

RESOLUTION NO. 2020-18
AUTHORIZING THE TEMPORARY USE BY SUPERIOR CONSTRUCTION
COMPANY OF ±1.0 ACRES OF LAND OWNED BY THE CITY OF NORTH
AUGUSTA FOR A CONSTRUCTION LAYDOWN AND STAGING YARD ADJACENT
TO THE 5TH STREET BRIDGE

WHEREAS, the City of Augusta is preparing to perform structural and architectural rehabilitation of the 5th Street Bridge; and

WHEREAS, Parcel 008-08-02-001, as shown on the attached Exhibit A, is adjacent to the 5th Street Bridge, contains ±4.27 acres and is owned by the City of North Augusta; and

WHEREAS, Superior Construction Company, a project contractor, has requested temporary use of ± 1.0 acre portion of parcel 008-08-02-001 as a construction laydown and staging yard during the life of the construction project, as outlined in the attached Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council for the City of North Augusta in meeting duly assembled and by the authority thereof that:

- I. The City of North Augusta agrees to permit Superior Construction Company the temporary use of the property as shown in Exhibit B, subject to the following conditions:
 1. Superior Construction Company agrees to compensate the City of North Augusta \$500 per month for use of its property; and
 2. Superior Construction Company agrees to provide adequate insurance coverage on the property and to hold the City of North Augusta harmless from any and all liability claims; and
 3. Superior Construction Company agrees that no clearing or grading of the site shall occur; and
 4. Superior Construction Company agrees to apply for and obtain a Stormwater Management Permit from the City's Stormwater Management Department and to install appropriate sediment and erosion control features to protect the property during its use; and
 5. Superior Construction Company agrees to install temporary fencing to limit public access to the property for the duration of use. Fencing along the road frontage shall be affixed with screen fabric; and

6. Following completion of the project, anticipated to be December 2021, but no later than March 30, 2022 without express written extension by the City, Superior Construction Company agrees to:
 - a) Clear the property of all construction related materials and equipment;
 - b) Re-grass any disturbed ground;
 - c) Clean the property of materials potentially damaging to the environment; and
 - d) Contract with a professional independent third party to perform an environmental assessment to certify that the property is environmentally clean.
6. The City of North Augusta shall reserve the right to terminate this agreement at any time, without cause. Superior Construction Company shall, within 60 days of receipt of such Notice of Termination, vacate the premises in accordance with #5 above.
- II. The City of North Augusta shall record all compensation received from Superior Construction Company in the Capital Projects Fund designated for future property maintenance and/or enhancements for Parcel 008-08-02-001.
- III. The Interim City Administrator is hereby authorized to negotiate and execute an agreement with Superior Construction Company for the use of Parcel 008-08-02-001 as a lay down yard per the requirements listed herein.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS 22nd DAY OF June, 2020.



Robert A. Pettit, Mayor



Sharon Lamar, City Clerk