

ORIGINAL

**RESOLUTION NO.: R-2025-002**

*SECOND AMENDMENT TO A RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL TO EXECUTE AN AMERICAN RESCUE PLAN ACT (ARPA) STORMWATER INFRASTRUCTURE PROGRAM SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF COLUMBIA AND THE SOUTH CAROLINA OFFICE OF RESILIENCE TO FUND A STORMWATER INFRASTRUCTURE IMPROVEMENT PROJECT THAT WILL MITIGATE THE IMPACT OF FUTURE DISASTERS*

WHEREAS, all terms of original Resolution (No. 2023-036) signed May 16, 2023 and the amended Resolution (No. 2023-089) signed November 21, 2023, are to be upheld unless modified by this amendment; and

WHEREAS, all references in Resolution No. 2023-36 and 2023-89 to the Marion Street Bioretention mitigation project's Award Determination Letter terms and conditions shall be for the modified Award Determination Letter as amended September 13, 2024; and

WHEREAS, the City of Columbia recognizes in this amended Resolution and by signature of the amended Award Determination Letter by applicant and governing body, full responsibility for any all cost overruns in excess of the total amount grant, not to exceed \$1,905,619.00 in ASIP grant funds from the South Carolina Office of Resilience to carry out mitigation activities in a timely manner; and

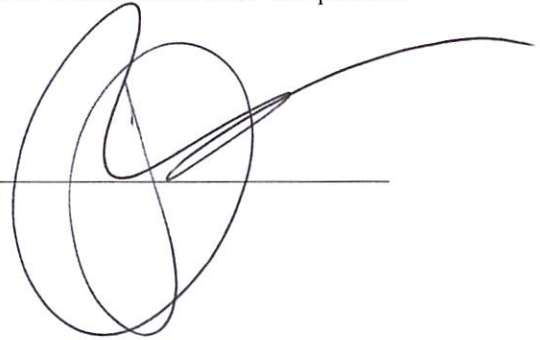
THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Columbia, South Carolina this 7<sup>th</sup> day of January, 2025, that the City of Columbia respectfully accepts funding provided by the South Carolina Office of Resilience through the ARPA Stormwater Infrastructure Program to fund infrastructure improvements that will mitigate the impact of future flooding.

BE IT FUTHER RESOLVED that the City of Columbia respectfully accepts responsibility for completion of the Project, any defects or failures, and the long-term maintenance after completion.

Requested by:

Assistant City Manager Shealy

Mayor



Approved by:

*Cheresa B. Nelson*  
City Manager

Approved as to form:

ATTEST:

*[Signature]*  
City Attorney

*Erika D. Hammond*  
City Clerk

Introduced: 01/07/2025  
Final reading: 01/07/2025



HENRY D. MCMASTER, *Governor*  
BENJAMIN I. DUNCAN II, *Chief Resilience Officer*

September 16, 2024

Teresa Wilson, City Manager  
City of Columbia  
1737 Main Street  
Columbia, South Carolina 29201

**RE: ARPA-Funded Stormwater Infrastructure Program (ASIP) Amended Award Determination for ASIP AP-22-4003-02- Marion Street Bioretention Project**

Dear Teresa Wilson,

This Project Application Award Determination (Award Letter) amends and supersedes terms and conditions as provided in the April 12, 2023, Award Letter, and in the event of any conflict between the April 2023 Award Letter and this Award Letter, this Award Letter shall control. As provided in the previous Award Letter, the project listed above was selected for an ASIP Mitigation grant award obligation in 2023 in the amount of **\$1,280,619.00**.

The South Carolina Office of Resilience (SCOR) Mitigation Special Case Panel (MSCP) Committee has reviewed the project cost determinations provided by the City of Columbia's project engineer and found that additional funds are needed. The MSCP has **approved** an increase to the project funding award amount not to exceed **\$625,000.00** for a revised total project ASIP award not to exceed **\$1,905,619.00**.

The revised ASIP award amount, not to exceed **\$1,905,619.00**, is intended to cover the lowest bid received, anticipated costs for material testing and inspection services, anticipated SCOR project management costs not covered by ASIP Administration dollars, and contingency funding for unforeseen conditions during construction. It is agreed that any ASIP project award funds not used to complete construction of the project scope as defined by the approved scope of work and to be included in the bid documents, or approved through MSCP in advance of the work, will be returned to SCOR for reallocation to existing ASIP funded projects in need of additional funding.

This project is funded through the American Rescue Plan Act (ARPA) – State and Local Fiscal Recovery Funds (SLFRF) funds obligated by the State Treasury to SCOR per an executed Intergovernmental Agency Agreement to complete State-Run Stormwater Infrastructure Projects. As a condition of the ASIP funding, **the project must be completed prior to April 1, 2026**. Where necessary, an extension may be granted if sufficient documentation can be provided to demonstrate the project will be completed prior to established funding deadline.

As stated in the previous Award Letter, this project has been awarded as a **State-Run project**. The SCOR appointed State Project Manager (SPM) is responsible for the day-to-day project management and is bound by 2 CFR Part 200 in project procurement, reporting, auditing, cost assessments, and monitoring responsibilities. The SPM operation and coordination of the Project's Scope of Work includes:

- Construction Contract Bid Process
- Procurement of Construction Engineering Inspection Services

- Conduct grant compliance with Federal and State regulations
- Project Closeout

Pursuant to both the prior Award and under this Amended Award, the City of Columbia agrees to and shall take ownership and maintain the completed drainage improvements in perpetuity. An Amended Draft Resolution is attached for the City to use in drafting a resolution for City Council approval of this Amended Award Agreement. Collectively, the amended award letter and the amended resolution shall be considered a revised ASIP grant agreement between SCOR and the City of Columbia for the Marion Street Bioretention Project.

In order to accept the additional ASIP funds as provided in this Amended Award Agreement, the City must provide the following to SCOR within 30 calendar days of receipt of this amended award letter, unless otherwise noted:

- Signed and Acknowledged Amended Award Letter
- Signed Amended Resolution
- By applicant's signature of this award letter and enclosed amended resolution, applicant and governing body acknowledges responsibility for any and all cost overruns in excess of the total amount granted in this award letter.

If additional time is needed for the above-described documents, please notify Pam Kendrick by email at [pam.kendrick@scor.sc.gov](mailto:pam.kendrick@scor.sc.gov). Thank you for the time and effort expended by your office in the preparation of your successful proposal and the management of the project thus far. We look forward to continuing our working in partnership with the City of Columbia to successfully implement and complete this infrastructure project.

Sincerely,



Phleisha Lewis  
Mitigation Director

Enclosures

#### ACKNOWLEDGED AND AGREED

The City of Columbia will fully cooperate with the South Carolina Office of Resilience in the implementation and execution of the Mitigation Infrastructure Project. The City agrees to the conditions and terms of this Amended Award Agreement and that it will take ownership of the drainage improvements in perpetuity.



Teresa Wilson, City Manager  
City Manager

1/31/2025

Date



# Stormwater Projects

## SD8443 – Marion Bioretention Project

### Project Description:

The City of Columbia is beginning construction of five bioretention cells to improve the stormwater quality in the Smith Branch Watershed and to remove impervious area from this highly urban watershed. The City has contracted with GMC Network to develop a plan for these improvements. Project improvements will occur along Marion Street from Elmwood Street to Laurel Street. Project construction is being funding through a SCOR ARPA grant.

### Objectives:

The purpose of this project is to improve the existing storm water quality that drains into Smith Branch and upgrade the drainage infrastructure along Marion Street. The bump-out design will replace some parking on Marion street to add greenspace, providing safety improvements and a beautification benefit.

OBO Program: The design of this project is a mentor-protégé program project. For the project overall, including the initial 2018 design contract and this requested final design contract, the protégé, Chao & Associates, will receive 24.97% of the fee. For the contract the protégé participation is 11.36%.

### Project Type:

Stormwater infrastructure improvement

### Council District:

2

### Project Funding:

This project is being funded through the City’s Stormwater Capital Improvement Plan in conjunction with a grant from the SC Office of Resiliency (SCOR) funded by the American Rescue Plan Act (ARPA) Stormwater Infrastructure Program. **The SCOR grant will be increased from \$1,280,619 to \$1,905,619.00 to fund the project construction which includes materials testing, project management cost and contingency.** The City has funded the final design, permitting, and construction engineering inspection estimated at \$178,250.00.

### Current Project Status:

The project was awarded to MS Utilities with a Notice to Proceed set for November 19<sup>th</sup>, 2024. The project will coordinate with the City’s parking and streets departments as well as SCDOT and DHEC. The City has conducted public outreach to inform the residents in the area of the green infrastructure upgrades. The SC Office of Resiliency will administer the construction portion of the project. **Council is asked to approve the Amendment to Resolution for funding increase of \$625,000 from ARPA. This increase comes at no cost to the City.**

### Project Contact:

Aaron Marshall, PE  
Civil Engineer, Senior – Design  
803.545.3265 | aaron.marshall@columbiasc.gov

