

RESOLUTION TO APPROVE, AUTHORIZE
AND PROVIDE FOR THE CHANGE IN SCOPE
OF THE HISTORIC COURTHOUSE PARKING DECK
SPLOST PROJECT BY MAKING ADJUSTMENTS IN THE
PLANS SO AS TO BUILD AN ON-GRADE SURFACE PARKING LOT
PROPOSED BY EXPERT CONSULTANTS INSTEAD
OF A PARKING DECK FOLLOWING A FINDING THAT THE
PARKING DECK WHICH INITIALLY SEEMED FEASIBLE IS NO
LONGER FEASIBLE AND FOR AUTHORIZATION TO NEGOTIATE
A CONTRACT FOR CONSTRUCTION OF AN ON-GRADE
SURFACE PARKING LOT OR SOME REASONABLE VERSION THEREOF

WHEREAS, on August 10, 2006, Floyd County entered into an Intergovernmental Agreement concerning the use and distribution of proceeds from the Special Purpose Local Option Sales Tax ("SPLOST") which was scheduled to be voted upon on November 7, 2006 (the "Intergovernmental Agreement"); and

WHEREAS, the Intergovernmental Agreement called for Floyd County to be the sponsoring local government entity for the Historic Floyd Courthouse parking deck (the "parking deck") at an estimated cost of \$1,540,000.00; and

WHEREAS, the Referendum regarding the imposition of a Special County One Percent Sales and Use Tax (the "Referendum") passed on November 7, 2006; and

WHEREAS, subsequent to the Referendum, a Report of Subsurface Exploration and Geo-Technical Engineering Evaluation dated September 24, 2007 and prepared by Geo-Hydro Engineers, Inc. (the "Geo-Technical Engineering Report") revealed for the first time through tests that fill material on the proposed site for the parking deck consisted of, among other items, bottom ash, a waste byproduct of coal and an environmental concern; and

WHEREAS, the Geo-Technical Engineering Report performed after the Referendum also revealed in the area of the proposed parking deck unacceptable low factors of safety against slope failure which would require a minimum distance of twenty (20) feet between the deck building and the crest of the slope descending to the river; and

WHEREAS, after receiving the Geo-Technical Engineering Report, Adams Management Services Corporation ("Adams"), whom Floyd County engaged with respect to the project, prepared a report which noted the original estimated cost of the parking deck was \$1.5 million; and

WHEREAS, in October 2007, following receipt of the Geo-Technical Engineering Report, Adams estimated a cost of the parking deck to be \$3.3 million, more than double the original estimate and an increase of approximately \$1.8 million; and

WHEREAS, Adams opined that the parking deck was no longer a feasible option; and

WHEREAS, Adams presented a proposed adjustment in the plan to an on-grade surface parking lot, which in their conception would contain up to 92 parking spaces, if 14 parking spaces were made available on Fourth Avenue on land currently jointly owned by the City of Rome and the Floyd County; and

WHEREAS, Adams opined that the on-grade surface parking lot proposal would increase and improve parking immediately adjacent to the Historic Floyd County Courthouse in keeping with the intent of the parking deck; and

WHEREAS, Adams estimated that the on-grade surface parking lot could be completed for a cost of no more than \$859,000.00, as of the time of its report; and

WHEREAS, Adams opined that from the perspective of several relevant technical disciplines, including geo-technical engineering, architecture, and construction management, adjustments to the plans for the project should be made on the surface option, and therefore, Adams recommended the surface option; and

WHEREAS, Adams noted that with the proposed change in plans which could produce up to 92 parking spaces, the result would be increased parking adjacent to the Historic Courthouse with potentially only 12 fewer parking spaces than originally contemplated from the parking deck if the 14 new parking spaces could be accessed from Fifth Avenue; and

WHEREAS, Adams suggested making the change in scope of the project for several reasons, including because of the increased parking deck costs beyond that originally estimated by experts, because the parking deck on the proposed site would be an extremely tight fit, and because of environmental concerns from the underground ash which may be disturbed by construction of the parking deck and could increase the cost of the project substantially; and

WHEREAS, Adams opined that if the parking deck were to be constructed they recommended attempting to remedy the ash environmental issue by the use of a more expensive deep pile foundation rather than a geopier system, which accounts for some of the significant price increase in the proposed deck since the Referendum; and

WHEREAS, Floyd County sought the opinion of another expert, John D. Edwards, P.E., Transportation Consultant, Inc., following receipt of the report from Adams; and

WHEREAS, John D. Edwards, P.E., Transportation Consultant, Inc., rendered a second opinion (the "Edwards Report"); and

WHEREAS, the Edwards Report noted the original cost estimate of the parking deck to be at a per space cost of \$10,700.00 to \$11,000.00, which was a good average cost for a deck of the size contemplated; and

WHEREAS, the Edwards Report found that since the preliminary construction plans, the estimated cost of the deck had increased considerably with one of the reasons being related to the results of the geo-technical study which was performed after the Referendum in September 2007 and which was not available during the conceptual urban design phase when the original cost estimate was provided by experts; and

WHEREAS, the Edwards Report also noted that if the ash on the site were disturbed it would escalate the cost of the deck option and noted concerns regarding the instability of the river bank on the west side of the site where the parking deck was to be constructed; and

WHEREAS, the Edwards Report explained the reasons for the disparity in the original deck estimate and the current estimate of \$3,385,825.00 as being related to several possibilities, which included (1) fly-ash removal problems revealed in the September 19, 2007, Geo-Technical Engineering Report; (2) an assumption previously made that the second level of the deck would provide the same number of spaces at the existing lot, which did not prove to be true; (3) a previous assumption that the deck could be constructed with pre-cast members but due to the constraints of the site and the small size, cast-in-place construction at a significantly higher cost would have to be used; and (4) an average cost per space proved infeasible as originally projected by conceptual planners due to the configuration of the site; and (5) significant increases in the construction costs related to a cast-in-place deck as opposed to a pre-cast deck; and

WHEREAS, the Edwards Report reviewed the option of modifying and adjusting the plans of the project to provide for an on-grade parking deck as proposed by Adams; and

WHEREAS the Edwards Report recommended the surface option recommended by Adams be implemented because it alleviates the potential cost related to ash removal, there is little difference in the number of spaces provided by the on-grade option of up to 92 spaces proposed by Adams versus

the deck option of 104 spaces, the fact that surface parking is more desirable to users, especially female parkers due to security concerns, and the fact that if on-grade parking can be constructed with potentially only 12 fewer parking spaces than a parking deck, it would mean savings of up to \$210,533.00 per space; and

WHEREAS, both of the authors of the Adams Report and the Edwards Report gave verbal reports to the members of the County Commission; and

WHEREAS, each of the authors believed that the on-grade surface parking option is the substantial equivalent of the originally proposed parking deck; and

WHEREAS, changing to the on-grade surface parking proposal would not be an entirely different project from that contained in the SPLOST budget and account reports; and

WHEREAS, the on-grade surface parking proposal made by Adams, with or without the 14 spaces on Fifth Avenue, is the functional equivalent of a parking deck.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Floyd County, Georgia, as follows:

1. The Commission finds that the Floyd County Parking Deck Project which initially seemed feasible is no longer so;
2. That the County hereby authorizes that portion of the on-grade surface parking alternative proposed in the Adams Report related to changes, improvements and additions to the existing parking lot located adjacent to the Historic Courthouse or some reasonable variation thereof; and
3. The County authorize the County Manager to move forward with negotiating a contract for the construction of the on-grade surface parking lot as set forth in that portion of the Adams Report except for that portion related to parking spaces on Fourth Avenue or some reasonable variation thereof.

Commissioners _____

_____ voting "Aye" and

_____ voting "No".

ADOPTED this 13th day of May, 2008.

FLOYD COUNTY BOARD OF COMMISSIONERS

BY: _____
JERRY JENNINGS, Chairman

ATTEST:

Kathy Arp, Clerk

(SEAL)