

**TOWN OF HERNDON, VIRGINIA
PUBLIC HEARING AGENDA
HERNDON COUNCIL CHAMBERS BUILDING
765 LYNN STREET
September 27, 2022
7:00 PM**

CALL TO ORDER

1. Pledge of Allegiance to the Flag of the United States of America
2. Roll Call & Determination of Quorum

COMMENTS

3. Comments from the Town Manager
4. Comments from the Town Council
5. Comments from the Audience

GENERAL

6. Resolution 22-G-56, to accept the State of the Town Report, Fiscal Year 2022

CONSENT

7. Resolution 22-G-57, to award contract IFB #22-10, Center Street Water Main Replacement
8. Resolution 22-G-58, to award contract IFB #22-11, Sugarland Run South Stream Restoration
9. Resolution 22-G-59, to award Contract #D-22-02, Stormwater Management Program Services
10. Ordinance 22-O-21, to approve and authorize the Mayor to sign a second lease amendment between the Town and TWC Association Management, Inc. to amend rent and to extend the expiration date to December 31, 2023 for office space and parking spaces located at 397 Herndon Parkway

Future Town Council Meetings

October 4, 2022	Town Council Work Session	7:00 PM
October 11, 2022	Town Council Public Hearing	7:00 PM
October 18, 2022	Town Council Work Session	7:00 PM
October 25, 2022	Town Council Public Hearing	7:00 PM

TOWN OF HERNDON, VIRGINIA

RESOLUTION

SEPTEMBER 27, 2022

Resolution- to award contract IFB #B-22-10, Center Street Watermain Replacement.

WHEREAS, the Center Street Watermain Replacement is in the Capital Improvement Program; and

WHEREAS, Contract #B-22-10, Center Street Watermain Replacement, was advertised on July 22, 2022; and

WHEREAS, five (5) bids were received and opened on August 29, 2022; and

WHEREAS, the bid submitted by Sagres Construction Corporation in the amount of \$1,335,000.00 was found to be the lowest responsive and responsible bid; and

WHEREAS, it is staff's recommendation to award the contract to the lowest responsive and responsible bidder, Sagres Construction Corporation; and

WHEREAS, staff recommends in addition to the contract that a contingency of \$267,000.00, which is approximately 20 percent of the bid, be authorized; and

WHEREAS, funds to support this contract are available in the Capital Projects Account **002-0888-480020**; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby awards Contract #B-22-10, Center Street Watermain Replacement, to Sagres Construction Corporation, in the amount of \$1,335,000.00.

BE IT FURTHER RESOLVED that the Town Council of the Town of Herndon, Virginia hereby authorizes a contingency of \$267,000.00.

BE IT FURTHER RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby authorizes the Town Manager's designee to approve contract modifications (change orders) that increase project scope and costs, utilizing the project contingency.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

SEPTEMBER 27, 2022

Resolution – to award contract IFB #B-22-11, Sugarland Run South Stream Restoration.

WHEREAS, the Sugarland Run South Stream Restoration is in the Capital Improvement Program; and

WHEREAS, Contract #B-22-11, Sugarland Run South Stream Restoration, was advertised on July 22, 2022; and

WHEREAS, eleven (11) bids were received and opened on September 9, 2022; and

WHEREAS, the bid submitted by KBS Earthworks, Inc. in the amount of \$964,209.68 was found to be the lowest responsive and responsible bid; and

WHEREAS, it is the staff's recommendation to award the contract to the lowest responsive and responsible bidder, KBS Earthworks, Inc.; and

WHEREAS, staff recommends in addition to the contract that a contingency of \$193,000.00, which is approximately 20 percent of the bid, be authorized; and

WHEREAS, funds to support this contract are available in the Capital Projects Account 015-0880-491710; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby awards Contract #B-22-11, Sugarland Run South Stream Restoration, to KBS Earthworks, Inc., in the amount of \$964,209.68.

BE IT FURTHER RESOLVED that the Town Council of the Town of Herndon, Virginia hereby authorizes a contingency of \$193,000.00.

BE IT FURTHER RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby authorizes the Town Manager's designee to approve contract modifications (change orders) that increase project scope and costs, utilizing the project contingency.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

SEPTEMBER 27, 2022

Resolution- to award Contract #D-22-02, Stormwater Management Program Services.

WHEREAS, general engineering services are required for Capital Improvement Program (CIP) projects; and

WHEREAS, stormwater management program services task order consultants have been determined to be a cost effective and efficient means in completing task requirements in support of the execution of the Town's MS4 Program, the Stormwater Management Program and other Town Council approved efforts; and

WHEREAS, RFP #D-22-02 was advertised on June 6, 2022 and clearly identified the nature of the intended services; and

WHEREAS, on June 28, 2022, the Town received three proposals from stormwater services firms; and

WHEREAS, the evaluation committee selected Wood, PLC and Kimley-Horn & Associates, Inc. as the best qualified to provide stormwater management program services for town projects; and

WHEREAS, negotiations with both firms have resulted in favorable hourly rates and unit costs for the variety of professional and non-professional disciplines and supporting tasks that will be required for the assigned work as follows:

	Hourly Rates	Hourly Rates
	<u>Wood, PLC</u>	<u>Kimley-Horn & Associates, Inc.</u>
Principal	\$223.55	\$280.00
Project Manager	\$178.22	\$235.00
Senior Engineer	\$172.90	\$185.00
Project Engineer	\$139.19	\$140.00
Junior Engineer	\$98.29	\$115.00
Senior Planner	\$178.12	\$185.00
Project Planner	-	\$140.00
Planner	\$104.67	\$115.00
Senior Environmental Scientist	\$171.90	\$170.00
Project Environmental Scientist	-	\$130.00
Environmental Scientist	\$94.08	\$110.00
GIS Manager	\$162.62	
Senior GIS Analyst	\$119.79	

GIS Analyst	\$86.56	-
Administrative	\$80.61	\$100.00; and

WHEREAS, funds to support individual Task Orders will be provided from the appropriate Capital Improvement and Stormwater accounts.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Herndon, Virginia, hereby awards Contract #D-22-02, Stormwater Management Services, to Wood, PLC and Kimley-Horn & Associates, Inc. at the negotiated hourly and unit rates, and hereby authorizes the Mayor to sign the contract.

TOWN OF HERNDON, VIRGINIA

ORDINANCE

SEPTEMBER 27, 2022

Ordinance- to approve and authorize the Mayor to sign a second lease amendment between the Town and TWC Association Management, Inc. to amend rent and to extend the expiration date to December 31, 2023 for office space and parking spaces located at 397 Herndon Parkway.

BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia that:

1. The Town Council approves this Second Lease Amendment dated August 1, 2022. This instrument amends the original Lease Agreement dated July 25, 2011, as amended by the First Lease Amendment dated July 11, 2017.
2. This instrument amends the rent for 5,439 square feet of proprietary office space and eighteen unreserved parking spaces to be \$9,065.00 per month (\$20.00/sq. ft. annually) effective on January 1, 2023.
3. This instrument extends the lease for an additional period of 1 year commencing on January 1, 2023, and expiring on December 31, 2023, with an option for two (2) 1-year renewals at the end of the extended lease term. If exercising the renewal option, the tenant will pay escalated rent of 3% over the then base rental amount and escalates 3% per annum.
4. The lease amendment may contain any other terms consistent with this ordinance agreed to by the Mayor and the Town Manager.
5. The Mayor is authorized to sign and deliver this lease amendment on such form as approved by the Town Attorney and any other instrument necessary or convenient to evidence, amend, or extend this lease, consistent with this ordinance.
6. This ordinance shall be effective on and after the date of its adoption.

SECOND LEASE AMENDMENT

This second lease amendment dated August 1, 2022 between the Town of Herndon, Virginia ("Landlord") and TWC Association Management, Inc., a Virginia corporation ("Tenant").

PROVIDES

In consideration of the rent paid to Landlord and the leased space provided to Tenant, the parties agree that:

1. Effective January 1, 2023, the lease dated July 25, 2011, as amended by the Lease Amendment dated July 11, 2017, is amended and confirmed, with necessary changes. Effective January 1, 2023 the rent shall be \$9,065.00 per month (\$20.00/s.f.).
2. The lease is extended for an additional period of 1 year commencing January 1, 2023, and expiring on December 31, 2023.
3. The Tenant shall have two (2) 1 year renewal options at the end of the extended lease term and shall give Landlord at least 6 months notice of its intent to exercise such renewal. The terms of such renewal are that Tenant will pay rent escalated at 3% over the then current Base Rental amount and escalates 3% per annum.
4. Landlord will continue to retain the current security deposit of \$8,611.75 as security payment for the Base Rent and additional rent, if any.
5. In all other respects the lease dated July 25, 2011, is confirmed.

TOWN OF HERNDON, VIRGINIA

ATTEST:

by: _____
Sheila A. Olem
Mayor

Town Clerk

TWC ASSOCIATION MANAGEMENT, INC.

by: 
Kim Hendon
Vice President

APPROVED AS TO FORM:

Lesa J. Yeatts
Town Attorney