

**ACTION ITEM
BOARD OF SUPERVISORS**

DATE: August 18, 2009

TO: Board of Supervisors

FROM: Keith C. Dayton *KCD*
Director of Public Works

ISSUE: Award Contract for Construction of the Deacon Woods Estates Road Improvements

STAFF RECOMMENDATION: Approval

BUDGET IMPACT: \$456,000 from the Defaulted Securities Account

ATTACHMENTS: (3)

- [1] Background Report
- [2] Map
- []
- [3] Reso/Ord/Proc # R09-311
- [] Reso/Ord/Proc #
- [] Reso/Ord/Proc #

REVIEW: [X] County Administrator's Office *[Signature]*
 [X] Legal *Joseph L. Howard, Jr.*
 [X] Finance and Budget *Maria J. [Signature]*

- [] Consent Agenda
- [] Discussion Item
- [X] New Business
- [] Other Business
- [] Presentation
- [] Public Hearing
- [] Unfinished Business

PRESENTATION BY: Keith Dayton, Director of Public Works

ELECTION DISTRICT: Falmouth

BACKGROUND REPORT

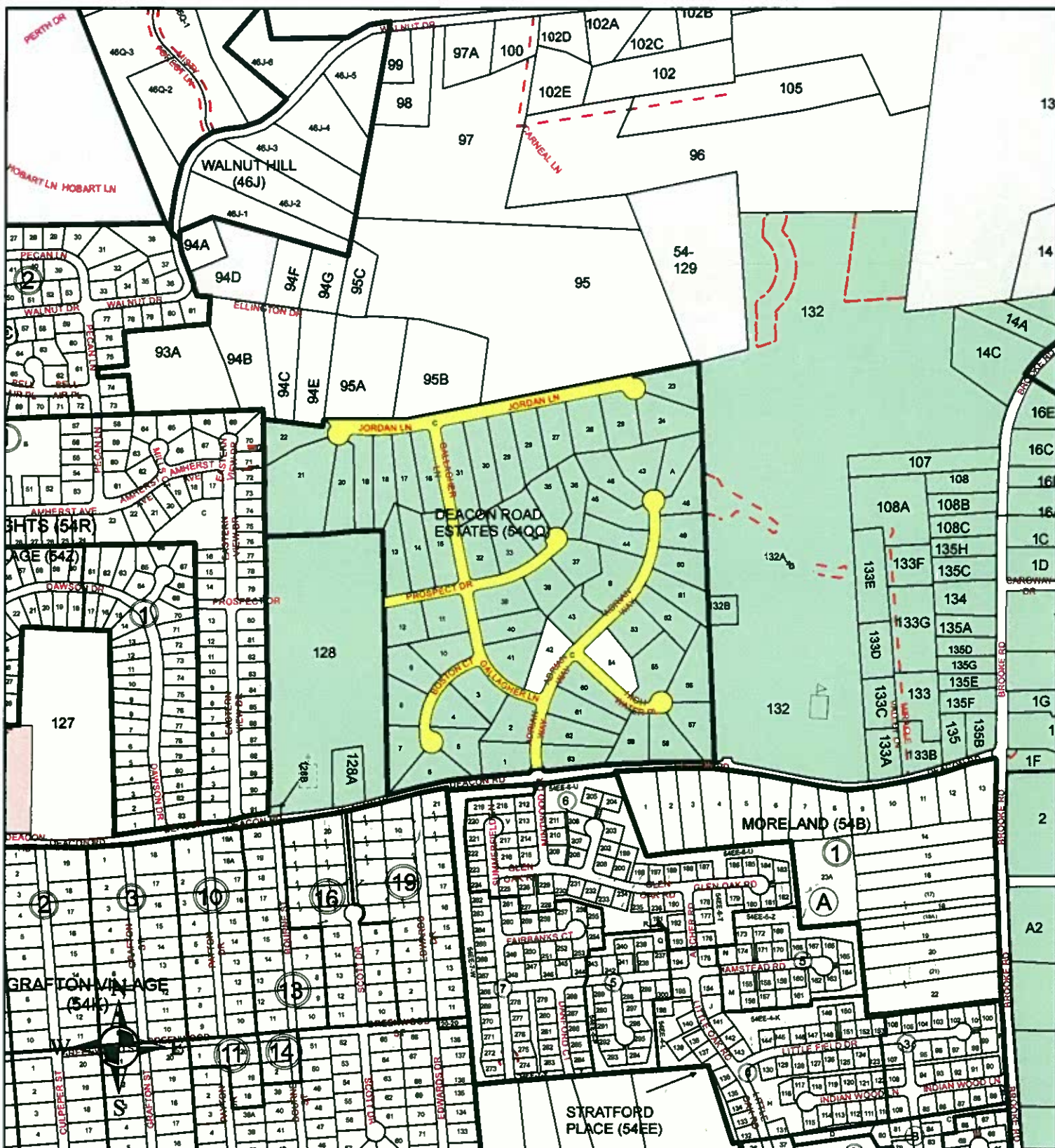
Construction of the 63 lot Deacon Hill Estates (formerly Deacon Road Estates) subdivision began in 2004. House construction began not long after and the subdivision now has many residents. The developer of the Deacon Hill Estates, Somerset Deacon LLC, never completed the road, stormwater, utility, erosion and sediment control, and landscaping improvements required by the approved subdivision plan and is now in default of the performance agreement which specified the work to be done. Following due notification by the County to the developer and their surety company to complete this work without response, staff subsequently made demand of the security funds and currently holds \$686,270 in security funds provided by the developer's surety to ensure the completion of these improvements.

Staff then solicited public bids from interested contractors for the completion of these improvements. Ten bids were received in response to this solicitation. The lowest three bids are shown in the table below.

| <u>COMPANY</u> | <u>BID</u> |
|---------------------------------|------------|
| 1. Jeffrey Stack, Inc. | \$456,000 |
| 2. Gator Paving Company | \$479,265 |
| 3. Corinthian Contractors, Inc. | \$549,000 |

Staff has reviewed these bids and determined that Jeffrey Stack, Inc. is the lowest responsive bidder with a bid of \$456,000. The balance of \$230,270 will be held until the project is completed and the remaining funds will be returned to the developer. No public funds are required to complete these improvements.

Staff recommends approval.



Deacon Hill Estates

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, Stafford County Administration Center, Stafford, Virginia, on the 18th day of August, 2009:

MEMBERS:

George H. Schwartz, Chairman
Harry E. Crisp II, Vice Chairman
M. S. "Joe" Brito
Mark Dudenhefer
Paul V. Milde III
Cord A. Sterling
Robert "Bob" Woodson

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO
COMPLETE THE PUBLIC IMPROVEMENTS FOR THE DEACON HILL
ESTATES SUBDIVISION**

WHEREAS, the developer of the Deacon Hill Estates subdivision (formerly known as Deacon Road Estates), Somerset Deacon LLC, has defaulted on their obligations leaving many required public improvements uncompleted; and

WHEREAS, the Board desires to have these public improvements completed;
and

WHEREAS, the County solicited public bids to complete this work; and

WHEREAS, ten bids were received from interested firms with staff determining that Jeffrey Stack, Inc. was the lowest responsive bidder with a bid of \$456,000; and

WHEREAS, the County has collected security funds in excess of the bid amount for these improvements;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he hereby is, authorized to execute a contract with Jeffrey Stack, Inc. in an amount not to exceed Four Hundred Fifty-six Thousand Dollars (\$456,000) for completion of the Deacon Hill Estates subdivision public improvements.

AJR:kd