy system and to ensure adherence to applicable environmental permits.

On May 21, 2015, bids were received on the Landfill Gas Equipment Station Replacement. The project includes the manufacture, delivery, installation and commissioning of a Gas Compression and Conditioning System along with the supporting civil and electrical work.

The key reasons associated with replacing the system include improvements in system operations, establishment of a landfill gas (LFG) treatment system, and air quality compliance monitoring. These are explained in greater detail in the Regulatory Background Section of this memorandum.

Below is an abbreviated bid tabulation from the May 21, 2015 bid opening:

Contractor	Bid
SCS Field Services	\$1,068,500.00
CB&I	\$1,087,147.00
Advance One Development	\$1,191,500.00
Methuen Construction	\$1,232,387.00

Attached is the certified bid tabulation and recommendation letter from CDM-Smith, project engineers. Based upon the recommendation letter from CDM-Smith, staff recommends awarding the bid to SCS Field Services of Reston Virginia in the amount of \$1,068,500.00. It is hard to calculate sales tax however; any sales tax will be reimbursed to the County.

REGULATORY BACKGROUND:

In accordance with Federal Regulations 40 CFR 60.752, the active gas collection and control system shall be designed to “handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment”.

The average gas flow rate at the Blackburn Landfill ranges between 1,100 scfm (standard cubic feet per minute) and 1,400 scfm. The current gas collection and control system has a capacity of 1,400 scfm but, the current flare has a rated capacity of only 1,200 scfm. In the event that all three engines are not operational, the current flare would not be capable of fully controlling the landfill gas in compliance with 40 CFR 60.752. Any uncontrolled emissions would be considered a violation of the County’s Title V Air Quality permit and potentially subject the County to fines and other penalties. Increasing the flare capacity will minimize fugitive emissions in the event that all three engines are not operational.

Accurate readings of landfill gas flow rate, cumulative landfill gas flow, temperature, and methane content for the engines and the flare are critical to meeting the air quality compliance monitoring requirements associated with the County’s Title V Air Quality permit and the Greenhouse Gas Mandatory Reporting Rule requirements. The current gas collection and control system was installed in 1998, is undersized to meet the current Air Quality Permit Requirements, and does not have modern monitoring equipment that will allow more accurate, automated data collection and reporting.

The new system will not only meet the Air Quality permit requirements, it will allow for infinite adjustment capability of the flare, which will allow landfill gas flow to be split between the engines and flare during conditions where the landfill gas flow rate is above the capacity of the operating engines. Additional flow will be handled by the flare without causing unstable flare operation, venting of uncontrolled landfill gas to the atmosphere, or the engines shutting down due to large pressure drops associated with sudden diversion of flow away from the engines to the flare.

The upgraded gas collection and control system will improve control of the well field vacuum and engine pressure requirements for more consistent operations. Automatic vacuum control of the well field will require fewer manual adjustments to the well field resulting in less documentation and reporting.

The upgraded gas collection and control system is designed to meet EPA's presumptive definition of a treatment system as a system that filters the landfill gas to an absolute rating of 10 microns, dewateres the landfill gas to provide a 20 degree Fahrenheit reduction in dew point temperature, and compresses the landfill. Having the landfill gas conditioned through such a treatment system will eliminate the need to consider the engines as landfill gas control devices and reduce much of the Air Quality testing, monitoring, recordkeeping, and reporting associated with the use of the engines themselves. The upgraded gas compression and conditioning system is anticipated to meet the County's needs for the next 15 years.

ENGINE CONTROL SYSTEM UPGRADE:

Computer technology has a major role in the monitoring and fine tuning of the methane gas fired gensets. Each genset has a computer control system (DIA.NE system) that monitors multiple parameters within the gensets (i.e. exhaust, water, and oil system temperatures) to ensure the gensets are operating efficiently, safely, and within guidelines. Additionally, the DIA.NE system regulates the fuel to air mixture of the gensets, which is critical in meeting Federal and State Title V Air Quality regulations by insuring the methane gas is completely destroyed. Computer technology is also used on the site to constantly measure and calculate the amount of energy sent to the power grid. This information, coupled with computer diagnosis, enables the operator to trouble shoot and correct problems before they escalate and damage the engines and/or cause or create EPA violations. Therefore, replacement of the DIA.NE system is planned to occur in 15-year intervals.

The current DIA.NE system, hardware and software, is now over 15 years old, is obsolete, and cannot be updated to accommodate current computer operating systems that are needed to meet the strict monitoring and recording requirements of the County's Title V Air Quality Permit. The County's technicians are currently relying upon a rudimentary paging system to alert them to problems with the gensets. With the new Landfill Gas Equipment Station, County technicians will no longer be able to rely on a paging system for addressing problems; they will need full remote access to the Gensets and Landfill Gas Equipment Station to diagnose alerts and determine the level of response that is needed to avoid or abate permit violations. Full remote access will reduce operational cost through reduced overtime wages due to the technicians having the ability to address problems remotely when diagnosing alerts/alarms.

GE Jenbacher and Nixon Energy Solutions have submitted a proposal to address upgrading the engine control system. This upgrade will allow for installation and operations of GE's most up to date proven engine control system (DIA.NE XT3), providing maximum visibility to current operating conditions, operational trend data, and improved ease of use. Access to this control data will allow site personnel to diagnosis current or potential engine issues more efficiently,

minimizing down time. In addition, the new engine control system components and fuel blending package will drastically mitigate current parts supply challenges of the existing obsolete system. Total cost per engine will be \$163,166 or \$489,498 for all three engines.

Nixon Energy Solutions (NES) is the exclusive distributor for GE Jenbacher renewable energy generators including all control systems, operation systems, and parts for generators powered by natural gas, landfill gas, biogas and other site-specific gases.

General Statute 143-129 allows an exemption from bidding for purchase contracts when performance or price competition for a product are not available; when a needed product is available from only one source of supply; or when standardization or compatibility is the overriding consideration. This exemption requires governing body approval and a record must be maintained of purchases made under this exemption. In this instance, the engine control system and fuel blending package are only available from Nixon Energy Solutions. Attached is the quote from Nixon Energy Solutions.

BUDGET REVISION:

The Landfill Gas Equipment Station Replacement Project was initially established in the FY 13/14 Budget and has \$764,000 remaining in the project. The project bids were higher than the original project estimate and , as mentioned earlier, we are advancing the replacement of the DIA.NE XT3 Engine Control System Upgrade and Fuel Blending Package. A budget revision in the amount of \$950,148 is required to complete the project.

No ad valorem tax proceeds go into the Solid Waste Management Enterprise Fund.

RECOMMENDATION

The Policy and Public Works Subcommittee recommends the Board of Commissioners:

1. Approve the bid award of the Landfill Gas Compression and Conditioning System Skid Replacement to SCS Field Services of Reston Virginia in the amount of \$1,068,500.00;
2. In accordance with General Statute 143-129, authorize the sole source exemption and purchase of the DIA.NE XT3 Engine Control System Upgrade and Fuel Blending Package from Nixon Energy Solutions in the amount of \$489,498.00;
3. Approve an agreement with the project design engineer, CDMSmith, for construction administration, inspection, and start-up, commissioning, and certification services for \$49,300; and
4. Approve a budget revision in the amount of \$950,148 for a project total of \$1,714,148.00 which includes \$1,068,500.00 for the Landfill Gas Compression and Conditioning System, \$489,498.00 for the Engine Control System Upgrade, \$49,300 for construction administration, and \$106,850.00 for a 10% construction contingency.

Appropriation:

Revenue

525-350050-690100

\$950,148.00

Fund Balance Appropriated

Expenditure

525-350050-995485

\$950,148.00

Transfer to Solid Waste Capital

Revenue

485-351100-695525

\$950,148.00

From Solid Waste Management Fund

Expenditure

485-351100-989000-20111

\$950,148.00

Methane Gas Skid and Flare



301 S. McDowell Street, Suite 512
Charlotte, North Carolina 28204
tel: 704-342-4546
fax: 704-342-2296

June 8, 2015

Mr. Barry B. Edwards, P.E.
Director
Catawba County Department of Utilities and Engineering
100-A South West Boulevard
Newton, North Carolina 28658

Subject: Catawba County, North Carolina
Blackburn Sanitary Landfill
Gas Conditioning System Improvements Construction Management Services
Proposal

Dear Barry:

On May 21, 2015 construction bids were received for the Gas Conditioning System Improvements project which consists of the replacement of the existing landfill gas (LFG) conditioning and compression system and flare located at the Blackburn Sanitary Landfill. This letter proposal provides our proposed scope and budget for providing construction management and start-up services during the construction of the new gas conditioning system.

The anticipated support services during this construction project include assistance with obtaining final executed contracts from the contractor, shop drawing reviews, request for information (RFI) responses, periodic site visits, and equipment start-up services. CDM Smith assumes that County staff will be onsite daily monitoring and documenting the construction work.

The construction project has a substantial and final completion schedule of eight and nine months, respectively, which will consist primarily of the manufacturing and delivery of the conditioning and compression skid equipment. Therefore, the actual schedule for on-site construction activities is anticipated to be approximately two months.

A description of the proposed construction management services is provided below.

TASK 1 – GENERAL SERVICES

CDM Smith will assist in the coordination of the project construction phase by advising, making change order recommendations, reviewing contractor submittals, and reporting on related activities during construction including the following:

- Conduct pre-construction meeting following the award of the contract.





Mr. Barry B. Edwards, P.E.
June 8, 2015
Page 2

- Provide consultation and advise the County during active construction.
- Review and approve shop drawings.
- Issue interpretations and clarifications of the contract documents and evaluate, recommend, and prepare change orders as required.
- Review Contractor-prepared record drawings.
- Assist County staff with one pre-final inspection, one written “punch list” and issuance of any final change order required for the County to process final payment to the contractor.

Given the short duration of actual field construction work (approximately two months), CDM Smith assumes that a maximum of three on-site progress meetings will be required, and additional progress meetings will occur via conference call. The level of work estimated for general services during the construction project is 184 hours. CDM Smith reserves the right to request additional compensation, should observation time extend beyond the 184 hours.

TASK 2 – PERIODIC SITE VISITS AND INSTRUMENTATION COORDINATION MEETING

CDM Smith will provide occasional observation of the contractor’s installation of the LFG conditioning and compression system. CDM Smith’s representative will observe portions of the site and electrical work, installation of the new LFG compression and conditioning skids, disconnection of the existing system, and connection of the new system. CDM Smith assumes that County staff will be onsite daily observing the majority of construction; and, that the County will contract with an independent testing firm to provide any concrete or soil material testing not covered by the contractor. Due to the long lead time for delivery of the GCCS equipment, CDM Smith’s budget assumes that active construction will not occur daily for the entire construction period and site visits will only be required during major work milestones. The level of work estimated for onsite observation during the installation period is 34 hours. CDM Smith reserves the right to request additional compensation, should observation time extend beyond the 34 hours.

CDM Smith will conduct an instrumentation coordination meeting to be held within two weeks after the Contractor submits the Control Panels and Panel Mounted Equipment submittal. The purpose of the meeting shall be to summarize the system equipment vendor’s understanding of the project requirements including any proposed substitutions or alternatives, and coordination of any hardware and software related issues. CDM Smith assumes this meeting will be held via conference call.



Mr. Barry B. Edwards, P.E.
June 8, 2015
Page 3

TASK 3 – FUNCTIONAL TESTING AND SYSTEM START-UP ASSISTANCE

This task consists of providing guidance to landfill staff during the Contractor's functional testing and start-up of the system equipment which will demonstrate that the system performs satisfactorily during startup, routine operation, high and low operation, and shutdown operation. CDM Smith assumes that testing and start-up assistance will occur over three full successive days after the system has been placed into satisfactory operation. The three consecutive days of testing shall be accomplished Monday through Friday, with no testing on weekends or legal holidays. CDM Smith has not included budget to cover re-testing in the event of system or testing failure during the initial three day period. CDM Smith will provide pre-startup O&M assistance on operational issues relative to the completion of construction and system startup to include reviewing the Contractor's equipment and process check-out and demonstration testing.

CDM Smith will have a mechanical and instrumentation engineer on site at various times during the testing and start-up period. The level of work estimated for startup of this project is 60 man-hours of time. CDM Smith reserves the right to request additional compensation should the assistance work require more than 60 hours. The 60 hours shall include 12 hours of planning and pre-operational activities and 48 hours of time onsite during initial equipment startup and operation.

CDM Smith will keep written logs of the functional testing and start-up activities. The logs will include operating and testing conditions, test observations, and any operations issues. CDM Smith will advise the County of startup and operations issues.

OWNER RESPONSIBILITIES

The following tasks will be performed by the County:

- County staff will observe and document daily onsite construction activities and provide any assistance to the contractor as needed to locate existing buried infrastructure.
- County will provide any required CQA testing that is not provided by the Contractor.
- County staff will review and process contractor pay requests.

SCHEDULE

CDM Smith will complete Tasks 1-3 within the nine month construction period.



Mr. Barry B. Edwards, P.E.
June 8, 2015
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COST

For the Basic Services, CDM Smith presents a breakdown of the lump sum fee by task. Monthly payments shall be made in accordance with the amount of work completed and invoiced on a monthly basis.

	CDM Smith
Task 1 – General Services	\$27,945
Task 2 – Site Visits and Meetings	\$9,055
Task 3 – Testing & Start-up	\$12,300
Total	\$49,300

CDM Smith is under a current Contract with the County; as a result, this work can be authorized with a service order. If this proposal is acceptable, a service order can be submitted.

CDM Smith appreciates the opportunity to assist the County on this important project. Please feel free to contact me should you have any questions.

Very truly yours,

Vice President
CDM Smith Inc.

cc: Jack Chandler, Catawba County
Martin Sanford, CDM Smith



301 S. McDowell Street, Suite 512
Charlotte, North Carolina 28204
tel: 704 342-4546
fax: 704 342-2296

May 29, 2015

Mr. Barry Edwards, P.E.
Director of Utilities and Engineering
Catawba County
P.O. Box 389
Newton, North Carolina 28658

Subject: Catawba County, North Carolina
Blackburn Landfill
Gas Conditioning System Improvements
Bid Evaluation and Recommendation

Dear Barry:

Bids were received for the above-referenced project on Thursday, May 21, 2015. This letter presents CDM Smith's evaluation of the received bids and our recommendation for lowest responsible bidder. The certified bid tabulation is attached for your reference. As indicated in the specifications, the project was bid with a Total Bid consisting of seven lump sum bid items. CDM Smith evaluated the bids based on the Total Bid amounts submitted by the contractors.

The Work to be performed under this project generally includes the manufacture, delivery, installation and commissioning of a Gas Compression and Conditioning System (GCCS), supporting civil and electrical work, and other incidentals as shown on the project drawings and noted in the specifications. The project consists of the replacement of the existing landfill gas (LFG) GCCS including the LFG flare located at the Blackburn Sanitary Landfill. The proposed GCCS is to be complete, from the connection to the existing LFG collection system, to the inlet piping of the existing generators.

EVALUATION OF BIDS

Four bids were received and opened at the 2nd floor conference room of the County's Government Center. CDM Smith evaluated each bid based on whether the bidder submitted all information as required by Sections 00100 and 00300 of the Project Specifications.

A matrix is attached as **Exhibit 1** showing all bidders, the information required in the bid, and a summary of the bid amounts. The matrix indicates that all bidders submitted the required information except for Methuen Construction who did not submit proper documentation for the Authority to Execute Contract (00485). SCS Field Services (SCS) Section 00420 (Qualification Form) did not include requested information on any pending or outstanding judgements, claims, arbitration proceedings, or suits. However, SCS's bid package did indicate a willingness to provide



Mr. Barry Edwards, P.E.
May 29, 2015
Page 2

the information, if required, for Catawba County to review on a confidential basis. CDM Smith has requested that SCS submit directly to Catawba County the detailed legal information for review. **Exhibit 2** provides a complete bid tabulation for your review.

Section 00420 of the bid package indicated that in order to qualify for this project bidders must show experience on a minimum of two biogas infrastructure projects within the past five years. The qualification requirement was included to ensure that only contractors experienced in installing gas systems were considered for award of this project. All bidders submitted the necessary landfill gas-to-energy (LFGTE) related projects to demonstrate the experience requirement.

Each bid was reviewed for mathematical errors and other discrepancies. No errors or discrepancies were identified with any of the bids.

The submitted bids based on the Total Bid are as follows from low to high:

1)	SCS Field Services	\$1,068,500.00
2)	CB&I Government Solutions	\$1,087,147.00
3)	Advance One Development	\$1,191,500.00
4)	Methuen Construction	\$1,232,387.00

RECOMMENDATION

All bids appear to reflect reasonable costs for the project work as described on the drawings and detailed in the specifications. Based on our evaluation of the project bids, SCS Field Services appears to be the lowest responsible bidder for the Total Bid.

CDM Smith recommends SCS Field Services as the low responsive bidder and recommends that Catawba County award the contract for the Gas Conditioning System Improvement Project based on the Total Bid price of \$1,068,500.00 to SCS Field Services.

CDM Smith's recommendation is contingent upon the following:

- County's satisfactory review of SCS's detailed information on any pending or outstanding judgements, claims, arbitration proceedings, or suits.
- Determination that adequate funding is available for the project.
- The County has no questions or comments regarding the information provided herein.



Mr. Barry Edwards, P.E.

May 29, 2015

Page 3

CDM Smith appreciates the opportunity to assist Catawba County with this project. If you have questions or need any additional information, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in blue ink that reads "Martin Sanford". The signature is written in a cursive style with a large initial "M".

Martin D. Sanford, P.E.

CDM Smith Inc.

cc: D. Anderson, Catawba County
J. Chandler, Catawba County
R. Hamby, Catawba County
D. Collins, CDM Smith



Exhibit 1 - Bid Summary

Catawba County, North Carolina
Blackburn Landfill
Gas Conditioning System Improvements

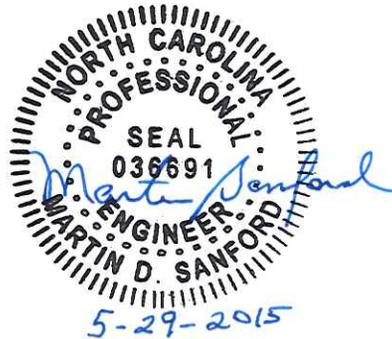
Contractor	Contractor License Number	Addenda 1-3	Bid Bond	Power of Attorney	Section 00420	Section 00480	Section 00485	Total Base Bid
SCS Field Services	43125	√	√	√	√	√	√	\$1,068,500.00
CB&I Government Solutions	58334	√	√	√	√	√	√	\$1,087,147.00
Advance One Development, LLC	64088	√	√	√	√	√	√	\$1,191,500.00
Methuen Construction	75444	√	√	√	√	√		\$1,232,387.00

Exhibit 2 - Bid Tabulation
Catawba County North Carolina Blackburn Landfill
Gas Conditioning System Improvements Project

Item No.	Description	Quantity	Units	SCS Field Services		CB&I Government Solutions		Advance Development, LLC		Methuen Construction	
				Reston, VA		Baton Rouge, LA		Chalotte, NC		Salem, NH	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
BASE BID ITEMS											
1	Bonds, Mobilization, and Insurance (Maximum 5% of Base Bid Amount)	1	LS	\$ 42,500.00	\$ 42,500.00	\$ 30,000.00	\$ 30,000.00	\$ 43,000.00	\$ 43,000.00	\$ 61,000.00	\$ 61,000.00
2	Indemnification (Minimum \$1,000)	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 1,000.00	\$ 1,000.00	\$ 48,000.00	\$ 48,000.00	\$ 1,000.00	\$ 1,000.00
3	Surveying	1	LS	\$ 6,000.00	\$ 6,000.00	\$ 3,400.00	\$ 3,400.00	\$ 25,000.00	\$ 25,000.00	\$ 2,000.00	\$ 2,000.00
4	Concrete Pad Installation	1	LS	\$ 40,000.00	\$ 40,000.00	\$ 56,710.00	\$ 56,710.00	\$ 47,500.00	\$ 47,500.00	\$ 30,000.00	\$ 30,000.00
5	Furnish and Installing Proposed Gas Compression and Conditioning System	1	LS	\$ 930,000.00	\$ 930,000.00	\$ 936,562.00	\$ 936,562.00	\$ 951,000.00	\$ 951,000.00	\$ 1,088,387.00	\$ 1,088,387.00
6	Furnishing and Installing Connections of Proposed Gas Compression and Conditioning System to Existing Landfill Gas Header, Condensate Piping, and Engine Piping	1	LS	\$ 33,500.00	\$ 33,500.00	\$ 41,475.00	\$ 41,475.00	\$ 44,000.00	\$ 44,000.00	\$ 40,000.00	\$ 40,000.00
7	Miscellaneous Work and Clean-up	1	LS	\$ 14,000.00	\$ 14,000.00	\$ 18,000.00	\$ 18,000.00	\$ 33,000.00	\$ 33,000.00	\$ 10,000.00	\$ 10,000.00
TOTAL BASE BID (Items 1-7)					\$ 1,068,500.00		\$ 1,087,147.00		\$ 1,191,500.00		\$ 1,232,387.00

BID TABULATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

 Martin D. Sanford, P.E.



Nixon Energy Solutions
1440 Lakes Parkway, Suite 600
Lawrenceville, GA 30043
800-586-4966

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Distributor
GE Jenbacher gas engines

Revised 6/3/2015

Rodney Hamby
Catawba County Landfill
Landfill Superintendent
Phone: 704-462-1348
Cell: 828-312-1672
rhamby@catawbacountync.gov

Quote Number: NES 0268 Catawba County
Service Request Number: 325855
Subject: Catawba County Controls Upgrade & Fuel Blending Package

Dear Rodney,

Nixon Energy Solutions is pleased to offer Catawba County this proposal to address the customer's concern of upgrading the engine controls and running the unit with Blending of Natural Gas and Land fill gas when landfill gas production is down. This upgrade addresses both the engine controls upgrade and the customer request to blend fuel supplies.

This upgrade will allow for installation and operations of GE's most up to date proven engine control system (Diane XT3), providing maximum visibility to current engine operating conditions, operational trend data, and improved ease of use. Access to this control data will allow site personnel to diagnosis current or potential engine issues more efficiently, minimizing site down time. In addition, the new engine control system components will drastically mitigate current parts supply obsolescence challenges, present with the existing controls.

With the installation of the new engine control systems, the site has the added capabilities of installing Fuel blending operations onsite. Blending of landfill and natural gas will allow the site to maximum engine output when landfill production or gas quality is lower than engine specifications require. We have included the necessary parts and software to blend Natural Gas and Landfill gas onsite, with this proposal, along with a sample drawing and a Technical spec for this upgrade.

Please review the attached quotation for more details on this offer. If you have any questions, I can be reached at the phone number listed above.

Thank you for this opportunity.

Sincerely,

Nancy Maruska
NES Service Manager

Nixon Energy Solutions
1440 Lakes Parkway, Suite 600
Lawrenceville, GA 30043
800-586-4966

NIXON
ENERGY SOLUTIONS



Distributor
GE Jenbacher gas engines

Quote Number: NES0268

Customer Number: Catawba County Land Fill

Date: Revised 6/3/2015

Site Catawba County Landfill

Location 3985 Rocky Ford Road
Newton, NC 28658

Scope of Supply

This offer is for the following engines: Design Number J8147 & J8294

Nixon Energy in coordination with GE Jenbacher will provide the Following:

- Mechanical Engineering
- Electrical Engineering
- Parts (Listed below)
- New Software
- Update of Spatzel
- C- Center support
- Installation of all parts supplied by Jenbacher (listed below)
- Installation of new software and Parameters provided by the factory, Certified Jenbacher Technician must complete installation
- Adjustments to Diane system once installed

The terms stipulated in this proposal are contingent to the availability of the items and/or information.

Scope of Work

Nixon Energy in coordination with GE Jenbacher will provide the Following:

- Provide updated software
- Provide Parts listed below
- Provide a new parameter set for site
- C-Center support
- Installation of software and Parameters
- Installation of parts
- Adjustment of Diane and Parameters

Nixon Energy Solutions
1440 Lakes Parkway, Suite 600
Lawrenceville, GA 30043
800-586-4966

NIXON
ENERGY SOLUTIONS



Distributor
GE Jenbacher gas engines

Quote Terms

Payment Terms: Net 30

Delivery Terms: CPT Jenbach Austria

Quote Validity: **Expires September 1, 2015**

Estimated Date of Shipment: 12-14 weeks from receipt of order

Engine Controls Upgrade:

Mechanical & Electrical Engineering (GE Factory & Nixon)	\$ 6,750.00
GE Engineering 20 hours	
Nixon Engineering 30 hours * to include 2 pre installation	
Site visits.	
Miscellaneous Parts, Cable, Conduit for re-wiring cabinets	\$ 3,500.00
Module Control Panel w/ Diane XT3 (A1 cabinet)	\$39,737.69
Interface Panel Module	\$19,873.10
Freight for Control Panels	\$ 1,750.00
Labor for, Removal, Installation & Commissioning	\$32,500.00
2 Techs for 10 hours per day – estimate 13 days total	
260 Labor hours x \$ 125.00	
Travel Expenses (1 Tech) – estimate 14 days total	\$ 2,450.00
12 days x \$175.00 per day	

Total Controls Upgrade Package: \$ 106,560.79

(Price is per engine less any
Applicable sales tax)

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1440 Lakes Parkway, Suite 600
Lawrenceville, GA 30043
800-586-4966

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Fuel Blending Upgrades: (This Pricing valid with Controls Upgrade only)

Mechanical & Electrical Engineering (GE Factory & Nixon) \$ 2,000.00
GE Engineering 5 hours
Nixon Engineering 10 hours

Parts Kit Required for Upgrade: \$43,730.21

<u>Part #</u>	<u>Description</u>	<u>Qty</u>	<u>Total</u>
1201850	Gas Train	1	\$9,323.07
377240	Tecjet 50	1	\$10,344.80
369910	Tecjet 110	1	\$16,494.36
406482	Y-Pipe	1	\$4,307.69
432440	Flange	1	\$886.15
350053	Line	1	\$238.15
310744	Bend	1	\$519.50
106554	Flange	1	\$39.53
99999	Sealing kit	1	\$76.96
Freight Estimate	Freight	1	\$1,500.00

Labor for, Removal, Installation & Commissioning \$7,500.00
1 Techs for 10 hours per day – estimate 6 days total
60 Labor hours x \$ 125.00

Travel Expenses (1 Tech) – estimate 7 days total \$ 875.00
7 days x \$175.00 per day

Site Welder
Unless supplied by Customer \$ 2,500.00

Total Fuel Blending Package: \$ 56,605.21
(Price is per engine less any
Applicable sales tax)

The Fuel Blending is currently offered at a premium discount adder, to Engine Controls Upgrade. If the fuel blending package is purchased separately, a separate quote with applicable charges will be provided.

Nixon Energy Solutions
1440 Lakes Parkway, Suite 600
Lawrenceville, GA 30043
800-586-4966

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Customer Responsibilities: (unless otherwise mutually agreed upon)

Provide natural gas line to each engine container to meeting the following criteria:

- Natural Gas line: 3" line / DN80
- Natural Gas Train Specification: 80 – 200mbar/ 1.2 – 2.9 PSI ** Regulator protection up to 6.5 psi, in place. Beyond 6.5 psi the engine gas regulator damage is highly probable. Average available pressure of 5 PSI from the main line is acceptable.
- Energy Input requirement: 9,796 MTU/ hour *) approximate value for pipework dimensioning
- Volume Estimate $V = 275 \text{ Nm}^3/\text{h}$ @ 100% Natural Gas
- Recommend using LHV for budgetary calculation scenarios = Lower Heating Value from Gas Utility vs. Higher Heating Value.

Please note, customer is required to supply a fuel blending signal, usually in the form of a 4-20 mA signal to control blending scheme.

Proposal Terms and Conditions:

Pricing: The total price of the equipment and/or services listed above does **NOT** include storage costs or any subsequent scope changes or option elections not listed in this proposal.

Cancellation: In the event the buyer cancels any portion of the order, the buyer shall pay the seller for their time and material invested to that point.

Change Orders: Buyer may, be written change order, make mutually agreed to changes in the Equipment and Services. If any such changes result in an increase or decrease in the cost or time required for the performance of the work under this Contract, there shall be an equitable adjustment in the Contract Price. Seller shall not be obligated to proceed with the changed or extra work until the price of such change and its effect have been agreed upon in a written change order.

Additional Terms: Credit is subject to Nixon Energy Solutions approval in its sole discretion. This quote in no way constitutes approval of credit.

Nixon Energy Solutions
1440 Lakes Parkway, Suite 600
Lawrenceville, GA 30043
800-586-4966

NIXON
ENERGY SOLUTIONS



Distributor
GE Jenbacher gas engines

- 1.5% per month will be charged on past due accounts Partial shipments will be invoiced proportional to the total quoted price
- All purchase orders must reference our quotation
- All purchase orders must be acknowledged in writing by Nixon Energy Solutions to be deemed accepted.
- Purchase orders which are issued with a hold for release date are subject to re-evaluation at the time of release.
- Unless mutually agreed upon in writing, Nixon Energy Solutions will not accept purchase orders which:
 - Contain penalty clauses or liquidated damage clauses
 - Require Nixon Energy Solutions to indemnify and hold harmless the buyer, unless the buyer also agrees to indemnify and hold harmless Nixon Energy Solutions
 - Require Nixon Energy Solutions to pay any and all legal expenses for the buyer in the event of a dispute.
 - Require completion and acceptance of the project by the owner before payment
- If NIXON furnishes Customer with advice or assistance concerning any products, systems or work which is not required pursuant to the Specification, the furnishing of such advice or assistance will not subject Seller to any liability, whether in contract, warranty, indemnity, tort (including negligence), strict liability or otherwise.
- Notwithstanding anything in this agreement or under law, buyer and seller agree that seller's only liability for any breach of this agreement (or any defect in any item of property sold by seller) shall be limited to replacement of the defective part or replacement of the defective product; and buyer shall have no other right, claim or remedy against seller, including, but not limited to any right to recover consequential damages under any circumstance.

Validity of Quote: This quote is valid until July 1, 2015. This quote may be modified and/or rescinded by Nixon Energy Solutions at its sole discretion unless and until accepted, if scope of supply is changed.

Price and Schedule Adjustment:

The price and schedule set forth herein are subject to the following:

- ❖ Complete definition of any special requirements not specifically reference in this proposal
- ❖ Accepted purchase order agreement for all equipment and/or services offered herein no later than July 1, 2015.
- ❖ Service work will be invoiced on a monthly basis for work completed in that month, no later than the 3rd business day of the subsequent month.

Nixon Energy Solutions
1440 Lakes Parkway, Suite 600
Lawrenceville, GA 30043
800-586-4966



Distributor
GE Jenbacher gas engines

Seller submits this proposal in confidence for evaluation. Its contents are proprietary to Seller. By taking receipt of this proposal, Buyer agrees not to reveal its contents in whole or in part beyond those persons in its own organization necessary to properly evaluate this proposal or to perform any resulting contract. Buyer shall not reveal the contents of this proposal to a third party or make copies of this proposal without the prior written consent of the Seller.

Thank you for this opportunity to quote GE Jenbacher parts and services. Please call if we may answer any questions, or be further assistance.

Nancy Maruska

Nancy Maruska
Nixon Energy Solutions
1440 Lakes Parkway Suite 600
Lawrenceville, GA 30043

Order Acceptance:

Catawba County:

Nixon Energy Solutions:

Name _____

Name: _____

Signature _____

Signature: _____

Date: _____

Date: _____

Customer Purchase Order No.: _____